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1 General Provisions

1.1 Subject-matter and objectives (Art. 1)

This document indicates the methods of protection of natural persons with regard to the processing of personal data and their free movement, implemented by ITALGRAF S.r.l. with registered office in Via Anna Frank, 3/d - 22076 - Mozzate (CO) - Italy, a small company with less than 30 (thirty) employees / collaborators, while guaranteeing them personal rights and freedoms as individuals.

This document respects all fundamental rights, freedoms and principles ratified, with particular respect for private and family life, home and communications, protection of personal data and freedom of thought, conscience and religion, freedom of expression and information, entrepreneurial freedom and cultural, religious and linguistic diversity, including the right to an effective remedy and to a fair trial.

1.2 Scope of Application

1.2.1 Material (Art. 2)

ITALGRAF S.r.l. doesn't process entirely or partially automated data, nor data contained or intended to be contained in computer archives.

ITALGRAF S.r.l. guarantees, at the same time, full cooperation with the competent authorities during the performance of their prevention/repression activities.

1.2.2 Territorial (Art. 3)

The territorial scope of ITALGRAF S.r.l. is that of the European Union; only in some sporadic cases goods are supplied outside the EU, against payment of what has been agreed, but these cases concern exclusively supplies made on behalf of customers established within the EU itself.

1.3 Definitions (Art. 4)

For the purposes of this Regulation

- 1) **"personal data"** shall mean any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier, such as a name, an identification number, location data, an online identifier, or to one or more factors specific to his physical, physiological, genetic, mental, economic, cultural or social identity;
- 2) **"processing"** shall mean any operation or set of operations which is performed upon personal data or sets of personal data, whether or not by automatic means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;
- 3) **"limitation of processing"** shall mean the marking of stored personal data with the aim of limiting their processing in future;
- 4) **"profiling"** means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements;
- 5) **"pseudonymisation"** means the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of

additional information, provided that such additional information is kept separately and is subject to technical and organisational measures to ensure that the personal data are not attributed to an identified or identifiable natural person;

- 6) **“filing system”** means any structured set of personal data which are accessible according to specific criteria, whether centralised, decentralised or dispersed on a functional or geographical basis;
- 7) **“controller of the processing”** means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law;
- 8) **“responsible for processing”** means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller;
- 9) **“recipient”** means a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing;
- 10) **“third party”** means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data;
- 11) **“data subject's consent”** means any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her;
- 12) **“personal data breach”** means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed;
- 13) **“genetic data”** means personal data relating to the inherited or acquired genetic characteristics of a natural person which give unique information about the physiology or the health of that natural person and which result, in particular, from an analysis of a biological sample from the natural person in question;
- 14) **“biometric data”** means personal data resulting from specific technical processing relating to the physical, physiological or behavioural characteristics of a natural person, which allow or confirm the unique identification of that natural person, such as facial images or dactyloscopic data;
- 15) **“health-related data”** means personal data related to the physical or mental health of a natural person, including the provision of health care services, which reveal information about his or her health status;
- 16) **“main establishment”** means
 - a) as regards a controller with establishments in more than one Member State, the place of its central administration in the Union, unless the decisions on the purposes and means of the processing of personal data are taken in another establishment of the controller in the

Union and the latter establishment has the power to have such decisions implemented, in which case the establishment having taken such decisions is to be considered to be the main establishment;

- b) as regards a processor with establishments in more than one Member State, the place of its central administration in the Union, or, if the processor has no central administration in the Union, the establishment of the processor in the Union where the main processing activities in the context of the activities of an establishment of the processor take place to the extent that the processor is subject to specific obligations under this Regulation;
- 17) **“representative”** means a natural or legal person established in the Union who, designated by the controller or processor in writing pursuant to Article 27, represents the controller or responsible for processing with regard to their respective obligations under this Regulation;
- 18) **“enterprise”** means a natural or legal person engaged in an economic activity, irrespective of its legal form, including partnerships or associations regularly engaged in an economic activity;
- 19) **“group of undertakings”** means a controlling undertaking and its controlled undertakings;
- 20) **“binding corporate rules”** means personal data protection policies which are adhered to by a controller or processor established on the territory of a Member State for transfers or a set of transfers of personal data to a controller or processor in one or more third countries within a group of undertakings, or group of enterprises engaged in a joint economic activity;
- 21) **“supervisory authority”** means an independent public authority which is established by a Member State pursuant to Article 51;
- 22) **“supervisory authority concerned”** means a supervisory authority concerned by the processing of personal data in so far as:
- a) the controller or the processor is established on the territory of the Member State of that supervisory authority;
- b) the data subjects residing in the Member State of that supervisory authority are or are likely to be substantially affected by the processing; or
- c) a complaint has been lodged with that supervisory authority;
- 23) **“cross-border processing”** means either:
- a) processing of personal data which takes place in the context of the activities of establishments in more than one Member State of a controller or processor in the Union where the controller or processor is established in more than one Member State; or
- b) processing of personal data which takes place in the context of the activities of a single establishment of a controller or processor in the Union but which substantially affects or is likely to substantially affect data subjects in more than one Member State.
- 24) **“relevant and reasoned objection”** means an objection to a draft decision as to whether there is an infringement of this Regulation, or whether envisaged action in relation to the controller or processor complies with this Regulation, which clearly demonstrates the significance of the risks posed by the draft decision as regards the fundamental rights and freedoms of data subjects and, where applicable, the free movement of personal data within the Union;
- 25) **“information society service”** means a service as defined in point (b) of Article 1(1) of Directive (EU) 2015/1535 of the European Parliament and of the Council;
- 26) **“international organization”** means an organisation and its subordinate bodies governed by public international law, or any other body which is set up by, or on the basis of, an agreement between two or more countries.

