

**INFORMATION**  
**pursuant to article 13 EU Reg. 679/2016 and Legislative Decree 196/2003 as amended (Privacy Code)**

Dear customer,

we wish to inform you that EU Reg. 679/2016 (and Legislative Decree 196/2003 as amended) provide for the protection of individuals with regard to the processing of personal data. According to this legislation, this processing will be based on principles of correctness, lawfulness and transparency, protecting your privacy and your rights.

Pursuant to the afore-mentioned articles 13 EU Reg. 679/2016 and Legislative Decree 196/2003 as amended, we therefore provide you with the following information:

- a)** The processing that the Data Controller may carry out will be performed through an automated process and/or through the collection of paper-based documents and pursues the following purposes:
- the establishment and management of the commercial/professional relationship and the related organisational activities;
  - the provision of services/the purchase of goods, subject of the commercial/professional relationship established with the data controller;
  - management of the related pre-contractual, contractual, post-contractual, administrative, accounting, tax and legal obligations.
- b)** The provision of data is mandatory for the execution of the purposes referred to in letter **a)** and its eventual non-provision could make it impossible to establish the commercial/professional relationship; the processing is not based on the conditions set forth in art. 6, paragraph 1, lett. f) EU REG 679/2016;
- c)** Your personal data will be processed by persons specifically appointed by the data controller as data controllers and/or by anyone acting under its authority and having access to personal data; these subjects will process your data only when necessary in relation to the purpose of the provision and only in the performance of the tasks assigned to them by the data controller, undertaking to process only the data necessary for carrying out these tasks and to perform only those operations necessary to carry out the same.
- Furthermore, your personal data may be communicated for the purposes referred to in paragraph **a)**, to:
- External companies or professionals that perform specific tasks on behalf of the data controller (for example, non-exhaustively, data processing, assistance, advice, regarding the administrative, accounting, tax, legal, regulatory, management/maintenance/implementation of company information systems, management of the company website, etc.) only if the communication of your personal data is necessary or in any case functional to the pursuit of the purposes referred to in paragraph a);
  - Agents/consultants, brokers and collaborators/partners of the data controller only if the communication of your personal data is necessary or in any case functional to the pursuit of the purposes referred to in paragraph a);
  - law firms and lawyers, for the possible protection of contractual rights;
  - credit institutions/payment systems, and where necessary, to finance, leasing, recovery, protection and credit transfer companies, for the management of economic transactions;
  - Central and peripheral State Bodies, Public Bodies and other Institutes to comply with legal obligations;
  - Parent company, controlled by or connected to the data controller;
  - Insurance companies and/or insurance brokers, only if the communication of your personal data is necessary or in any case functional to the pursuit of the purposes referred to in paragraph a).

The data communications described above are, depending on the case, connected to specific legal/contractual obligations or are necessary for conclusion of the contractual relationship or are strictly connected to normal business operations in the management of the established contractual relationship, and strictly necessary for the purposes referred to in paragraph **a)**; therefore, failure to communicate the data may make it impossible to establish the contractual relationship.

c1) the Data Controller may transfer personal data to a third country or to an international organisation; in these cases they undertake to carry out the processing only in the presence of appropriate guarantees;

c2) in compliance with the Provision "Measures and arrangements prescribed to data controllers with electronic instruments relating to the assignment of the functions of system administrator - 27 November 2008" (Official Journal no. 300 of 24 December 2008) and the related additions and amendments, the data controller has appointed specific "**System Administrators**" who, as part of the performance of their functions, will have access, including indirectly, to services or systems that process or allow the processing of personal information.

c3) the data will not be disclosed to other third parties, unless you have approved this, in advance, with your express consent.

**Your personal data will not be disseminated.**

- d)** The data will be kept for the time necessary to achieve the purposes indicated above and to comply with regulatory obligations in the sector; the retention period will be determined by the duration of the commercial/professional relationship and by the administrative, accounting and fiscal obligations.
- e)** The personal data provided will not be processed in order to implement an automated decision-making process (so-called profiling).
- f)** In the hypothesis in which the personal data provided must be processed for purposes other than those indicated above, the Data Controller will provide you with information regarding this different purpose and any other relevant information.

