

**Tinexta S.p.A./ Warrant Hub S.p.A**

## **PRIVACY POLICY**

**pursuant to Article 13, Regulation (EU) 2016/679 (the "Regulation" or the "GDPR")**

With this privacy policy, the Joint Data Controllers (as defined below) wish to illustrate the purposes for which they collect and process your personal data, what categories of data are processed, what rights you have under data protection legislation, and how you can exercise them, in addition to allowing you - where necessary - to give your consent for specific processing activities.

### **1. JOINT DATA CONTROLLERS**

**Tinexta S.p.A.**, parent company of a group of companies (the "Group") listed on the website [www.tinexta.com/gruppo](http://www.tinexta.com/gruppo), with registered premises in Rome (RM), at Piazza Sallustio n. 9, VAT number: 10654631000, represented by the pro tempore legal representative thereof ("**Tinexta**" or the " **Holding**"), together with

**Warrant Hub S.p.A.**, with registered premises in Correggio (RE), at Corso Mazzini n. 11, tax identification number and VAT number: 01836920304, represented by the pro tempore legal representative thereof ("Warrant" or the "**Subsidiary**")

are joint controllers of your personal data (Tinexta and Warrant, hereinafter referred to jointly as the "**Joint Controllers**" and individually as "**Joint Controller**").

The Joint Controllers have entered into a joint control agreement pursuant to Article 26, GDPR, in order to govern the mutual roles and responsibilities relating to the joint control of the personal data concerning the contacts (existing and potential customers) of the Subsidiary processed as part of centralised activities and/or those carried out in association between the latter and the Holding (respectively, the "**Agreement**").

It follows that your personal data, which you may have provided as part of your business relationship with the Subsidiary, will automatically be processed under joint control with the other Joint Controller.

The essential content of the Agreement will be provided to you upon specific request sent to either Joint Controller.

The Joint Controllers can be reached using the following contacts details :

Tinexta: by email to [tinexta@legalmail.it](mailto:tinexta@legalmail.it), or via standard mail addressed to Tinexta S.p.A., at Piazza Sallustio 9, - 00187 Rome (RM);

Warrant Hub: by email to [amministrazione@pec.warrantgroup.it](mailto:amministrazione@pec.warrantgroup.it) or via standard mail addressed to Warrant Hub, at Corso Mazzini, 11, 42015, Correggio (RE) - Italy.

## **2. DATA PROTECTION OFFICER:**

The Joint Controllers have both designated the Group data protection officer as their own data protection officer (hereinafter either "Data Protection Officer" or "**DPO**").

You can contact the DPO via certified email at [dpo\\_tinexta@legalmail.it](mailto:dpo_tinexta@legalmail.it) or by conventional mail at the following address:

Data Protection Officer  
Tinexta S.p.A.  
Piazza Sallustio n. 9  
00187 Rome (RM).

## **3. DEFINITION OF PERSONAL DATA AND INFORMATION RELATING TO PROCESSING ACTIVITIES**

Pursuant to the GDPR, personal data means: *“any information that relates to an identified or identifiable natural person; a natural person is considered to be identifiable if the identity thereof can be established, directly or indirectly, by means, in particular, of an identifier such as a name, an identification number, location data, an online identifier or one or more specific traits or features which express the physical, physiological, genetic, mental, economic, cultural or social identity of this natural person (the “Data”).”*

Within the context of the activities relating to the establishment and subsequent management of the contractual relationship, the Joint Controllers collect and process the following categories of Data:

- i. registration and identification details (e.g., first name, surname, tax ID number, VAT number);
- ii. contact details, such as addresses (residence or other address used for notification purposes), email address, and telephone number;
- iii. company/firm, sector, employment position, department;
- iv. bank details (e.g. IBAN code, credit card number, etc.), and other information needed for payment and/or billing purposes;
- v. in general, any other information required in order to establish and subsequently perform the agreement or for ancillary or instrumental activities, including data collected as part of credit rating and fraud prevention checks.

The provision of your data is entirely voluntary; however, refusal to provide the information requested could prevent the Joint Controllers from carrying out your requests or (depending on the case) could hinder the establishment or subsequent management of the contractual relationship.

In any case, the Joint Controllers undertake to ensure that the information collected and used is appropriate for the purposes stated below, and that this does not constitute an invasion of your privacy.

#### **4. PURPOSE OF THE PROCESSING AND LEGAL BASIS THEREOF**

##### **a. Performance of ordinary checks prior to the establishment of the contractual relationship**

The Subsidiary or, if applicable, Tinexta may collect and process your data in order to carry out ordinary pre-contractual activities which are connected and or in some way instrumental to the establishment of the contractual relationship, such as, for example, checks on your creditworthiness and solvency.

