



# PRIVACY NOTICE - USERS

V. 1.00.00

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AlmeCo SpA – Customer Privacy Notice Template – V. 1.00.00 – 28.09.2022

**USER PRIVACY POLICY**  
**AS PER ART. 13 AND 14, RECITALS 60-62, REGULATION (EU) 2016/679 (“GDPR”)**

**DATA CONTROLLER**

**ALMECO S.P.A.**

Address: Via della Liberazione, 15  
20098 San Giuliano Milanese (MI)  
Telephone: +39 02 9889631  
Fax: +39 02 98896399  
Email: [info.it@almecogroup.com](mailto:info.it@almecogroup.com)  
Certified email: [almeco@registerpec.it](mailto:almeco@registerpec.it)  
VAT no. and tax code and ITVAT: 00772590154  
Share capital: €30,000,000 fully-paid  
Economic and Administrative Index (REA): 687991  
Milan Chamber of Commerce  
[www.almecogroup.com/it](http://www.almecogroup.com/it)

**DATA PROTECTION OFFICER (DPO)**

**MICROELL Srl (contact Francesco Traficante)**

Via Mazzini 19b  
21052 Busto Arsizio VA  
Email: [dpo@almecogroup.com](mailto:dpo@almecogroup.com)

**PRINCIPLES**

One of our fundamental objectives is the protection of personal data.

The data are processed in a lawful, proper and transparent manner, must be adequate, relevant and limited to what is necessary, accurate and, if necessary, updated, collected for specific, explicit and legitimate purposes pursuant to articles 5 and 6 of the EU Data Protection Regulation 2016/679 and based on the provision of consent where needed.

The data are processed in such a way as to ensure their adequate security, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage (integrity and confidentiality) through appropriate technical and organisational measures.

We notify users in the event of substantial changes to this Privacy Policy and the related data processing, providing the option to authorise us or otherwise to process the data for the purposes set out below.

**SOURCES OF PERSONAL DATA**

**Collected from the Data Subject:**

Offices of the Data Controller  
Offices of the Data Subject  
Web pages and/or Social Profiles of the Data Controller  
Trade Shows and/or Other Events that the Data Controller participates in

**NOT collected from the Data Subject:**

Web Pages and/or Social Profiles of the Suppliers-Lead Providers  
Private Databases (Credit Information Systems, Commercial Information Systems, etc.)  
Public Databases (Lists of Members of Orders or Registers, Credit Information Systems, Commercial Information Systems, International Public IP Registers, etc.)  
Internet / Search Engines / Social Networks

**CATEGORIES OF DATA SUBJECTS**

Customers, Potential Customers, Users: legal persons and other operators in the sector, including workers and similar of Customer Companies and potential Customers.

#### STANDARD CATEGORIES OF PERSONAL DATA PROCESSED

##### COMMON

**Identification and contact data** of Legal Entities, herein including data relating to the employees and equivalent, company representatives, shareholders, etc., data of customer Companies and potential customers.

**Data provided by the User in the contact form on the website [www.almecogroup.com](http://www.almecogroup.com) (and sub-domains):**

Identifying and contact information and any other information provided by the Data Subject (Name and Surname, Telephone, Email, Country, Company Name, Reason for the request - Message).

These data will be processed directly and/or through its sales network. They may be acquired, all or in part, during the initial collection phase and/or subsequent to the request by means of traditional and automated contact methods.

#### PURPOSES OF THE PROCESSING

##### EXECUTION OF PRE-CONTRACTUAL MEASURES

##### DESCRIPTION OF THE PURPOSES AND LEGAL BASIS FOR THE PROCESSING

**Purposes connected to the establishment and the execution of pre-contractual measures (Request for information and quote):**

- Information, consulting, feasibility, quotations, assistance, monitoring of quotation status, measurement of satisfaction limited to the management of the request and precontractual negotiations, etc.;
- Sending of catalogues, white papers, registration for events, etc.;
- Including the necessary processing of other Parties used for the promotion, placement and conclusion of the contract, subject to communication. These Parties contribute to the proper and complete management of requests (Commercial Sales Network).

