



# DISCLOSURE AND REQUEST FOR CONSENT FOR THE PROCESSING OF PERSONAL DATA FOR CUSTOMERS

MOMO s.r.l. - Via Winckelmann, 2 - 20146 Milano

Rev. 2018

## INTRODUCTION

With the EU Regulation 679/2016, laying down provisions for the protection of natural persons, with respect to the processing of personal data, MOMO s.r.l., based in Via Winckelmann, 2 - 20146 Milano (hereinafter referred to as "organization"), as the Data Controller, represented by Dr. Massimo Ciocca, is required to provide some information about the use of personal data.

## DATA SOURCE AND TYPES OF PROCESSED DATA



Personal data acquired by the organization can be collected:

- directly from data subject
- from public access sources (ex. documents published in the chamber of commerce, etc)

For the data not directly collected from the data subject, this disclosure is provided at the time of their registration and however, no later than the first possible communication.

The processed data, where the existing relationship requires it, is: personal data.

In any case all this data is processed in compliance with the aforementioned law and with confidentiality obligations to which the organization's activity has always been based.

## DATA CONSERVATION PERIOD



The data is kept only for the period necessary for the purposes for which it is processed or in the terms established by laws, national and EU rules and regulations which the organization must comply with (ex. Accounting and fiscal regulation, etc.). It is expected that a periodic audit will be carried out annually on processed data and on the possibility of deleting it if not necessary anymore for the intended purposes.

## DATA PROVISION AND CONSEQUENCES IF NOT PROVIDED

## MANDATORY/NOT MANDATORY



The provision of data must be considered mandatory with regard to the processing that the organization must carry out to fulfill its obligations towards the data subject on the basis of the existing relationship (or contract), as well as legal obligations, rules, regulations. Failure to provide such data may make it impossible for the organization to proceed with the current relationship.

The purposes for which the provision of data is mandatory are marked with the following symbol:



Consent is not mandatory for all other purposes and, even when provided, can be revoked at any time by the data subject.

The purposes for which the provision of data is NOT mandatory are marked with the following symbol:



## PURPOSES OF THE DATA PROCESSING



The data is processed within the normal activity of the organization and for the following purposes. If the Data Controller intends to further process the personal data for a different purpose than that for which they were collected, he will beforehand provide to the data subject all necessary information and will proceed to request the consent where required.



Provision of services and / or products requested by the data subject within the existing relationship (or contract), including the related purposes of licit interest or the administrative (eg invoicing), accounting and tax obligations, as well as the implementation and management of obligations required by laws, regulations and national and EU legislation, as well as by instructions issued by authorities legitimated by law and by supervisory and control units;



Market surveys, marketing activities, dispatch of material containing commercial information relating to products / services, in any way and by any means also with automated methods (eg by mail, newsletter, fax, telephone, mail, social networks, etc.);

## LEGAL BASIS OF DATA PROCESSING



Data is processed for the abovementioned purposes on the basis of consent (purposes 2), also in order to comply with a contractual / pre-contractual, legal, regulatory obligation, as well as with instructions given by authorities legitimated to do so and by supervisory and inspection boards (purposes 1). The explicit regulatory references updated to their last revision status that foresee the obligations or fulfillment on the basis of which the data processing could be carried out are available and can be consulted at the Data Controller and in any case are part of the existing European Union law as well as of the Member State to which the data controller is subjected.

## DATA PROCESSING METHODS



Personal data processing is done by manual, IT and telematic tools with approaches strictly related to the purposes and in any case in order to guarantee the security and confidentiality of the data. The documentation is archived both electronically and on paper. Here are some essential information.



The collection of personal data is limited to the minimum necessary for each specific purpose of the processing



The personal data processing is limited to the purposes for which it was collected



The storage of personal data is limited to the minimum necessary for each specific purpose of the processing



Personal data is not provided to commercial third parties



Personal data is not sold or rented

## DISTRIBUTION AREA AND CATEGORIES OF PERSONS TO WHICH DATA CAN BE COMMUNICATED



Personal data collected by the organization may be communicated, within the limits strictly relevant to the aforementioned purposes, also to the following persons or categories of persons. For all the aforementioned purposes, the communication of data also derives from a legal, contractual obligation or is a necessary requirement for the conclusion of a contract. In the absence of these communications, the relationship / contract may not be completely fulfilled.