If your data is processed, the processing will be performed in compliance with the lawfulness condition stated in Article 6, paragraph 1, point f), GDPR, i.e. on the legitimate interest of the Joint Controllers to assess the reliability of their contractual counterparty and prevent the risk of possible fraud.

##### **b. Establishment and management of the contractual relationship**

The Joint Controllers will process the Data in order to carry out your requests and, specifically, as part of the related activities deemed necessary or instrumental to the establishment and subsequent administration of the contractual relationship, including creating your personal data system, provision of the service/product you have purchased or ordered, sending invoices, collecting sums due, and carrying out technical or customer assistance activities in general, etc.

To achieve these purposes, the Joint Controllers process your data in compliance with the lawfulness condition stated in Article 6, paragraph 1, point b), GDPR, i.e. as the processing is necessary in order to perform an agreement to which you are party or carry out pre-contractual measures which you have requested.

##### **c. Compliance with a legal requirement**

The Joint Controllers may process your data if this is necessary to meet legal requirements imposed on them (including, for example, those envisaged by legislation to counter money-laundering).

The processing, if necessary, will be performed in compliance with the lawfulness condition stated in Article 6, paragraph 1, point c), GDPR.

##### **d. Sending customer satisfaction feedback emails:**

In order to improve their services in the future and the customer experience in general, the Joint Controllers may contact you by email or phone (through an operative) to ask your opinion on a particular purchase you made or order you placed.

In this case, your Data will be processed on the basis of the legitimate interest of the Joint Controllers, in compliance with the principles set out in the GDPR.

In this regard, you may exercise the right not to be contacted by unsubscribing using the relative *link* which can be found at the foot of each of the *customer satisfaction* emails you may receive; you may unsubscribe at any time and at no cost.

If you do not wish to be contacted by phone by an operative, you are advised that you can exercise your right to stop receiving calls by contacting one of the Joint Controllers at the addresses stated above, or by registering with the Registro delle Opposizioni (list of national telephone numbers and relating addresses which cannot be used for contacts for sales and marketing purposes).

In this case, the Joint Controllers may not contact you again to seek your opinion concerning a particular purchase you made or order you placed.

**e. Performance of marketing activities:**

Each Joint Controller will process the Data to send you (i) commercial or promotional emails relating to products and/or services (either its own or those of other group member companies) which are similar to those you have already purchased or previously ordered; (ii) invitations to participate in any initiatives, promotional campaigns, or events, *workshops*, courses, seminars, and round tables organised by the Joint Controllers, possibly in conjunction with third parties.

In this regard, you are informed that in order to send you offers relating to products and services that may be of interest to you and to invite you to take part in initiatives which you may appreciate, the Joint Controllers may take your preferences into consideration (based on previous purchases, orders and, in general, your relationship with either one or both of the Joint Controllers). However, this will not affect your rights and freedoms as a data subject, as you will still be able to access all the products/services offered by the Joint Controllers or by the other companies in the Group and, moreover, no restrictions are or will be applied on the basis of the preferences expressed by data subjects.

The Joint Controllers will process your data in compliance with the principles set out in the GDPR and on the basis of their legitimate interest, as provided for in Article 6, paragraph 1, point f), GDPR. On this matter, please note that you may exercise your right not to receive any further emails by following the instructions found at the foot of each promotional email or, alternatively, in the way stated in Section 9 below; you may exercise this right at any time and at no cost.

Additionally, if you have given your consent, either Joint Controller may process the aforesaid Data to send you commercial and/or promotional information relating to all the products or services offered by the Joint Controllers, by other Group member companies and/or by third parties, as well as to invite you to any events, demonstrations, seminars, etc. it organises ("**Indirect Marketing**"). Your data may be processed for this purpose only if you have given your consent, which renders it lawful. Regarding this aspect, you are informed that you have the right to withdraw any consent previously expressed, doing so free of charge and at any time, using the link available at the bottom of the indirect marketing emails you may have received or by contacting either of the Joint Controllers in the way stated in Paragraph 9.

**f. Performance of statistical analyses:**

The Joint Controllers may process your personal data when carrying out market and/or sales analyses.

Within this context, information is generally stored anonymously and processed in an aggregate format. Usually, therefore, these activities do not constitute personal data processing as defined above, i.e. data meant as information attributable to you as an identifiable party.

If, on the other hand, Data (as defined above) is processed, appropriate security measures will be adopted (such as, for example, pseudonymisation). In the event, the processing will be carried out on the basis of the legitimate interest of the Joint Controllers.

## **5. DISCLOSURE OF DATA TO THIRD PARTIES LOCATED WITHIN THE EUROPEAN ECONOMIC AREA**

The Joint Controllers may disclose your data to third parties that provide them with services which are necessary, instrumental, or in some way connected to the aforesaid purposes.