##### Legal Basis for Processing:

- Execution of pre-contractual measures

##### DURATION OF THE PROCESSING AND STORAGE PERIOD

- For a period strictly necessary for the proper and complete management of the request. Subsequently for a period of 12 months, except for further processing and storage upon the specific request of the Data Subject.
- Subsequently, halting of processing and deletion at the end of the management of the request or after 24 months in case of Marketing Consent.

##### EXECUTION OF CONTRACTUAL MEASURES

##### DESCRIPTION OF THE PURPOSES AND LEGAL BASIS FOR THE PROCESSING

**Purposes connected to the fulfilment, execution and termination of the Contract which involves:**

- Conclusion of the contract and relative execution of obligations deriving from the contract, its performance and/or its termination;
- Including the necessary processing of other Parties used for the promotion, placement and conclusion of the contract, subject to communication. These Parties contribute to the proper and complete management of requests (Sales Network);
- administration, accounting, contract management, orders, shipment, services, invoicing and anything else necessary.

##### Legal Basis for Processing:

Execution of contractual measures

##### DURATION OF THE PROCESSING AND STORAGE PERIOD

- Contract duration.

- After the termination of the contract, storage for 10 years required by law.

#### LEGAL OBLIGATIONS

##### **DESCRIPTION OF THE PURPOSES AND LEGAL BASIS FOR THE PROCESSING**

Fulfillment of precise obligations envisaged by regulations and applicable European and national laws.

##### **Legal Basis for Processing:**

- Compliance with legal obligations.

##### **DURATION OF THE PROCESSING AND STORAGE PERIOD**

Duration and Storage dictated by legal provisions.

#### DEFENSIVE RIGHTS

##### **DESCRIPTION OF THE PURPOSES AND LEGAL BASIS FOR THE PROCESSING**

Assessment, exercise or defence of the rights of the Data Controller, where necessary, both in and out of court.

##### **Legal Basis for Processing:**

- Legitimate Interest of the Data Controller.

##### **DURATION OF THE PROCESSING AND STORAGE PERIOD**

Duration of the in- or out-of-court dispute until the claims are time-barred.

#### SO-CALLED SOFT SPAM

##### **DESCRIPTION OF THE PURPOSES AND LEGAL BASIS FOR THE PROCESSING**

Communications by email for the purpose of the direct sale of products or services similar to the object of a previous contract with the Customer.

##### **Legal Basis for Processing:**

- Legitimate interest of the Data Controller (LIA) for legal persons and pursuant to art. 130, paragraph 4 of the Privacy Code as amended for natural persons;
- In the absence of initial refusal and without prejudice to the right to object at any time.

##### **DURATION OF THE PROCESSING AND STORAGE PERIOD**

- 12 months from the last contract between the Parties.
- At expiry, halting of processing and/or deletion and only statistics in aggregate mode.

#### DIRECT MARKETING

##### **DESCRIPTION OF THE PURPOSES AND LEGAL BASIS FOR THE PROCESSING**

**Advertising campaigns relating to initiatives, events, information, new products and new offers, including measurement of customer satisfaction and market research.**

Personalised advertising campaigns may also be carried out, depending exclusively on the product categories for which the data subject has expressed an interest (e.g. by requesting the relevant catalogue) and which are available in the geographical area that the data subject may have specified in the contact form. Note that a segmented and targeted profile will not be created on a granular level and no tracking will be performed.

##### **Legal Basis for Processing:**

- Consent (optional and may be withdrawn at any time).

##### **DURATION OF THE PROCESSING AND STORAGE PERIOD**

- Duration and Retention up to 24 months from the expression of the Consent or until its revocation.
- Near the expiration of these terms, new request for consent, otherwise halting of processing and/or deletion and only statistics in aggregate mode.

