

INFORMATION ON THE USE OF PERSONAL DATA OF SUPPLIERS – CUSTOMERS

Pursuant to art. 13 GDPR EU 2016/679

Pursuant to EU Regulation 2016/679, also known as GDPR, and Legislative Decree 101/2018 containing the provisions for the adaptation of national legislation to the GDPR, **B.B.M. SERVICE S.R.L.**, as Data Controller, transmits its information to its suppliers and customers, specifying that the processing of their personal data will be based on the principles of correctness, lawfulness and transparency and the protection of your privacy and your rights.

1. WHO IS THE DATA CONTROLLER - CONTACT DETAILS

The Data Controller is B.B.M. SERVICE S.R.L. (hereinafter also "**Titular**" or "**Society**"), with registered office in San Pellegrino Terme (BG), Via Pregalleno n. 24 - CAP 24016. The Data Controller can be contacted at the following addresses: e-mail privacy@bbmpackaging.com; PEC: bbmservice@legalmail.it; telephone +39 0345 23642.

Pursuant to and for the purposes of art. 37-39 of the European Regulation GDPR 16/679, B.B.M. SERVICE S.R.L. has not designated a Personal Data Protection Officer (DPO).

The updated list of Data Processors, appointed by the Data Controller pursuant to art. 28 of the aforementioned EU Regulation, and of the Persons Authorised to Process, can be consulted at the registered office of B.B.M. SERVICE S.R.L.

2. LEGAL BASIS - PURPOSE OF THE PROCESSING

The **legal basis** for the processing is the need to fulfill the legal and contractual obligations related to the establishment and management of the contractual relationship (Article 6.1, letters b and c of the Regulation); the need to pursue the legitimate interest of the Company related to the management of any litigation and the protection of the Company's rights (Article 6.1, letter f of the Regulation); whereby:

- the processing is necessary for the performance of a contract to which the data subject is a party or for the possible establishment of the same in the context of pre-contractual negotiations;
- the processing is necessary for compliance with a legal obligation to which the Data Controller is subject;
- the processing is necessary for the pursuit of the legitimate interest of the Data Controller or of third parties.

The processing is also based on your express consent for marketing and promotional activities as better specified in this policy.

As for the **purposes** of the processing, your personal data (and possibly of your family members) will be collected and processed for:

- for the fulfilment of all legal and contractual obligations, related to the contract and commercial relations with the Company;
- for the performance of operations strictly connected and instrumental to the initiation of contractual relationships, including the acquisition of preliminary information at the conclusion of the contract or the establishment of the relationship;
- for the completion of all the practices required by current regulations on Occupational Safety, Privacy and Environmental, fiscal, health protection, public safety and order;

- for the management of relations with the customer and with the supplier for administration, accounting, invoicing, services and management of any disputes;
- to forward communications of various kinds and by different means of communication (telephone, mobile phone, text message, e-mail, fax, paper mail);
- to formulate requests or process requests and proposals received;
- for the preparation of declarations and documents of a civil, fiscal nature, required by laws, regulations, rules and directives of the European Union and non-European Union;
- to optimize the creation and/or delivery of products and/or services;
- for marketing activities and commercial initiatives, advertising and/or direct commercial communication (subject to specific consent), by sending a newsletter on company news, even without any profiling activity.

3. CATEGORIES OF DATA PROCESSED

The Data Controller will process his/her data:

- non-special personal data (such as, for example, name, surname, VAT number, telephone number, e-mail address, company role, nationality...) necessary to carry out the purposes indicated above;
- contact data: postal address, telephone numbers, e-mail address, billing address; SDI code.
- administrative data: includes payment information;
- technical data: based on the product and/or service requested or provided for in the contract;
- Data of interest: relating to your preferences regarding our services and/or products.

4. MANDATORY NATURE OF THE PROVISION OF DATA

The provision of data, for the purposes referred to in art. 2 is mandatory as it is necessary to meet legal and contractual obligations and, therefore, any refusal to provide them in whole or in part may make it impossible for the Data Controller to finalize the service contract and/or to execute the contractual relationship or to correctly carry out all the obligations related to the contractual relationship with the customer/supplier. Specific consent is required for marketing activities and commercial initiatives, advertising and/or direct commercial communication. For all other activities, the processing covered by this policy does not require specific consent.

