



## **COMMERCIAL PRIVACY NOTICE**

Open Fiber S.p.A., with its registered office at Largo Guido Donegani 2 – 20121 Milan MI, Italy, VAT number 09320630966, as the Data Controller (hereinafter “Controller” or “Open Fiber”), informs you, pursuant to Article 13 of EU Regulation No. 679/2016 (also referred to as the “General Data Protection Regulation” or “GDPR”), that your data may be subject to processing as described below.

It is noted, where applicable, that each data subject (as recipient of this Notice) is required to share this information with their employees, collaborators, and contractors whose data will be processed within the scope of the contractual relationship with Open Fiber.

### **Purpose and Legal Basis of the Processing**

The personal data subject to processing are as follows: (i) personal identification data; (ii) Curriculum Vitae; (iii) contact data; and, where applicable, (iv) data relating to criminal convictions and offenses or relevant for the Anti-Mafia Certification Substitute Declaration. The personal data will be processed for the following purpose: negotiation, signing, and execution of the commercial agreement.

The legal basis for the processing is identified as:

- the performance of the contract and preliminary acts pursuant to Article 6 letter (b) GDPR;
- the authorization under internal legislation with reference to personal data relating to criminal convictions and offenses pursuant to Article 10 GDPR.

### **Data Retention Period**

The data concerning you will be retained according to the following criteria:

- For a period not exceeding 10 years from the termination of the contractual relationship;
- For a period not exceeding the time necessary to fulfill legal obligations.

### **Data Processing Methods**

Data processing is carried out using paper-based and electronic tools with measures designed to ensure the security and confidentiality of the data, aimed at preventing unauthorized access, loss, or destruction, in compliance with Chapter II (Principles) and Chapter IV (Controller and Processor) of the GDPR. The data may be processed by internal

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09320630966 – R.E.A. MI 2083127 – Share Capital Euro 250,000,000 fully paid-up.



or external parties specifically authorized and committed to confidentiality.

### **Scope of Data Disclosure**

The data may be processed by third-party companies acting on behalf of the Controller in their capacity as Data Processors (e.g., financial institutions, professional firms, suppliers/consultants who manage and/or participate in the management and/or maintenance of the electronic and/or telematic tools we use, insurance companies providing insurance services, for the time strictly necessary for the optimal execution of such service). Your data will only be made accessible to individuals within the Company who require access in relation to their job responsibilities or hierarchical position. Such individuals will be appropriately trained to prevent loss, destruction, unauthorized access, or unauthorized processing of the data.

Without your explicit consent (pursuant to Article 6, letters b) and c) of the GDPR), the Controller may disclose your data to supervisory bodies, judicial authorities, and any other parties to whom disclosure is mandatory under an explicit legal provision.

### **Nature of Data Provision**

The provision of your data for the aforementioned purposes is mandatory. Any refusal to provide such data and/or the provision of inaccurate and/or incomplete information would prevent the execution of the Contract.

### **Data Disclosure**

Your data will not be disseminated to unspecified parties.

### **Data Transfer Abroad**

Your data will not be transferred outside the European Union and the European Economic Area. However, should it become necessary, the Data Controller reserves the right to relocate the servers outside the aforementioned perimeter. In such cases, the Data Controller ensures that any transfer of data will comply with Articles 44 and following of the GDPR and applicable legal provisions, entering into agreements if necessary to guarantee an adequate level of protection.

### **Data Controller and Data Protection Officer**

The Data Controller is Open Fiber S.p.A., with its registered office at Largo Guido Donegani 2 – 20121 Milan, Italy, VAT number 09320630966. You can contact the Data Controller at the following email address: [privacy@openfiber.it](mailto:privacy@openfiber.it). Open Fiber has appointed a Data Protection Officer (DPO) pursuant to Article 37 of the GDPR, who can be contacted at:

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## Exercise of Rights

We inform you that, as the Data Subject ("Data Subject") regarding the processing of your personal data, you have the right to exercise the rights provided for under the GDPR, specifically: a) the right, pursuant to Article 15, to obtain confirmation as to whether or not personal data concerning you are being processed and, if so, to access such data and the following information: i) the purposes of the processing; ii) the categories of personal data concerned; iii) the recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular if recipients are third countries or international organizations; iv) where possible, the envisaged period for which the personal data will be stored or, if not possible, the criteria used to determine that period; v) the existence of the right of the Data Subject to request from the Data Controller rectification or erasure of personal data or restriction of processing or to object to such processing; vi) the right to lodge a complaint with a supervisory authority pursuant to Articles 77 et seq. of the GDPR; vii) where the personal data are not collected from the Data Subject, any available information as to their source; viii) the existence of automated decision-making, including profiling, referred to in Article 22(1) and (4) of the GDPR, and, at least in those cases, meaningful information about the logic involved as well as the significance and the envisaged consequences of such processing for the Data Subject; ix) the right to be informed about the existence of appropriate safeguards pursuant to Article 46 of the GDPR relating to the transfer, where applicable, of personal data to a third country or an international organization. b) The Data Subject shall also have, where applicable, the possibility to exercise the rights set forth in Articles 16-21 of the GDPR (right to rectification, right to erasure, right to restriction of processing, right to data portability, and right to object). We inform you that Open Fiber undertakes to respond to your requests no later than one month from receipt of the request. This time limit may be extended depending on the complexity or number of requests, and Open Fiber will inform you of the reasons for such extension within one month from your request. The outcome of your request may be provided in writing, either on paper or electronically.

## Methods for Exercising Rights

The Data Subject may exercise the aforementioned rights at any time and request the updated list of Data Processors by submitting a request to the following e-mail addresses: [privacy@openfiber.it](mailto:privacy@openfiber.it) or [dpo.of@openfiber.it](mailto:dpo.of@openfiber.it). Should you believe that the processing of your personal data violates the provisions of the Regulation, you have the right to lodge a complaint with the Italian Data Protection Authority (Garante per la Protezione dei Dati Personali), as provided for under Article 77 of the GDPR, or to seek judicial remedies pursuant to Article 79 of the GDPR, following the procedures and guidelines published on the Authority's official website: [www.garanteprivacy.it](http://www.garanteprivacy.it).

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