



**SMI S.p.A. con Unico Socio**

**Sede amministrativa:**

Via Carlo Ceresa, 10 - 24015 San Giovanni Bianco(BG) ITALIA

Tel. +39 0345 40.111 - Fax: +39 0345 40.209 - <https://www.smigroup.it>

C.F. e P. IVA IT03942700166 - R.E.A. 421708

Ischr.Reg.Imprese 03942700166 - Cap. Soc. 5.000.000 i.v.

Società sottoposta a direzione e coordinamento da SMIGROUP S.p.A.

**Sede legale:** Via Monte Grappa, 7 - 24121 Bergamo (BG) - ITALIA

## POLICY ON PERSONAL DATA PROCESSING

### 1. CONTROLLER

SMI SPA is the Controller of personal data and determines the purposes and means of data processing.

The head office is established in Via Carlo Ceresa 10, San Giovanni Bianco (BG).

Email: [privacy@smigroup.net](mailto:privacy@smigroup.net)

Tel: +39034540111

VAT nr: 03942700166

The legale representative is Mr. Paolo Colombo Nava.

### 2. DATA PROTECTION OFFICER

The data protection officer has not been appointed, because the Controller is not obliged to.

### 3. JOINT CONTROLLERS – THIRD PARTIES

In case of joint control, the controller shall adhere to the principles hereunder, according to joint control agreement.

In case of control by third parties, the controller shall make sure that the principles hereunder are guaranteed by a service contract.

### 4. ORGANIZATION

The Controller organizes personal data in such a way as to meet the GDPR requirements. In particular:

- a. within the company,
  - personal data organization reflects the operational organization; powers are consistent with tasks and relating authorities;
  - natural persons entrusted with significant responsibilities (considering the number and categories of personal data and the risks to the rights and freedoms) are selected and entrusted according to objective criteria, based on the entity's necessities in terms of knowledge, skill and experience. In the absence of qualifications, the selection shall be carried out according to pre-arranged evaluation requirements;
  - processors shall perform their activity under direct authority of the controller or of an officer entrusted by the controller. The personnel is duly trained and informed, according to a continuous training programme, taking into account different needs, depending on the different roles;
  - The controller supervises all processors who process personal data on his behalf.
- b. Outside the company,
  - processors are selected according to a prior selection process to guarantee a transparent, objective choice; the selection will also take into account the supplier's professional skills and the supplier's sufficient guarantee to implement appropriate technical and organizational measures in such a manner that processing will meet the requirements of this Regulation and ensure the protection of the rights of the data subject;
  - processing activities carried out by third parties on behalf of the controller shall be formalized in a contract, according to the provisions of art. 28 GDPR;
  - the Controller supervises all persons entrusted with data processing activities.

### 5. STAKEHOLDERS

- a. The Controller shall process personal data of the following categories of natural persons:
  - employees
  - customers and prospects
  - suppliers
  - website visitors
  - company visitors
  - agents and resellers
- b. Categories of indirectly concerned stakeholders:
  - employees' or customers' relatives
  - employees' creditors
  - employees' successors in title
  - customers' or suppliers' contacts.



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## 6. CULTURE OF PRIVACY

Personal data protection is not only a legal obligation for SMI SPA, but a preferential requirement, a competitive asset. According to the accountability principle required by the GDPR, SMI SPA fulfills the GDPR requirements with a risk-oriented approach. The protection of the rights and freedoms of natural persons is an ethical imperative for SMI SPA.

## 7. LAWFULNESS OF PROCESSING

SMI SPA processes personal data on legitimate basis, as per art. 6 GDPR (consent, compliance with contract obligations, vital interests of the data subject or of third parties, legal obligations to which the controller is subject, public interest or exercise of official authority, legitimate interests pursued by the controller or by a third party).

SMI SPA processes special categories of personal data (revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, data concerning health or concerning a natural person's sex life or sexual orientation), only when one of the points in art. 9.2 GDPR applies.

SMI SPA processes personal data relating to criminal convictions and offenses or related security measures based on art 6.1 GDPR only under the control of official authority or when the processing is authorized by Union or Member State law providing for appropriate safeguards for the rights and freedoms of data subjects.

## 8. FAIRNESS

SMI SPA processes personal data exclusively for explicit and legitimate scopes, without negligence or fraud against the data subjects, by strictly adhering to the legal restrictions of this Regulation.

## 9. TRANSPARENCY

SMI SPA shall take appropriate measures to provide any information referred to in art 13 and 14 and any communication under art 15 to 22 and 34, relating to processing to the data subject in a concise, transparent, intelligible and easily accessible form, using clear and plain language. In particular, SMI SPA informs the data subject about data collection modes and the purposes of the processing for which the personal data are intended. All information is easily accessible and intelligible.

## 10. PURPOSE LIMITATION

SMI SPA processes personal data for specific, explicit and legitimate purposes and makes sure that they are processed in a manner that is not incompatible with those purposes

## 11. DATA MINIMISATION

The personal data processed by SMI SPA are adequate, relevant and limited to what is necessary for the purposes for which they are processed

## 12. ACCURACY

The personal data processed by SMI SPA are accurate and, where necessary, kept up to date; every reasonable step must be taken to erase or rectify inaccurate data, having regard to the purposes for which they are processed

## 13. STORAGE LIMITATION

SMI SPA keeps the personal data in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed;

## 14. INTEGRITY AND CONFIDENTIALITY

SMI SPA processes personal data in a manner that ensures appropriate security, including protection against unauthorized or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organizational measures

## 15. DATA PROTECTION BY DESIGN AND BY DEFAULT

SMI SPA ensures data protection by design and implements solutions to protect personal data.

SMI SPA implements appropriate technical and organizational measures for ensuring that, by default, only personal data which are necessary for each specific purpose of the processing are processed; in particular, such measures shall ensure that by default personal data are processed for the specific purposes of the processing.

## 16. OBLIGATIONS

Failure to comply with the principles stated in this Regulation, as well as with the instructions, requests or orders from SMI



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SPA concerning personal data protection and compliance with the rules in force shall be considered as a serious breach of the regulation.

#### 17. REVISIONS

This document is withdrawn by the Group Privacy Manager, who takes care of its upgrade and diffusion; it is approved by the board of directors.