The Data Controller, taking into account the state of the art and the implementation costs as well as the nature, scope, context and purpose of the processing, both when determining the means of processing and at the time of the processing itself (so-called risk analysis - *accountability*), has put in place adequate technical and organisational

measures aimed at effectively implementing the data protection principles and integrating the necessary guarantees in order to meet the requirements of EU Reg. 679/2016 and to protect the rights of the interested party.

In this context, personal data will be processed for purposes related and/or instrumental to the commercial/professional relationship established, in compliance with the objectives to be pursued above.

Data will be processed using methods and instruments suitable to guarantee security (art. 24, 25 and 32 EU Reg. 679/2016) and will be carried out through an automated process and through non-automated means (paper-based archives) to which all technical and organisational measures will be applied to ensure a level of security appropriate to the risk to ensure on a permanent basis its confidentiality, integrity, availability and resilience of the processing systems and services (by way of example but not limited to: controls both on the assignment of tasks to the persons responsible for data processing and on the classification of the data itself, procedures, if sustainable, of pseudonymisation and encryption, *disaster recovery* mechanisms, etc.).

We inform you that, in compliance with the combined provisions of articles 4 point 11 and art. 6, paragraph 1, lett. b) EU Reg. 679/2016, the processing of personal data is necessary (and therefore legal) for the execution of the business/professional relationship between the Parties and that the receipt by you of this statement configures your consent, through a positive and unequivocal action, to the above-mentioned processing (art. 7 EU Reg. 679/2016).

The **data controller** is: **OPTIMA SPA with sole shareholder** (company subject to the management and coordination of Cone Investments UK Ltd), with registered office in Via Gaggio n. 72, in San Clemente (RN), Tax Code - VAT no. 01622060406, Telephone: +39 0541 859411, Fax: +39 0541 859412, Website [www.casaoptima.com](http://www.casaoptima.com), E-mail [privacy@casaoptima.com](mailto:privacy@casaoptima.com), PEC [optimasrl@pec.mec3.it](mailto:optimasrl@pec.mec3.it) (defined above and below "**Data Controller**").

The **data controller**, in compliance with the GDPR and the laws applicable to the processing of the personal data, has appointed an independent third party as Data Protection Officer (D.P.O. ex art. 37 REG. EU 679/2016 and WP Guidelines Article 29 of 13.12.2016), to which you can contact for any information and/or request and/or complaint through the communication channels above.

Pursuant to art. 28 of the EU REG. 679/2016, the Data Controller may use third parties that process data on its behalf and formally appointed by it as data processors. The complete and updated list of data processors appointed will be provided to you by the Data Controller upon your simple request, by sending a communication to the addresses indicated above.

Pursuant to art. 29 of the EU REG. 679/2016, the Data Controller may use anyone acting under its authority and/or the appointed manager; these subjects will be duly instructed.

The Data Controller also informs you that:

- g)** the interested party has the right to ask the Data Controller to access their personal data, to correct or cancel it, to limit its processing or to oppose its processing in addition to the right to data portability (art. 15, art. 16, art. 17, art. 18, art. 20 EU REG. 679/2016); with the exercise of the right of access, the interested party has the right to obtain from the Data Controller confirmation that it is or is not processing any personal data concerning them while the exercise of the right to portability allows the interested party to obtain from the data controller personal data in a structured format, in common and readable use, or the transfer of such data from the original data controller to another (see WP 242 of 13.12.2016);
- h)** the interested party has the right, where the processing is based on article 6, paragraph 1, letter a) or on article 9, paragraph 2, letter a), to withdraw their consent at any time without compromising the lawfulness of the processing based on the consent given before the withdrawal;
- i)** the interested party has the right to lodge a complaint with a supervisory authority;
- j)** the interested party has the right to learn of, from the Data Controller, which must respond appropriately without justified delay, any violation of personal data likely to present a high risk for the rights and freedoms of individuals (art. 34 EU REG. 679/2016).

The full text of the articles of the EU REG. 679/2016 related to your rights (articles 15 to 23 inclusive) is available at any time at the following link on the website of the Authority for the Protection of Personal Data:

- <https://www.garanteprivacy.it/regolamentoue>

or, alternatively, the Data Controller will provide you with it in response to your request, by sending a communication to the addresses previously indicated.

San Clemente (RN-Italy), data last modification 01.01.2020