Data won't be transferred to third Countries outside the EU.



Persons to whom communication is required by law, by regulation or by national and EU legislation, as well as for the execution of contractual or pre-contractual obligations;



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- ✓ Credit Institutions, Insurance Companies and similar institutions for the execution of contractual or pre-contractual obligations
- ✓ Companies that carry out transmission, enveloping, transport and sorting of communications to data subjects
- ✓ Legal, accounting consultants for the purpose of studying and resolving any legal problems related to the existing contractual position
- ✓ Consultants and professionals (technicians, designers, etc) or companies that collaborate with the organization in order to provide the service requested or sell the product purchased (eg transporters, etc)
- ✓ External offices specialized in the management of accounting and tax aspects (eg accountant, auditing company, etc.)

## RIGHTS OF THE DATA SUBJECT



At any time the data subject may exercise his / her rights towards the Data Controller or Data Processor, in accordance with EU Regulation 679/2016, by contacting Dr.Massimo Ciocca and MOMO s.r.l. through the following addresses info@momo.it - +39 02 424112 - FAX: +39 02 42411299 – MOMO s.r.l. - Via Winckelmann, 2 - 20146 Milano.

To guarantee the correct exercise of the rights, the data subject must be identifiable in an unequivocal manner.

The organization agrees to provide feedback within 30 days and, if it is impossible to meet these deadlines, to justifying the possible extension of the deadlines. The response will be free of charge except in cases of groundlessness (eg there is no data concerning the applicant data subject) or excessive requests (eg repetitive over time) for which a fee may be charged no higher than the costs actually incurred for the research carried out in the specific case.

The rights related to personal data concerning deceased persons may be exercised by those who have an interest of their own or act to protect the data subject or for family reasons deserving protection. The data subject can also submit a complaint to the supervisory authority.

In case of violation of personal data suffered by the organization, the Data Controller will proceed to notify the competent supervisory authority within 72 hours of the occurrence and will also communicate the event to the data subject, except in cases of exclusion provided for by law.

THE DATA SUBJECT HAS THE RIGHT TO REQUEST: access, rectification, deletion of personal data, limitation of processing, as well as data portability. THE DATA SUBJECT HAS THE RIGHT TO TAKE POSITION AGAINST: the data processing and to revoke the consent at any time without prejudice to the lawfulness of the processing based on the express consent before the revocation.

### RIGHT TO OBTAIN INFORMATION ABOUT:

- origin of personal data
- categories of processed data
- purposes and methods of data processing
- conservation period
- logic applied in case of data processing carried out with the aid of electronic instruments
- identification details of the Data Controller and the Data Processor
- Persons and sector of persons to whom personal data may be communicated or who can learn about them as managers or individuals in charge in Third Countries
- existence of the profiling process

### RIGHT TO OBTAIN

- confirmation of the existence or otherwise of their personal data and that such data are made available in an intelligible form
- updating, rectification, data integration and limitation
- cancellation (right to be forgotten), transformation into anonymous form or blocking of data processed in violation of the law (including those for which storage is not necessary in relation to the purposes for which they were collected or subsequently processed)
- certification that the operations referred to in the points above have been brought to the attention of those to whom the data have been communicated or spread, except in the case where this fulfillment reveals impossible or involves a use of means manifestly disproportionate to the right protected by the organization
- data portability (direct transmission from one data controller to another)
- copy of the data that is being processed

### RIGHT TO TAKE POSITION AGAINST

- the processing of personal data concerning the data subject including profiling for legitimate reasons, even if pertinent to the purpose of the collection
- the processing of personal data concerning the data subject for the purposes of: sending advertising material, direct sales, carrying out market research, commercial communications
- the processing of data processed for scientific or historical research purposes or for statistical purposes, except in the case of public interest in processing