5. METHODS OF PROCESSING

The processing of data for the purposes set out takes place both automatically, on electronic or magnetic support, and non-automated, on paper, in compliance with the rules of confidentiality and security provided for by law, consequent regulations and internal provisions.

The processing is carried out by various Offices (Marketing, Sales, Administration, Technical, Production, Purchasing, Quality, Warehouse).

For the complete and exhaustive indication of the security measures suitable for the effective protection of personal data, you can make an express request to the e-mail address of the Data Controller.

6. DATA RECIPIENTS

The personal data processed by the Data Controller will not be disseminated, i.e. they will not be disclosed to unspecified subjects, in any possible form, including that of making them available or simple consultation. On the other hand, they may be communicated to workers who work for the Data Controller and, within the limits strictly necessary, to persons who, for purposes relating to the contractual relationship with the Data Controller, must supply goods and/or perform services on behalf of the Data Controller. The latter subjects will be appointed, if necessary, Data Processors. Finally, they may be communicated to persons entitled to access them by virtue of legal provisions, regulations, EU legislation.

We require all third parties to respect the security of your personal data and to handle it in accordance with applicable law. We do not allow third-party service providers to use your personal data for their own specific purposes, but only allow them to process your personal data for the specified purposes and in accordance with our instructions.

For the complete indication of the persons in charge and responsible for the processing of your personal data, you can make an express request to the Data Controller, to the contact details communicated in point 1.

7. COMMUNICATION OF DATA

The Company guarantees that no data you provide will be communicated or transferred to natural and/or legal persons based outside the EU. The Company guarantees that all servers and digital media that store the data provided by you are located at the Company's operating offices or in any case within the European Union.

8. DATA RETENTION PERIOD

The data provided will be stored for the purposes indicated above for the entire period of execution of the contract, as well as for the additional period of time necessary for the fulfilment of all legal obligations (e.g. civil obligation to keep accounting records and further business correspondence for 10 years). Once the relationship has been concluded, in order to protect the Company's rights, the data will be stored – so as to be accessible only in case of need – also for the resolution of any disputes that may arise between the Companies, for a period of time corresponding to the limitation period of any rights that you may have against the Company. This period varies depending on the type of data and the possible intervention of interruptive or suspensive causes of the statute of limitations itself.

In any case, the storage is established for a period of time not exceeding the achievement of the purposes for which the data are collected and processed for the execution and fulfilment of the contractual purposes, in compliance with the mandatory times prescribed by law. During this period, however, appropriate technical and organisational measures will be implemented to protect the rights and freedoms of the data subject.

9. RIGHTS REFERRED TO IN CHAPTER III OF EU REGULATION 2016/679

With regard to the personal data you provide, you may exercise the rights provided for by art. 15-21 of Regulation 2016/679 to the Data Controller's contact details. You may also expressly request to be better informed about the following rights, extracts of which are provided, and to receive a full copy of the aforementioned legislation, as well as Legislative Decree 196/03, as amended by Legislative Decree 101/18.

Art. 7 Conditions for consent

1. *Where the processing is based on consent, the data subject has given his or her consent to the processing of his or her personal data.*
2. *If the consent of the Data Subject is given in the context of a written statement that also covers other matters, the request for consent is presented in a manner that is clearly distinguishable from other matters, in a comprehensible and easily accessible form, using plain and clear language. No part of such a statement that constitutes a breach of these Rules shall be binding.*
3. *You have the right to withdraw your consent at any time. The withdrawal of consent does not affect the lawfulness of processing based on consent before its withdrawal. Before giving their consent, the data subject is informed of this. Consent is revoked as easily as it is granted.*
4. *In assessing whether consent has been freely given, the utmost consideration is given to the possibility, among others, that the performance of a contract, including the provision of a service, is conditional on the provision of consent to the processing of personal data that is not necessary for the performance of such a contract.*