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#### CONTACT METHODS FOR MARKETING PURPOSES

**Traditional:**

- Telephone call to landline or cell phone with operator and/or traditional Post (Italy: after verification of the Register of Objections / Outside of Italy: after verification of the legislation in force in the country where the Data Subject is based);

**Automated:**

- Automated telephone call to landline or cell phone (Italy: after verification of the Register of Objections / Outside of Italy: after verification of the legislation in force in the country where the Data Subject is based);
- Fax;
- Text message;
- Multimedia message
- Email;
- Chat or messaging systems (WhatsApp and other comparable instant messaging solutions);

Web advertising: advertisements on the Internet.

#### CONTACT METHODS FOR MARKETING PURPOSES

We use technological solutions aimed at monitoring the progress of campaigns involving the sending of commercial or marketing communications.

These tools allow us to simultaneously deliver the same promotional content to multiple recipients through the contact methods used for marketing purposes listed above.

These solutions also allow us to know the progress of advertising campaigns through the monitoring of visitor interactions and the storage of statistical information relating to user browsing in an anonymous, aggregated database, for example the number of users who clicked on a link and opened the message, the content within the message that received the most interest, the geographical location of the various users who opened the email, etc.

#### RECIPIENTS OF THE DATA

The data may be disclosed and processed by external parties acting as data controllers such as, by way of example:

**Italy:**

- a. Authorities and supervisory and control authorities;
- b. Police and judicial authorities;
- c. Parties who are transferees of a company, of a business unit, of legal relationships that can be identified as a whole or of individual legal relationships (e.g. the transfer of receivables, contracts);
- d. Parties that offer professional consulting services, including in associated form;
- e. Insurance companies;
- f. Banking institutions;
- g. Financial institutions;
- h. Adjusters and liquidators;
- i. Law firms;
- j. Other professional insurance intermediaries;
- k. Public and private databases, including Fraud Prevention, Identity Theft, etc.;
- l. Tax records;
- m. Credit Information Systems (CIS) to check solvency.

If the requests from the User concern geographical areas of competence of other Almecco Group companies:

**European Union (Germany):**

- n. Companies – foreign or otherwise – that are associates or belong to the same group or parent company, ALMECCO GROUP (Italy), also considering the existence of electronic, computer or correspondence connections.

**USA:**

- o. Companies – foreign or otherwise – that are associates or belong to the same group or parent company.

**China:**

- p. Companies – foreign or otherwise – that are associates or belong to the same group or parent company.

The data may also be processed in the name and on behalf of the Data Controller by external parties designated as data processors, to which appropriate operating instructions are given. These parties are essentially included in the following categories:

**Italy:**

- q. Parties that carry out control, review and certification activities, including in the interest of customers;
- r. Parties that offer ongoing compliance support services;
- s. Parties that offer IT, ICT, cloud, web and digital marketing services;
- t. Parties that offer paper, digital and alternative storage services;
- u. Parties that offer traditional and automated postal services;
- v. Parties that offer support in preparing market studies;
- w. Parties that offer ICT services (Hosting/Data Centre);
- x. Companies or consultants that offer other sundry services;
- y. Parties that offer professional consulting services, including in associated form or in service companies;
- z. Parties that offer debt collection services;
- aa. Agents or other commercial entities authorised to distribute our products and services based on their territorial coverage corresponding to the same area as the customer or potential customer.

**European Union**

- bb. Agents or other commercial entities authorised to distribute our products based on their territorial coverage corresponding to the same area as the customer or potential customer.
- cc. Parties that offer IT, ICT, cloud, web and digital marketing services.

**Other Non-EU countries**

- dd. Agents or other commercial entities authorised to distribute our products based on their territorial coverage corresponding to the same area as the customer or potential customer.