2 Principles

2.1 Principles applicable to processing of personal data (Art. 5)

ITALGRAF S.r.l. guarantees the respect and conformity of the processing of personal data in its possession, as provided for by EU Regulation 2016/679 which, mainly, are divided into three categories:

- § public domain data available everywhere (e.g. not exhaustive, data relating to Client/Suppliers, legal entities, wherever domiciled, etc.)
- § personal data of its collaborators (e.g. not exhaustive, those relating to employees, professionals with current collaboration contracts in force and implementation, etc..)
- § sensitive data of its employees: these concern the health conditions detected during the medical surveillance visits, as provided for by the Legislative Decree. 81/2008, and are contained exclusively on sealed paper (available to the competent authorities for any necessary inspection) and stored in the medical center of competence which guarantees the confidentiality .

The data concerning the first two paragraphs are in digital format and are protected by network incoming firewalls, antivirus, antispam, anti-malware on the main server; by antivirus, antispam, anti-malware and unique, limited-term personal passwords on the computers connected to the network.

These data are relevant to the intended purposes of retention, they are kept with the consent of the data subjects to whom access is granted for verification, modification and possible deletion at any time.

Employees (natural persons) are guaranteed that their data held by ITALGRAF S.r.l. will be kept for a period not exceeding 6 (six) months from the end of their collaboration.

The security of personal data storage is guaranteed by security copies carried out automatically on a daily basis and by backup copies on removable external magnetic media, on a weekly basis.

The Data Controller guarantees the respect of these principles in collaboration with the Responsible for Data processing.

2.2 Lawfulness of processing (Art. 6)

The personal data stored by ITALGRAF S.r.l. are processed in a lawful manner, since:

- § Consent is freely given by the data subject,
- § The data are necessary for the performance of normal activities of a commercial nature (purchase/sale for legal persons) or of a contractual nature for employees and professionals

2.3 Conditions for consent (Art. 7)

ITALGRAF S.r.l. has informed the data subjects about the methods of processing their personal data by means of a written communication in simple language that can be clearly understood by them.

The same document sets out the right to withdraw consent for processing personal data with the same degree of ease as it was given.

Regarding legal entities, the processing of business data (Clients/Suppliers) is deemed to be tacitly accepted by both parties, without any prior consent.

2.3.1 Condition applicable to children's consent (Art. 8)

ITALGRAF S.r.l. **does not** process any data relating to persons below the age of 18 (eighteen) years.

2.4 Processing

2.4.1 Of special categories, relating to personal data. (Article 9)

ITALGRAF S.r.l. does not process any revealing data of racial or ethnic origin, political opinions, adhesions to parties, religious or philosophical beliefs, trade union memberships; moreover, it does not process genetic or biometric data, indicators of health status, orientation and/or sexual life of any collaborator or Customer/Supplier.

As already mentioned, the only sensitive data relates to medical visits carried out in compliance with Legislative Decree no. 81/2008, which are kept securely in sealed envelopes available to the competent Authority if the latter requires inspection for any good cause; such envelopes are kept in a locked security cabinet.

2.4.2 Of personal data relating to criminal convictions and offences (Art. 10)

ITALGRAF S.r.l. absolutely **does not** process data relating to criminal convictions and offences.

2.4.3 Which does not require identification (Art. 11)

ITALGRAF S.r.l. **does not** process any data relating to online services.

