

PRIVACY POLICY

pursuant to art. 13 of European Regulation No. 679 of 2016

and art. 13 of Legislative Decree No. 196 of 30 June 2003

El.En. S.p.A. is committed to protecting the privacy and confidentiality of personal data and ensures them the necessary protection from any event that might put them at risk of a breach.

Pursuant to article 13 of Legislative Decree No. 196 of 30 June 2003 (“**Privacy Code**”), article 13 of European Regulation No. 679 of 2016 (“**GDPR**”), El.En. S.p.A. intends to inform all users and/or visitors to this website (respectively the “**Users**” or “**Data Subject**” and the “**Site**”), on the use of personal data collected by El.En. (“**Personal Data**”).

1. **Data Controller, Data Processors and Data Protection Officer**

The personal data processing controller is **El.En. S.p.A.** with registered office at Via Baldanzese, No. 17 – 50041 Calenzano (FI) – Italy, TAX and VAT No. 03137680488 (herein after referred to as the “**Data Controller**”).

The Data Protection Officer (article 37 GDPR) can be contacted at the following Email address: dpo@elen.it (hereinafter referred to as the “**DPO**”).

2. **The Personal Data subject to processing**

The following categories of Personal Data could be collected through the use of the Site:

- Contact details: name, address, telephone number, email address;
- Interests: information provided by users about their interests, including type of product they are interested in;
- References of the contract: customer number, contract number, etc.;
- Registration data of the online accounts;
- Information about sale and maintenance: purchasing and information, information relating to assistance, including complaints;
- Data relating to the request for participation in training courses: data and place of birth, nationality, passport, Visa, inquiries and special requirements relating to transport, residence, etc.

In certain circumstances we may also collect:

- Biometric data, such as digital images and video.

3. Purposes of the processing

The Personal Data of the Data Subject is processed exclusively for the following purposes:

A) Without express consent (art. 6 GDPR)

- to fulfil obligations required by law, rules, European regulations or authorities;
- to meet, prior to the conclusion of a contract, specific requests of the Data Subjects (e.g. request for information, quotations, etc.);
- to execute the contract concluded between the parties;
- to provide after-sales service;
- to manage requests and reports received through the Site, including any complaints and disputes;
- to establish, exercise or defend a legal claim;

B) Only with declared consent (art. 7 GDPR)

- to improve and customize Users experience on the Site;
- to allow the recording to restricted areas of the Site and such initiatives (e.g. events, contests);
- to manage applications;
- to manage requests for participation in training courses;
- to allow subscription to the newsletter provided by the Data Controller;
- to send by e-mail, mail and/or text message, newsletter, commercial communications and/or advertising material about products or services offered by the Data Controller and customer satisfaction surveys on the quality of services;
- to send by e-mail, mail and/or text message, newsletter, information about events, contests, educational activities organised by the holder;
- to send by e-mail, mail and/or text message, newsletter, promotional and/or commercial communications of third parties (e.g. business partner).
- to send information and updates about the results and the activities of the Data Controller.

The legal basis of the processing is the consent freely given.

The Data Subjects have the right to revoke the consent given at any time and without any particular formality: in any commercial communication there will be a section that will allow to easily revoke the consent given. The Data Subjects can also revoke the consent given by sending a simple communication to the addresses referred in art. 11 below.

4. Processing methods

The Data Controller applies all technical and organizational measures necessary to ensure adequate protection and accuracy of the Personal Data processed.

Pursuant to art. 5 of the GDPR, the Personal Data will be:

- processed in a lawful, proper and transparent toward the Data Subject;
- collected and recorded for specified, explicit and legitimate purposes and subsequently processed in a time frame compatible with that purpose;
- adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- accurate and, where necessary, kept up to date;
- processed by manual, cyber and telematics tools and with logics that are appropriate to ensure an adequate level of security.

