

## CUSTOMERS' PRIVACY POLICY

With this Privacy Policy (hereinafter referred to as the "**Privacy Policy**"), Sterling S.p.A. (hereinafter referred to as the "**Controller**"), as a controller, wishes to inform its customers to whom it offers goods and/or services (hereinafter referred to as the "**Customer**"), the processing of the personal data communicated by the Customer or, otherwise, acquired by the Controller as part of the contractual relationship between them, including the pre-contractual phase (the "**Agreement**"), in accordance with legislative Decree no. 196/2003 as subsequently amended and supplemented by legislative Decree no. 101/2018 (hereinafter referred to as the "**Privacy Code**") and with the European Regulation on the protection of personal data No 679/2016 (hereinafter referred to as the "**European Regulation**").

### 1. CONTROLLER

Sterling S.p.A., with registered office in Solomeo di Corciano (PG), Via della Carboneria, 30, P.IVA No 03049420544, which can be contacted at the following address [privacy@sterling.it](mailto:privacy@sterling.it), is the Controller of the personal data described in this Privacy Policy.

### 2. TO WHOM DOES THIS PRIVACY POLICY APPLY?

This Privacy Policy applies to the processing by the Controller of personal data of:

- a) Customers and other contractual counterparties of the Controller, in the case of individuals or sole proprietors; and
- b) legal representatives, partners (natural persons), directors, proxies, members of the board of auditors, members of the supervisory board, technical directors, other entities with powers of representation and/or direction and/or control that are natural persons, as well as employees and collaborators of Customers and other contractual counterparties

(hereinafter referred to jointly as the "**Data Subjects**").

### 3. WHAT PERSONAL DATA ARE PROCESSED?

The Controller collects personal data relating to the Data Subject directly from the Data Subject – where the contractual counterpart of the personal Data Subject is a natural person – or from the company/entity to which the Data Subject belongs during the negotiation and/or execution and/or termination stage of the Agreement for the provision of goods and/or services or the other business relationship with the Controller. In addition, the Controller may collect personal data relating to the Data Subject from lists, registers and other publicly accessible sources – such as, for example, data on the company's identity of the Data Subject – as well as from databases of individuals offering information on the commercial reliability of entrepreneurs and managers.

The Controller shall process the following types of personal data relating to the Data Subject:

- a) personal details, including name, identity document and role in the business/entity to which the Data Subject belongs;
- b) contact details such as address, telephone number and e-mail address;

- c) the company name, address of the head office and of any secondary offices, VAT and/or tax identification number, details of the bank account(s) of the Data Subject, if he is a natural person or a sole proprietorship enterprise;
- d) additional personal data relating to the Data Subject that may be collected by the Controller during the negotiation and/or execution and/or termination of the Agreement

(Hereinafter referred to together as the "**Data**").

Data Subjects are advised not to provide Data to the Controller that is not necessary for the purposes set out in this Privacy Policy.

#### **4. FOR WHAT PURPOSES ARE THE DATA PROCESSED?**

The Controller shall process Data Subjects' Data in order to:

- a) negotiate and execute the Agreement to which the Data Subject is party (hereinafter referred to as the "**Contractual Purpose**");
- b) Comply with obligations under applicable law, including tax law (hereinafter referred to as "**Statutory Purposes**"); and
- c) Assert and defend its rights, including in the context of debt recovery procedures, against the Data Subject or third parties in any dispute;
- d) carry out activities related to business and business divestments, acquisitions, mergers, divisions or other transformations and perform such operations

(the purposes set out in points (c) and (d) are jointly referred to as "**Legitimate Interest Purposes**").

#### **5. ON WHAT BASIS ARE THE DATA PROCESSED?**

The processing of Data is necessary with regard to the Contractual and Statutory Purposes referred to in paragraph 4(a) and (b), in order to negotiate, enter into, execute and/or terminate the Agreement between the Controller and the Data Subject, and in order to comply with the provisions of the applicable legislation. Failure to provide Data for these purposes will make it impossible for the Controller to enter into the above Agreement.

The processing of Data for Legitimate Interest Purposes shall be carried out in accordance with Article 6(f) of the European Regulation, it shall be equitably balanced with the rights and freedoms of the Data Subjects, the activity of processing Data is limited to what is strictly necessary for the performance of the economic transactions and other activities referred to in points (c) and (d) above. Processing for Legitimate Interest Purposes is not mandatory and the Data Subject may object to such processing in the manner set out in paragraph 10 of this Privacy Policy, but if the Data Subject objects to such processing, his or her Data may not be used for Legitimate Interest Purposes without prejudice to an overriding interest of the Controller to continue the processing.

## **6. HOW ARE THE DATA PROCESSED?**

In relation to the aforementioned purposes, the Data will be processed both through the help of it or in any case automated tools, and on paper, and will be protected by measures to ensure the confidentiality and security of the Data. In particular, the Controller shall take appropriate organizational and technical measures to protect the Data in its possession against loss, theft, and unauthorized use, disclosure or modification of the Data.