3 Rights of the data subject

3.1 Information

3.1.1 Transparent communications and procedures for exercising the rights of the data subject (Art. 12)

ITALGRAF S.r.l. provides the data subjects with all necessary information in a clear, concise, intelligible form, while guaranteeing ease of access. Such information may be provided orally or in written and/or digital form.

Together, it ensures data subjects of the satisfaction of their legitimate requests for access, rectification, deletion (oblivion), restriction, portability, opposition and limitation.

3.1.2 To be provided where the personal data are collected from the data subject (Art. 13)

ITALGRAF S.r.l. specifies the following:

- The Controller is Italgraf S.r.l. with headquarters in Via Anna Frank, 3/d - 22076 - Mozzate (CO);
- Data controller officer is Marina Caldirola, who can also be contacted by e-mail at the following address: itgprivacy@italgrafsrl.it
- Data protection officer is Fabrizio Napoli, who can also be contacted by e-mail at: itgprivacy@italgrafsrl.it
- Data collected are or may be processed for the following purposes:
 - ❖ Collaborators:
 - ✓ Execution of services subscribed and contractually established between the parties;
 - ✓ Administrative/Accounting Tasks;
 - ✓ Regulatory and/or legislative obligations;
 - ✓ Communication to the financial consulting firm, responsible for drawing up salaries and related social security contributions;
 - ✓ Communication to the labour consulting firm;

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- ✓ Upon request, and in absolutely anonymous form, to trade associations.
 - ❖ Client/Suppliers
 - ✓ Execution of services subscribed and contractually agreed upon between the parties;
 - ✓ Administrative/Accounting Tasks;
 - ✓ Regulatory and/or legislative obligations;
 - ✓ Upon request, and in absolutely anonymous form, to trade associations for the usual statistical surveys.
- Data relating to direct collaborators (employees) only are kept for a period not exceeding six (6) months after the end of the employment relationship.

ITALGRAF S.r.l. assures that processing carried out with the aid of electronic and/or paper instruments is not subject to automated decision-making processes.

Processing is carried out on the basis of the common interest between the data subject and the data controller, given the existence of a pertinent relationship.

ITALGRAF S.r.l. specifies that data provision is optional but necessary to achieve the above mentioned purposes and their absence in part or totally does not allow the proper management and compliance to the above obligations and administrative / accounting obligations relating to the relationship.

All data mentioned in this paragraph are or may also be communicated to the following categories of subjects which ITALGRAF S.r.l. uses for the execution of normal operating and management practices:

- Banks, for payments;
- Insurance companies, for Company's civil liability policies;
- Law Firms, in case of disputes;
- Authority and Public Administration for communications required by law;
- External partners to whom ITALGRAF S.r.l. entrusts the total or partial execution of the above mentioned activities.

ITALGRAF S.r.l. assures that the above mentioned data will not be transferred abroad.

ITALGRAF S.r.l. guarantees the data subject the right to complain to the Supervisory Authority in the event that his/her requests for information addressed to ITALGRAF S.r.l. have generated answers considered irrelevant and/or unsatisfactory.

The relevant authority is the Guarantor for the Protection of Personal Data:

<http://www.garanteprivacy.it/web/guest/home/docweb/-/docweb-display/docweb/4535524>

3.1.3 To be provided where the personal data are NOT collected from the data subject (Art. 14)

ITALGRAF S.r.l. undertakes and guarantees the transmission of the personal data of a collaborator and/or Customer/Supplier to the interested party within and no later than one month from his justified request, provided that the same does not involve a disproportionate effort with respect to the entity of the data requested, bringing back to what is stated in § 3.1.2. for the uniformity of the treatment itself, specifying at the same time the official sources from which the data have been received (e.g. not exhaustive: name of controller/responsible for data treatment, company name of the insurance company, of the labour consultant, of the trade association, etc.)

3.2 Rights

3.2.1 Of access by the data subject (Art. 15)

ITALGRAF S.r.l. guarantees free access to the data in its possession by the data subject during the processing period of the latter's data and, more precisely, to all the data and all the conditions set out in § 3.1.2 and § 3.1.3 above, including the right to obtain one, and only one, copy of said data. If, in case of need, the subject data requests more than one copy, Italgraf S.r.l. may request a reasonable fee related to the administrative costs incurred.

3.2.2 Rectification (Art. 16)

ITALGRAF S.r.l. guarantees to the subject data the immediate rectification of the personal data that the subject data considers inaccurate or incomplete and recognizes the right to obtain integration by providing him, if necessary, a supplementary declaration.