Art. 15 Right of access of the data subject

1. *The data subject shall have the right to obtain from the controller confirmation as to whether or not personal data concerning him or her is being processed and, where that is the case, to obtain access to the personal data and the following information:*
 - a) *the purposes of the processing;*
 - b) *the categories of personal data concerned;*
 - c) *the recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular if recipients are from third countries or international organisations;*
 - d) *where possible, the envisaged retention period for personal data or, if this is not possible, the criteria used to determine that period;*
 - e) *the existence of the right of the data subject to request from the data controller the rectification or erasure of personal data or the restriction of the processing of personal data concerning him or her or to object to their processing;*
 - f) *the right to lodge a complaint with a supervisory authority;*
 - g) *if the data are not collected from the data subject, all available information on their origin;*
 - h) *the existence of automated decision-making, including profiling as referred to in Article 22(1) and (4), and, at least in such cases, meaningful information about the logic used, as well as the significance and envisaged consequences of such processing for the data subject.*

Art. 16 Right to rectification

The data subject shall have the right to obtain from the controller the rectification of inaccurate personal data concerning him or her without undue delay. Taking into account the purposes of the processing, the data subject has the right to obtain the completion of incomplete personal data, including by providing a supplementary statement.

Art. 17 Right to erasure ("right to be forgotten")

1. *The data subject shall have the right to obtain from the controller the erasure of personal data concerning him or her without undue delay and the controller shall be obliged to erase the personal data without undue delay, if one of the following reasons applies:*
 - a) *the personal data is no longer necessary in relation to the purposes for which it was collected or otherwise processed;*
 - b) *the data subject withdraws the consent on which the processing is based in accordance with Article 6(1)(a) or Article 9(2)(a) and if there is no other legal basis for the processing;*
 - c) *the data subject objects to the processing pursuant to Article 21(1) and there is no overriding legitimate reason for the processing, or objects to the processing pursuant to Article 21(2);*
 - d) *the personal data have been unlawfully processed;*
 - e) *the personal data must be erased in order to comply with a legal obligation under Union or Member State law to which the controller is subject;*
 - f) *The personal data were collected in connection with the provision of information society services referred to in Article 8(1).*

Art. 18 Right to restriction of processing

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1. *The data subject has the right to obtain from the data controller the restriction of processing when one of the following cases applies:*
 - a) *the data subject contests the accuracy of the personal data, for the period necessary for the data controller to verify the accuracy of such personal data;*
 - b) *the processing is unlawful and the data subject opposes the erasure of the personal data and instead requests that its use be restricted;*
 - c) *although the controller no longer needs them for the purposes of the processing, the personal data are necessary for the establishment, exercise or defence of legal claims;*
 - d) *the data subject has objected to the processing pursuant to Article 21(1), pending the verification of whether the legitimate reasons of the controller prevail over those of the data subject.*
2. *Where processing is restricted in accordance with paragraph 1, such personal data shall be processed, except for storage, only with the consent of the data subject or for the establishment, exercise or defence of legal claims, or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State.*
3. *The data subject who has obtained the restriction of processing pursuant to paragraph 1 shall be informed by the controller before such restriction is lifted.*

Art. 19 Obligation to notify in the event of rectification or erasure of personal data or restriction of processing

The controller shall notify each of the recipients to whom the personal data have been transmitted of any rectification or erasure or restriction of processing carried out pursuant to Articles 16, 17(1) and 18, unless this proves impossible or involves a disproportionate effort. The data controller shall notify the data subject of these recipients if the data subject so requests.

Art. 20 Right to data portability

1. *The data subject shall have the right to receive the personal data concerning him or her which he or she has provided to a controller in a structured, commonly used and machine-readable format and shall have the right to transmit those data to another controller without hindrance from the controller to whom he or she has provided them.*

Art. 21 Right to object

1. *The data subject shall have the right to object at any time, on grounds relating to his or her particular situation, to the processing of personal data concerning him or her pursuant to Article 6(1)(e) or (f), including profiling on the basis of those provisions. The controller shall refrain from further processing the personal data unless it can demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.*
2. *Where personal data is processed for direct marketing purposes, the data subject shall have the right to object at any time to the processing of personal data concerning him or her for such purposes, including profiling to the extent that it is related to such direct marketing.*

Art. 22 Automated decision-making relating to natural persons, including profiling

You have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you or similarly significantly affects you.

Art. 77 Right to lodge a complaint.

The data subject has the right to lodge a complaint and to appeal to the Supervisory Authority of the country of residence (Autorità Garante per la protezione dei dati personali, 00186, Rome).