5. Data retention

The Data Controller, in accordance with the principles of legality, purpose limitation and data minimisation, pursuant to art. 5 of GDPR, stores and processes personal data for the time strictly necessary to fulfil the purposes identified above and until the Data Subjects parties to revoke the consent given.

For the purpose of determining the appropriate retention period, the Data Controller shall consider the quantity, nature and sensitivity of the Personal Data, the purposes for which they are processed and if the same purposes can be achieved by means of other instruments.

In particular, for the purposes of marketing, personal data may be kept for a period of 24 months from the granting of consent for this purposes, unless renewal thereof (except the opposition to receive further communications). The Data Controller every two years shall request renewal of consent.

The processing and retention of digital material, such as pictures or video, will be performed until the data subjects communicate the withdrawal of consent to data processing.

6. Access to Personal Data and to whom these can be communicated

Pursuant to art. 6 of GDPR, without the express consent of the Data Subjects the Data Controller can disclose the personal data to the supervisory bodies, judicial authorities and all other persons to whom that kind of communication is required by law and to the accomplishment of the purposes of art. 3. These subjects will process personal data as autonomous Data Controllers.

Personal data will not be disclosed, sold or exchanged with any third party without the express consent of the Data Subjects.

The management and conservation of personal data will happen on server (located within the European Union) of the Data Controller and/or of third parties appointed as data processors.

Personal Data may be brought to the attention of:

- a) Data Controller's employees or collaborators, that are formally appointed and authorized to process and their receive opportune operational instructions in this regards;
- b) External companies and third parties which Data Controller may make use of in relation to the management of the contractual relationship with customers or for its own organisational needs and its activities (e.g. IT service suppliers, consultants, agents, etc.)
- c) Other companies of the El.En. Group.

7. Rights of the Data Subject

Pursuant to articles 15-22 of GDPR, the Data Subject is entitled:

a) To be inform of:

- source of the Personal Data;
- processing purposes and methods;
- logic applied when data are processed using electronic equipment;
- identity of the Data Controller, data processors and designated representative pursuant to article 5;
- parties or categories of parties to whom the personal data may be communicated;

b) To obtain:

- the updating, rectification or, where he/she wishes, the integration of the data;
- the cancellation, anonymization, or blocking of data processed unlawfully, including data that does not need to be retained for the purposes for which it was collected or subsequently processed;

- certification that the activities mentioned above, including their content, have been notified to those to whom the data was disclosed, unless this requirement proves impossible or implies manifestly disproportionate measures with respect to the protected right;
- data portability: the right to receive personal data in a structured, commonly used and automatically readable format, and to transmit such data to another data controller, only for cases where the processing is based on consent and for only data processed by electronic means;

c) to oppose, in whole or in part:

- for legitimate reasons, to the processing of his/her personal data, even if it is pertinent for collection purposes;
- for the purposes of this article, the Data Subject is entitled to request the cancellation, transformation into an anonymous form or blocking of data processed in violation of the law and, in any case, to object, for legitimate reason, to their processing.

All requests must be addressed to the DPO at the following address: dpo@elen.it. Before responding the request, the DPO may ask for confirmation of the Data Subject's identity and for information to substantiate its interaction with the Data Controller, so that he can identify the relevant Personal Data.

Insofar as the Data Subjects are provided with tools that allow the self-management of Personal Data, including the withdrawal of consent to the processing of the same, we expect such tools to be used.

8. Data transfer

Depending on the circumstances El.En. could transfer Personal Data collected through the Site to other companies of the El.En. Group or to third parties located in other countries, even outside the European Union, which does not offer the same level of protection of personal data. The European Commission puts the countries deemed "adequate", namely those that preparing an adequate protection, in a separate list, which can be viewed at: <https://www.garanteprivacy.it/temi/trasferimento-di-dati-all-estero>.

Transfers of Personal Data outside the European Union and to countries not belonging to the above list, will be carried out exclusively under specific agreements between El.En. and the companies involved, through the use of tools accepted by the European Commission.

Last amendment 12.4.2024