3.2.3 Deletion (oblivion) (Art. 17)

ITALGRAF S.r.l., with regard to the data processed within its competence, assures the subject data about the immediate implementation of his request regarding the deletion/oblivion of his personal data when the same:

- ✓ are no longer necessary,
- ✓ consent to the processing has been revoked, in whole or in part,
- ✓ the data subject objects to the processing,
- ✓ data must be deleted in order to fulfil a legal obligation,

Similarly, in case of data transmitted externally (see § 3.1.2) ITALGRAF S.r.l. ensures the transfer of information to the data controllers involved.

ITALGRAF S.r.l. reserves the right to refuse the cancellation of data necessary to:

- ✓ exercise the right to freedom of expression and information,
- ✓ fulfil a specific legal obligation,
- ✓ safeguard public interest reasons in the fields of health, scientific or historical research, for statistical purposes,
- ✓ ascertain, exercise or defense a right in a court of law

3.2.4 Restriction of processing (Art. 18)

ITALGRAF S.r.l. guarantees to the subject data the right to obtain the limitation of the use of his/her personal data in cases in which:

- Data is inaccurate (within the period necessary to verify accuracy),
- Subject data objects to the deletion and expressly request the restriction,
- Subject data believes that his/her data are still necessary, even if they are no longer of interest to ITALGRAF S.r.l.
- During the period of verification of the prevalence of the right of processing, the subject data opposed to the processing itself.

At the end of the restriction, the subject data will be informed of the revocation in the same way used as for the rectification or deletion of data belonging to him.

3.2.5 Data portability (Art. 20)

ITALGRAF S.r.l. guarantees the data subject the right to the portability of his/her data, of which he/she has received details, to another data controller without hindrance or restriction and, should the data subject expressly request it, ITALGRAF S.r.l. will provide for transmission to another data controller indicated by the data subject.

3.2.6 Opposition (Art. 21)

ITALGRAF S.r.l. guarantees the data subject the right to object (see also § 3.1.2) to the processing of his/her data at any time, except in the case where such opposition violate his/her legal rights and immediately informs the data subject of his/her right to do so.

ITALGRAF S.r.l. and no external collaborator (§ 3.1.2) carry out direct marketing activities.

3.3 Obligations regarding rectification (Art. 19)

ITALGRAF S.r.l. informs each of the recipients (§ 3.1.2) to whom the personal data have been transmitted of any rectifications, deletions or limitations made or to be made to the personal data of the data subjects.

In case of request by the data subject, ITALGRAF S.r.l. will inform him of the name of these recipients.

3.4 Automated individual decision making with regard to natural persons, including profiling (Art. 22)

ITALGRAF S.r.l. ensures that it does not carry out automated decision-making processes on the personal data in its possession.

3.5 Restrictions (Art. 23)

ITALGRAF S.r.l. ensures compliance with national and European legislative restrictions on the processing of personal data that may concern public order or legislative prevailing aspects.

4 Data Controller and data Processor

4.1 Responsibility of Data Controller (Art. 24)

ITALGRAF S.r.l. guarantees that the processing is carried out in compliance with Regulation 2016/679 by implementing technical and organisational measures appropriate for the specific data processed; these measures are re-examined and, if necessary, updated.

For this purpose, the controller shall make use of the technical expertise of the responsible for data processing.

4.2 Data protection (by design and by default) (Art. 25)

ITALGRAF S.r.l. has implemented adequate technical/organisational measures that, by default, guarantee the processing of personal data only relating to each specific type of processing.

These measures concern the quantity, scope, retention period and accessibility of the data processed, data which are not automatically made accessible.

4.3 Data Processor (Art. 28)

The person responsible for the processing of the data processed in ITALGRAF S.r.l. guarantees compliance with the processing of the data entrusted to him as provided for by Regulation 2016/679 and, given the operational reality, he does not require additional managers (under his authority) but he uses only a data protection manager, to whom he gives a specific mandate authorization in contractual form.

4.4 Processing under the authority (Art. 29)

4.4.1 Of controller

The Controller, ITALGRAF S.r.l., guarantees the respect of the personal data processed in accordance with the regulation 2016/679, considering also the limitations of the national and European law.

4.4.2 Of processor

The Responsible for processing, who has access to personal data, may process such data only after having obtained the necessary instructions from the data controller and strictly respects its indications, without prejudice to superior national and European law.

4.5 Cooperation with the supervisory authority (Art. 31)

ITALGRAF S.r.l., as data controller, guarantees that data controller officer and data protection manager will offer their full cooperation with the competent Authorities in the performance of their respective duties.

4.6 Security of processing (Art. 32)

ITALGRAF S.r.l. ensures to process its own data securely, considering the nature, the object, the context and the purposes of the processing.