More specifically, your Data may be disclosed to parties (e.g., companies, associations, entities, freelance professionals) working with the Joint Controllers as part of the activities required to market, distribute, and promote their products or services, including, for example, technology service *providers*, marketing and/or communication agencies, and external consultants, assigned to carry out the processing as data processors. An updated list of these data processors is kept by the Joint Controllers and is available upon request.

Either Joint Controller may also disclose your Data to third parties when legally required to do so, as well as to public administration authorities, other organisations established within the European Economic Area, and to credit or electronic money institutions with which the Joint Controllers work. These parties will process your Data as independent controllers.

Finally, if you have consented to this, your data may be disclosed to third parties, who, as independent controllers, will process it in order to send you their commercial or promotional information.

## **6. TRANSFER OF DATA OUTSIDE THE EUROPEAN ECONOMIC AREA**

Furthermore, in order to achieve the aforesaid purposes, your Data may be passed on to parties established in countries outside the European Economic Area which offer the Joint Controllers services relating to the processing activities carried out.

This transfer, if applicable, will always take place in compliance with the conditions set out in the GDPR and will be governed (depending on the recipients) by the *standard* contractual clauses adopted by the European Commission or, alternatively, on the basis of a Commission adequacy decision and/or any other instrument permitted by applicable legislation.

More information about where your data has been transferred (when necessary) may be obtained by contacting the addresses referred to in Sections 1 and 2.

## **7. RETENTION PERIOD**

The Joint Controllers will process your data solely for the time strictly necessary to achieve the purposes specified in detail.

In particular, depending on the purposes of the processing, the data will be processed for the following lengths of time when retained for the following purposes:

- i. Performance of ordinary prior checks: your data will only be retained for as long as is necessary to carry out the said checks;
- ii. Establishment and management of the contractual relationship/meet a legal requirement: Your Data will be processed throughout the term of the contractual relationship and will be kept for a further period of 11 years as of the date of termination thereof, exclusively for purposes relating to compliance with legal requirements or to defend the rights of one or both Joint Controllers in court;
- iii. Sending customer satisfaction feedback emails: your Data will be processed for a maximum of 12 months from the purchase you made or order you placed, unless you exercise the right to object to this processing;
- iv. Performance of marketing activities: your Data will be processed for no longer than 24 months as of the date it was recorded or from the last purchase or order date (whichever is later), unless the right to object to processing is exercised, or you withdraw consent given for indirect marketing;
- v. Performance of statistical analyses: your data will be processed for the same period of time as stated in point ii, without prejudice to the right to object to the processing.

## **8. RIGHTS OF THE DATA SUBJECT**

During the period in which the Joint Controllers are in possession of or are processing your Data, you, as a data subject, may exercise the following rights at any time:

- Right of access - You are entitled to obtain confirmation of the existence or otherwise of any processing concerning your data, and, if necessary, to receive any information relating to the said processing;
- Right to rectification - You are entitled to obtain the rectification of any of your Data in our possession if incomplete or inaccurate;
- Right to deletion - in certain circumstances, you are entitled to obtain the erasure of your data present in our archives provided that it is not relevant for the purposes of the ongoing contractual relationship or necessary in order to meet a legal requirement imposed on the Joint Controllers or to ascertain, exercise, or defend a right thereof in court;
- Right to restrict processing - provided that certain conditions are met, you are entitled to limit the processing carried out concerning your data;
- Right to portability - provided that certain conditions are met, you are entitled to have your data in our possession transmitted to a different controller;
- Right to object - You are entitled to object, at any time and for reasons connected to your particular situation, to your data being processed on the basis of the lawfulness of the legitimate interest or to perform a task of public interest or exercise public powers (including profiling) unless there are legitimate reasons for the Joint Controllers to continue the processing that overrule the interests, rights, and freedoms of the data subject or if necessary to establish, exercise, or defend a right in court;
- Right to withdraw consent - You are entitled to withdraw your consent to the processing of your data at any time, without prejudice to the lawfulness of processing already carried out based on the consent given previously;
- Right to file a complaint with the supervisory authority - in the event that the Joint Controllers refuse to meet your requests for access, the reasons therefor will be provided. If applicable, you are entitled to file a complaint in the way set out below.

The rights stated above may be exercised against the Joint Controllers by writing to the addresses given in §1 or by contacting the DPO of the Joint Controllers at the addresses given in §2.

You may exercise your rights as a data subject free of charge pursuant to and within the limits of Article 12, GDPR

## **9. COMPLAINTS**

If you wish to lodge a complaint about the ways in which your data is processed by the Joint Controllers, or about the way in which a request you have made has been handled, you are entitled to submit an application directly to the supervisory authority.