**NATURE OF THE PROVISION OF THE DATA**

With regard to the purposes set out in points 1, 2, 3 and 4, the provision of data is necessary, and therefore the failure to provide the data, or the provision of partial or inaccurate data, will result in the inability to manage the required pre-contractual measures or conclude the contract or execute or fulfil the contract, to fulfil the legal obligations and exercise defensive rights, as well as transfer the data to other Group companies to meet administrative/accounting obligations. In relation to the purpose pursuant to point 5 (Soft spam), the provision of data is optional. Therefore, in the event of initial refusal, the Data Subject will not receive communications via email concerning offers of products or services analogous to those subject to any previous contract between the Parties. With regard to the purpose pursuant to point 6 (direct marketing), the provision of data is necessary but optional, therefore the failure to provide complete, correct data will make it impossible for the Data Controller to send marketing communications, without any other consequence.

**PARTIES AUTHORISED TO PROCESS THE DATA**

The data may be processed by employees and contractors of company functions – including the sales network – assigned to pursue the aims indicated above, who have been specifically authorised to process data and adequately sensitised and trained and have received adequate operating instructions.

**TRANSFER OF THE PERSONAL DATA TO NON-EU COUNTRIES**

The data of the Data Subjects, Legal Persons – including the data of the workers of the Customer Companies and potential customers – located in countries outside Europe may be transferred to the USA, China and to Agents or other

commercial entities located in countries outside the EU that are authorised to distribute the products based on their territorial coverage corresponding to the same area as the customer or potential customer.  
For this reason, pursuant to art. 3, paragraph 2 of the GDPR the Regulation does not apply.  
Therefore, the regulations on the protection of personal data in force in the States in which the Recipients are based shall be applied.  
A copy of the data can be obtained in the manner outlined in the section "[Rights of the Data Subject – Lodging complaints with the Supervisory Authority](#)" below.

#### RIGHTS OF THE DATA SUBJECT – LODGING COMPLAINTS WITH THE SUPERVISORY AUTHORITY

By contacting the Data Controller at [privacy@almecogroup.com](mailto:privacy@almecogroup.com), Data Subjects may ask the Data Controller to give them access to their data, block and anonymise their data, correct inaccurate data, complete incomplete data, restrict processing in the cases envisaged by article 18 of the GDPR, as well as object to processing in the case of the legitimate interest of the Data Controller.

The data controller shall provide the data subject with the information relating to the request for the exercise of the data subject's rights (pursuant to articles 15 to 22 of the GDPR) without undue delay, and in any event at the latest within one month of receiving the request, as envisaged in article 12 of the GDPR.

Furthermore, in the event that the processing is based on consent or a contract and is performed with automated tools, the data subjects have the right to receive the data in a structured, commonly used and machine-readable format, and, if technically feasible, to have them sent to another data controller without impediment (Right to Portability), and to request the simultaneous or subsequent definitive cancellation of such data (Right to Be Forgotten).

Without prejudice to initial refusal, data subjects are entitled to object at any time to receiving communications via email concerning products and services analogous to those subject to any previous contract between the Parties (Soft Spam) using the link provided for that purpose in each communication.

Data Subjects have the right to withdraw the consent given at any time for marketing purposes, objecting to such processing by sending an email to the above address, including in the subject, for example, "delete me - email" or "delete me - telephone" or "delete me - other method of contact in use". If no advertising communications are desired at all, include in the subject "delete me - marketing".

Without prejudice to initial refusal, data subjects are entitled to object at any time to receiving communications via email concerning products and services analogous to those subject to any previous contract between the Parties (Soft Spam) using the link provided for that purpose in each communication.

Data Subjects have the right to withdraw the consent given at any time for marketing purposes, objecting to such processing by sending an email to the above address, including in the subject, for example, "delete me - email" or "delete me - telephone" or "delete me - other method of contact in use". If no advertising communications are desired at all, include in the subject "delete me - marketing".

If the processing is based on consent for one or more purposes (art. 6, paragraph 1, letter A of the GDPR) and for the processing of particular data (art. 9, paragraph 2, letter A of the GDPR), the withdrawal of consent at any time does not affect the legality of the processing based on consent before such withdrawal.

Data subjects shall have the right to lodge a complaint with the Supervisory Authority having jurisdiction in the Member State of their habitual residence, place of work or place of the alleged infringement.