

Informative note pursuant to art. 13 of the EU Regulation 679/2016 concerning the processing of personal data

Dear Client,

pursuant to art. 13 of the EU Regulation 679/2016 of the European Parliament and of the European Council dated April 27th 2016 concerning the protection of personal data (hereinafter the "Regulation" or the "GDPR"), for what concerns the processing of your personal data, Musumeci, Altara, Desana e Associati Studio Legale (hereinafter also the "Law Firm" or the "Data Controller"), the relevant identity and addresses you can find here below wish to

inform you

of what is in the hereafter.

1) Identity and contact details of the Data Controller.

The Data Controller pursuant to the artt. 4 and 24 of the Regulation is Musumeci, Altara, Desana e Associati Studio Legale, in person of the *pro tempore* legal representative, having registered office in Via Ettore de Sonnaz 14 – 10121 Torino (TO), tel. 011.21.70.911 - Fax 011.21.70.900. You can contact the Data Controller in writing to the aforementioned address or otherwise by sending and e-mail to the following e-mail address: segreteria@madlex.it.

2) Purposes of the data processing and the legal basis for the processing.

The personal data you provide to the Data Controller will be processed exclusively for purposes concerning the execution of the prospective or already pending professional engagement with the Law Firm, in compliance with the provisions set forth under the art. 13 of the Regulation and with the confidentiality obligations however inspiring our professional activity. The expression "purposes concerning the execution of the professional engagement" means any data processing activity however linked to the management, the administration and the fulfilment of the contractual outstanding relationship. For such purposes the legal basis for processing is therefore the art. 6, paragraph 1, letter b) of the GDPR ("*processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract*").

Within the context of the abovementioned purposes, processing is also compulsory to comply with a legal obligation concerning the management of the contractual relationship and the fulfilment of the engagement (for example, but not limited to, relationship with Judicial Authorities or legal obligation imposed by the Italian Anti-Laundering Law). In such cases the legal basis for processing is therefore the art. 6, paragraph 1, letter c) of the GDPR ("*processing is necessary for compliance with a legal obligation to which the controller is subject*").

3) Processing of special categories of personal data.

At any time, for the execution of the professional engagement or to comply with specific legal obligations concerning the management of the outstanding contractual relationship, the Law Firm needs to collect some data falling under the special categories of personal data as defined under the art. 9 of the GDPR (in particular, those personal data revealing "*racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the*

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processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation") the processing of such categories of data is subject to a previous free and explicit consent from you to such processing. In those cases, the legal basis for processing will be therefore the art. 9, paragraph 2, letter a) of the GDPR (*"the data subject has given explicit consent to the processing of those personal data for one or more specified purposes"*).

4) Procedures for processing and storage.

With reference to the aforementioned purposes, the processing of your personal data will be carried out by manual, informatic and telematic means for the proper execution of the purposes and, in any case, in such ways to grant security and confidentiality, in compliance with the provisions of art. 32 of the GDPR regarding security measures, by specially appointed subjects and in compliance with the provisions of art. 29 of the GDPR.

5) Categories of recipients to whom the data will be eventually communicated.

The processing of the personal data you communicated to us will be managed by subjects expressly and specifically appointed by the Data Controller and that operate in the interest of the Law Firm as processors (art. 28 of the GDPR) or as authorized subjects by the Data Controller (art. 28 of the GDPR), all of them expressly appointed to process the data under terms of the Regulation or under the national law entered into force as regulatory adjustment/execution of some specific provisions of the GDPR. The personal data could be processed by the Data Controller directly or communicated to third parties at any time such processing is required for compliance with a legal obligation or is functional to the execution of the engagement. To such purpose, personal data could be brought to the knowledge of external entities or professionals howsoever cooperating with the Law Firm for the limited purposes herein provided.

Personal data could be communicated by the Law Firm, to the purpose of complying with legal obligations or to give execution to contractual obligations, to postal offices, shippers and carriers for the shipment of documentation, as well as to banks for accounting purposes descending from the execution of the contract, to Public Administrations in accordance with the law, to third parties for the supply of informatic services or storing services, as well as to correspondent colleagues also for elected domicile purposes.

Your personal data will not be disseminated and the Data Controller will not put them in the knowledge or in the availability, in any way whatsoever, of undetermined subjects or recipients.

6) Transfer of personal data to third countries or to international organizations

As a rule, your data will not be transferred either to third Countries outside the European Union or to International Organizations. At any time it would be required for the fulfilment of the engagement, the Law Firm undertakes to ensure that any transfer takes place in compliance with the provisions set forth under art. 45 (on the basis of an adequate decision by the EU Commission) and 46 (subject to appropriate safeguards), if applicable, or otherwise and in any case pursuant to the art 49 of the GDPR.

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7) Period for which the personal data will be stored.

Your personal data will be stored according to the provisions set forth under art. 5, par. 1, let. e) of the GDPR by means of criteria that allow the identification of the data subject for a period of time no longer than the one required for the accomplishment of the hereinabove purposes according to which the personal data are collected and processed. Your personal data are stored according to the following criteria: (a) for the time strictly required to achieve the “purposes concerning the execution of the professional engagement” for which the personal data are processed and in any case for a period not longer than 10 (ten) years; (b) for the time strictly required to comply with obligations provided by law, regulations or provisions given by Supervisory Authority and control bodies. At the end of the retention period, your personal data will be deleted, or stored anonymously.

8) Data subject’s rights.

In accordance with the art. 15 and subsequent of the Regulation, you, as data subject, are entitled against the Data Controller:

- to access to your personal data;
- to obtain the rectification or the cancellation of your personal data or the limitation/restriction of the processing involving them;
- to file objection to the processing;
- to obtain the portability of the personal data pursuant to art. 20 of the GDPR;
- to withdraw the consent for the case the processing is based on the art. 6, par. 1, lett. a) or on the art. 9, par. 2, lett. a) of the GDPR and where there is no other legal ground for the processing;

Without prejudice to any other administrative or judicial remedy, if you consider that the processing of your personal data infringes the Regulation you have the right to lodge a complaint with the supervisory authority, in particular in the Member State of your habitual residence, place of work or place of the alleged infringement according to the art. 77 of the GDPR (for the Italy, the supervisory authority is the “Garante per la Protezione dei Dati Personali”).

To exercise the aforementioned rights, you can contact the Data Controller at the addresses provided under paragraph 1 of the present informative note.

9) Possible consequences of the refusal to release personal data in those cases under which the communication of such data represents an obligation provided by law or a prerequisite for the entering into an agreement.

The communication of your personal data and the subsequent processing by the Data Controller are of essence for the entrance into, the execution and the appropriate management of the engagement with our Law Firm; therefore, such communication has to be deemed as compulsory.

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Any refusal, from your side, to supply us the required personal data might produce, from the Data Controller side, the impossibility to enter into or to continue in the contractual relationship with you.

10) About the existence of automated decision-making, including profiling.

According to art. 13, par. 2), lett. F) of the GDPR, you are informed that your personal data collected by our Law Firm will not be subject to any decision process based solely on automated processing, including profiling as provided under art. 22, par. 1 and 4, of the GDPR.

11) Personal data processing for purposes other than those for which they were collected.

As any time the Data Controller aims to further process your personal data for purposes other than those for which they were collected, before such further processing our Law Firm will supply you appropriate information in regard of such different purpose and any additional and relevant information pursuant to art. 13, par. 2, of the Regulation.

The Data Controller
Musumeci, Altara, Desana e Associati
Studio Legale

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