## **7. TO WHOM ARE THE DATA COMMUNICATED?**

For the purposes referred to in paragraph 4, the following categories of recipients may access the Data:

- a) personnel of the Controller or of the Data Subjects listed below, as persons in charge of the processing, within the scope of their respective duties and within the limits established by law;
- b) providers of services which are instrumental or support to those provided by the Controller and therefore, by way of example but not limited to, legal, administrative and tax consultants, banking institutions for the management of receipts and payments resulting from the performance of the Agreement between the Controller and the Data Subject or the company/entity to which he belongs, auditing companies, technology service providers, acting as controllers or processors;
- c) subcontractors engaged in activities related to the performance of the Agreement between the Controller and the Data Subject or the company/entity to which the Data Subject belongs, in their capacity as processors;
- d) public bodies and/or judicial and/or supervisory authorities whose right of access to the Data Subject's Data is provided for by the applicable law, in their capacity as controllers; and
- e) other companies belonging to the group to which the Controller is a party and/or transferees of a company or branch of a business, companies resulting from possible mergers, divisions or other transformations of the Controller, as controllers.

The complete and updated list of processors is available on request to the Controller by sending a communication to the addresses indicated in paragraph 10 below. In any case, the Data will not be disseminated.

## **8. ARE THE DATA TRANSFERRED ABROAD?**

Data will not be transferred to countries outside the European Economic Area.

## **9. HOW LONG ARE THE DATA RETAINED?**

The Data will be kept by the Controller for as long as necessary to achieve the purposes referred to in paragraph 4 above and, with specific reference to:

- a) Contractual Purpose, in the event of a successful outcome of the contractual negotiations,

for a period equal to the duration of the Agreement concluded between the Controller and the Data Subject, or the business/entity to which he belongs, and for 10 years after its termination; if the contractual negotiations fail, the Data will be erased at the end of the negotiation stage;

- b) Legal purposes, for the duration prescribed for each type of Data by law;
- c) Legitimate Interest Purposes, for a period equal to the duration of the Agreement and for 10 years thereafter, in the event that the Data are necessary to protect and enforce the rights of the Controller against the Data Subject and/or third parties in the event of any legal disputes. In the event that the processing is intended to carry out activities that are functional to the divestments of a business, business branch, acquisitions, mergers, divisions or other conversions, the retention periods listed above shall apply in relation to the main processing that takes place.

Upon the end of the retention period, the Data will be erased or anonymised.

## **10. WHAT ARE THE DATA SUBJECTS' RIGHTS?**

Without prejudice to the possibility of the Data Subject not to provide his/her Data, the Data subject may, at any time and free of charge:

- a) obtain confirmation of whether or not Data concerning him are available;
- b) know the origin of the Data, the purposes of the processing and its modalities, and the logic applied to the processing carried out by electronic means;
- c) request updating, rectification or - if it is of interest - integration of Data concerning him;
- d) obtain the erasure, anonymization or blocking of Data that may be processed in breach of the law, and to object, for legitimate reasons, to the processing;
- e) withdraw their consent, where previously given;
- f) ask the Controller to restrict the processing of Data concerning him/her in the event that (i) the Data Subject disputes the accuracy of the Data, for as long as the Controller needs to verify the accuracy of the Data; (ii) the processing is unlawful and the Data Subject opposes the erasure of the Data and requests that its use be restricted; (iii) although the Controller no longer needs the Data for processing purposes, the Data are necessary for the establishment, exercise or defence of legal or extrajudicial claims; (iv) the Data Subject has objected to the processing pursuant to Article 21(1) of the European Regulation pending verification of whether the legitimate grounds of the Controller override those of the Data Subject;
- g) object at any time to the processing of your Data for Legitimate Interest Purposes;
- h) request the erasure of Data concerning him without undue delay; and
- i) gain portability of your Data.

The Data Subject will also have the right to lodge a complaint with the Italian Data Protection Authority at the contacts available on the [www.garanteprivacy.it website](http://www.garanteprivacy.it), if the conditions are met.



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In the event of the death of the Data Subject, pursuant to Article 2/ of the Privacy Code, the rights referred to above in relation to his Data may be exercised by those who have an interest of their own, or act to protect the Data Subject as his or her representative, or for family reasons worthy of protection. The Data Subject may expressly prohibit the exercise of some of the rights listed above by the successors in title by sending a written declaration to the Data Subject in the manner set out below, which may be revoked or amended subsequently in the same manner.

Requests for the exercise of rights may be sent in writing to the Controller at the following email address [privacy@sterling.it](mailto:privacy@sterling.it).

## **11.CHANGES AND UPDATES**

This Privacy Policy shall be effective from the date set out below. However, the Controller may make changes and/or additions to this information, including as a consequence of any subsequent changes and/or regulatory additions. Any changes will be notified in advance and Data Subject will be able to view the constantly updated text of the Privacy Policy.

Perugia, 3 November 2023