

PRIVACY POLICY STATEMENT FOR THE PROCESSING OF PERSONAL DATA OBTAINED FROM THE DATA SUBJECT

With regard to the provisions of Reg. (EU) 2016/679 (European General Data Protection Regulation), this is to provide you with the legally required information with regard to the processing of personal data supplied by the data subject.

This privacy policy statement is provided pursuant to art. 13 of Reg. (EU) 2016/679 (European General Data Protection Regulation) and art. 13 of Legislative Decree no. 196 of 30.6.2003 (Personal Data Protection Code).

1. DATA CONTROLLER

Pursuant to articles 4 and 24 of Reg. (EU) 2016/679, the data controller is AKERN srl, in the capacity of data controller and legal representative.

2. PERSONAL DATA PROCESSED

The Data Controller processes the personal identification data (for example name, surname, company name, address, telephone number, email address, and bank and payment details) communicated by the data subject during the conclusion of contracts for the services offered by the Data Controller.

3. PURPOSES AND LAWFULNESS OF THE PROCESSING

The personal data contributed will be processed in compliance with the conditions of lawfulness envisaged by art. 6 comma b of Reg. (EU) 2016/679, for the fulfilment of a contract to which the data subject is a party or for the fulfilment of a preliminary contract or pre-contractual agreement, as follows:

- for the conclusion of distance purchase contracts via the <https://service.akern.com> website
- for compliance with pre-contractual, contractual and fiscal obligations arising from the business relationship with the data subject;
- for navigation on the said website;
- for replying to emails, contacts and enquiries in general relating to the products and services offered by AKERN srl;
- for sending data to partners, professionals, enterprises or companies which collaborate with AKERN srl, in order to fulfil data subjects' requests;
- for the possible compilation of data collection forms for the submission of a request for information to the data controller;
- for the processing of anonymous data for the purposes of reporting, development and expansion of the services offered by the Data Controller;
- for administrative and accounting purposes (of an organisational, administrative, financial and accounting nature, regardless of the nature of the data processed);
- in order to comply with the obligations enforced by the law, a regulation, Community regulations or an Authority order (such as measures to prevent money laundering);

- for the exercise of the Data Controller's rights, such as the right to defend itself before the Courts; The data subject's specific, separate consent is required, under art. 7 of Reg. (EU) 2016/679 (GDPR) for the following Marketing Purposes:

- the sending via email, post and/or text message and/or telephone contacts, of newsletters, marketing communications and/or advertising material on products or services offered by the Data Controller and surveying of the degree of satisfaction with the quality of the services;
- the sending via email, post and/or text message and/or telephone contacts of marketing and/or promotional communications of third parties (for example, business partners or insurance companies).

4. RECIPIENTS OR CATEGORIES OF RECIPIENTS OF THE DATA

The personal data supplied may be disclosed to recipients, designated in accordance with art. 28 of Reg. (EU) 2016/679, which process the data in the capacity of data processors and/or of natural persons acting under the authority of the Data Controller and Data Processor, for the fulfilment of the contracts or related purposes. Specifically, the data may be disclosed to recipients belonging to the following categories:

- entities which supply services for the management of AKERN srl's IT system and communication networks. (including email);
- firms or companies which provide assistance and consulting;
- competent authorities for the fulfilment of legal obligations and/or the orders of public bodies, on request;
- business information companies for assessment of solvency and payment practices and/or to entities which provide credit recovery services.

The entities in the aforesaid categories fulfil the function of Data Processor, or operate in complete independence as separate Data Controllers.

5. TRANSFER OF PERSONAL DATA TO A THIRD COUNTRY AND/OR AN INTERNATIONAL ORGANISATION

The personal data contributed by the data subject may be transferred abroad either inside or outside the European Union, in all cases guaranteeing all technical measures to ensure their security, confidentiality and integrity;

6. PROCESSING PROCEDURES

The personal data of the data subject are processed through the operations specified in art. 4 comma 2 of Reg. (EU) 2016/679 (GDPR), and specifically: collection, recording, organisation, storage, consultation, treatment, alteration, selection, retrieval, alignment, use, combination, freezing, disclosure, erasure or destruction of data. Personal data are processed both on paper and by electronic and/or automated means.

7. DATA STORAGE PERIOD

Data will be processed in automated and/or manual form, by procedures and with tools which guarantee the highest level of security and confidentiality, by specifically appointed persons or entities.

In compliance with the provisions of art. 5 comma 1 (e) of Reg. (EU) 2016/679, personal data collected will be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.

8. NATURE OF THE CONTRIBUTION OF DATA AND REFUSAL

The contribution of personal data for the purposes referred to in point 3 of this privacy policy statement is necessary for fulfilment of the contract and use of the services offered to the Data Controller. Failure to contribute personal data may imply the impossibility of obtaining the service requested or using the services offered by the Data Processor

9. RIGHTS OF DATA SUBJECTS

Data subjects may exercise their rights under articles 15, 16, 17, 18, 19, 20, 21 and 22 of Regulation (EU) 2016/679 by contacting the Data Controller **privacy@akern.com**

The data subject has the right, at any moment, to:

- obtain confirmation as to whether or not personal data concerning him exist, regardless of their being already recorded, and disclosure of such data in intelligible form;
- obtain the following information: a) the source of the personal data; b) the purpose and processing methods; c) the logic applied to the processing, if the latter is carried out with the help of electronic means; d) the identification data concerning data controller, data processors and the representative designated as per article 5, comma 2 of the Personal Data Protection Code and art. 3, comma 1 of the GDPR; e) the entities or categories of entity to whom or which the personal data may be disclosed and who or which may get to know said data in their capacity as designated representative(s) in the State's territory, data processor(s) or person(s) in charge of the processing;
- obtain: a) the updating, rectification or, where interested therein, integration of the data; b) the erasure, anonymization or blocking of data that have been processed unlawfully, including data whose retention is unnecessary for the purposes for which they have been collected or subsequently processed; c) certification to the effect that the operations as per letters a) and b) have been notified, as also related to their contents, to the entities to whom or which the data were disclosed or disseminated, unless this requirement proves impossible or involves a manifestly disproportionate effort compared with the right that is to be protected.
- object, partially or entirely: a) on legitimate grounds, to the processing of personal data concerning him/her, even though they are relevant to the purpose of the collection; b) to the processing of personal data concerning him/her, where it is carried out for the purpose of sending advertising materials or direct selling or else for the performance of market or commercial communication surveys, with the use of automated systems not involving an operator, by email and/or by traditional marketing means using the telephone and/or paper mail.

Where relevant, the data subject also has the rights set out in art. 16-21 of the GDPR (right to rectification, right to be forgotten, right to restriction of processing, right to data portability and right to object).

Without detriment to the right to any other administrative or jurisdictional recourse, if the data subject maintains that the processing of his personal data breaches the provisions of Reg. (EU) 2016/679, under art. 15 comma f) of the said Reg. (EU) 2016/679 he/she has the right to complain to the Personal Data Protection Authority and, pursuant to art. 6 comma 1 (a) and art. 9 comma 2 (a), is entitled to withdraw the consent given at any time.

In the event that the data subject submits a data portability request, the Data Controller shall supply his/her personal data in a commonly used, readable format, subject to the provisions of art. 20, commas 3 and 4 of Reg. (EU) 2016/679.

For contacts and further information:

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