To that end, it states that:

- The only sensitive data relate to medical examinations carried out in compliance with Legislative Decree. 81/2008 and are exclusively paper-based (§2.1.);
- The data stored in electronic/digital form are protected from damage by the use of dedicated software (antivirus, antispam, anti-malware, etc..) systematically and automatically updated; they are also protected from destruction, loss and/or damage by dedicated backup copies made:
 - Automatically daily on a dedicated server;
 - Manually weekly on removable external support.

4.7 Violation of personal data

4.7.1 Notification to the supervisory authority (Art. 33)

ITALGRAF S.r.l., despite the breach of the data in its possession does not constitute a risk to the rights and freedoms of natural persons, undertakes to notify the unlikely violation (given the nature of the data processed) to the Supervisory Authority, attaching all relevant data, within maximum 72 hours from having become aware of it.

4.7.2 Communication to the data subject (Art. 34)

Likewise, in an intelligible form and with clear and simple language, it communicates what has happened to the data subject.

In both cases (§§ 4.7.1 and 4.7.2), it adapts its security measures in order to avoid any danger of a repetition of the same violation.

4.8 Data protection impact assessment (Art. 35)

Given the type of data processed and considering that automated decision-making techniques are not used, ITALGRAF S.r.l. does not consider necessary to proceed with impact assessments, in addition to those already implemented, a procedure that would be disproportionate to the real need for protection.

In any case, the protection methodologies will be reviewed on an annual basis in order to adapt them, if necessary, to technological progress.

4.9 Data Protection Officer

4.9.1 Designation (Article 37)

ITALGRAF S.r.l. to provide technical support to the controller and data controller officer has appointed the Responsible for Data Protection (§3.1.2), who has wide decision-making powers on the choices of the protection methods he considers most effective and ensures their rapid application.

4.9.2 Position (Art. 38)

In ITALGRAF S.r.l., the Responsible for protection reports hierarchically and directly to the General Manager, from which he receives wide support in carrying out his activities as well as adequate resources for development.

4.9.3 Tasks (Art. 39)

ITALGRAF S.r.l. only entrusts the data protection officer with the task of assisting the data controller and cooperating, if necessary, with the supervisory authority as the privileged contact point.

5 Transfers of personal data to third countries or international organisations

5.1 General principle (Art. 44)

Considering that ITALGRAF S.r.l. does not normally transfer personal data to third countries or international organizations (§ 1.2.2.), should such a need arise, it guarantees that the level of data protection is not compromised by such operation.

5.2 Transfers

5.2.1 On the basis of an adequacy decision (Art. 45)

Before any possible transfer of data to third countries and/or international organizations, ITALGRAF S.r.l. consults the list of countries, territories and sectors to which the transfer is permitted, which can be found on the European Commission's website.

5.2.2 Subject to appropriate safeguards (Art. 46)

In the event of a transfer of data, the data controller shall ensure that there are adequate safeguards, provided by the recipient of the data and verified and accepted by the authority, before transferring the data.

6 Remedies, liability and penalties

6.1 Rights

6.1.1 To lodge a complaint with the supervisory authority (Art. 77)

ITALGRAF S.r.l. guarantees the data subject the right to file a justified appeal with the competent authority (§ 3.1.2.).

The relevant authority is the Guarantor for the Protection of Personal Data:

<http://www.garanteprivacy.it/web/guest/home/docweb/-/docweb-display/docweb/4535524>

6.1.2 To apply to the courts, against the data controller and the data processor (Art. 79)

Without prejudice to any other administrative or extrajudicial remedy, ITALGRAF S.r.l. guarantees the data subject the right to lodge an effective judicial remedy with the Italian Court, where the data subject has not received a reply from the supervisory authority on the progress or outcome of the complaint lodged.

6.1.3 To compensation and liability (Art. 82)

In the event of acknowledged material or immaterial damage as a result of an infringement of Regulation (EU) 2016/679, ITALGRAF S.r.l. guarantees the data subject the right to receive compensation for the damage suffered only in case of failure to comply with the obligations of the regulation, while it is considered completely relieved of any possible liability in the event it proves that the damage cannot be attributed to it in any way.

7 Provisions relating to specific processing situations

7.1 Processing

7.1.1 Data relating to employment relationships (Art. 88)

ITALGRAF S.r.l. guarantees the protection of rights and freedoms regarding the processing of personal data to all its employees in the context of employment relationships, in particular for the following purposes:

- ❖ recruitment,
- ❖ Execution of the employment contract,
- ❖ Compliance with legal obligations and/or collective agreements,
- ❖ Management, planning and organization of work,
- ❖ Equality and diversity in the workplace,
- ❖ Health and safety at work,
- ❖ Protection of the employer's or customer's property,
- ❖ Termination of employment relationship.