

## INFORMATION ON THE PROCESSING OF PERSONAL DATA THIRD PARTIES

Dear,

with this document, prepared pursuant to Articles 13 and 14 of EU Regulation No. 679/2016 (hereinafter also referred to as the "Regulation"), Fincantieri S.p.A. inform you, as a data subject in the processing of personal data as a supplier, potential supplier or partner of Fincantieri, of the following.

### 1. Data Controller

The Data Controller of the personal data requested from you is **Fincantieri S.p.A.** (hereinafter also referred to as the "**Data Controller**" or the "**Company**"), with registered office in Trieste, Via Genova 1, VAT 00629440322, e-mail [privacy@fincantieri.it](mailto:privacy@fincantieri.it), tel. +39 040 3193111, fax +39 040 3192305.

The Data Protection Officer ("DPO") of Fincantieri S.p.A. can be contacted at the following e-mail address: [privacy@fincantieri.it](mailto:privacy@fincantieri.it).

### 2. Purposes of the processing for which the personal data are intended and legal basis for the processing

The personal data processed by the Data Controller are: (i) common data requested from you - by way of example: name and surname, contact details, tax code, iban, company role, log files generated with access to the platforms, identity card - and (ii) judicial data, relating to criminal convictions, offences or related security measures in compliance with the provisions of Article 10 of the Regulation as authorised to process by specific legal obligations such as, for example, by way of example, the obligation referred to in art. 83 of Legislative Decree 159/2011 and the obligations referred to in art. 80 of Legislative Decree 50/2016 and subsequent amendments.

The above data are processed in the interest of the supplier, potential supplier or partner and provided due to the relationship with Fincantieri S.p.A. (directly or through other parties, by way of example, in the cases of: subcontracting, Temporary Association of Companies, Temporary Grouping of Companies, network contract, consortium, etc.). Your personal data will be processed by the Data Controller, with the support of computer and/or paper means, limited to the following purposes and on the basis of the following legal bases:

- a) purposes relating to the possible conclusion, execution and management of a pre-contractual and/or contractual relationship between you and the Data Controller:** carrying out, by way of example, the following processing: (i) use of your data for the conclusion, management and execution of the pre-contractual and/or contractual relationship, including through supplier registration portals, such as e-NGAGE, SupplHI; (ii) use of your data for the fulfilment of contractual obligations arising from the contractual relationship; (iii) use of your data for the purposes of *due diligence activities* of the Data Controller; (iv) use of your data in the context of extraordinary transactions (*mergers and acquisitions*), *joint ventures*, *partnerships*. The processing is necessary for the execution of contractual and/or legal obligations of the Data Controller deriving from the contractual relationship;
- b) event management purposes carried out as part of the pre-contractual and/or contractual relationship between you and the Data Controller:** the processing is aimed at sending

communications relating to the organization and planning of the Data Controller's events. The processing, where not attributable to the execution of contractual and/or legal obligations on the part of the Data Controller, will take place on the basis of the legitimate interest of the Data Controller aimed at ensuring effective management of events and strengthening the Company's image;

- c) **for the purpose of managing conflicts of interest:** the processing is necessary for the analysis of the possible existence of a conflict of interest between you and an employee of Fincantieri S.p.A. The processing is necessary for the execution of contractual and/or legal obligations of the Data Controller due to the relationship with you;
- d) **audit and/or legislative and regulatory compliance purposes:** the processing is necessary for the execution of legal obligations by the Data Controller and to allow compliance with the company procedures – mandatory or voluntary – adopted by the Company. The processing, where not attributable to the execution of contractual and/or legal obligations on the part of the Data Controller, will take place on the basis of the legitimate interest of the Data Controller aimed at carrying out checks on the processes and activities carried out by the Company. With regard to the management of your data for the fulfilment of regulatory obligations on whistleblowing, please read the specific information at the following address <https://fincantieri.segnalazioni.net/pages/privacy>;
- e) **purposes of qualitative audits:** the processing is necessary for the performance of qualitative audits by the Data Controller. The processing, where not attributable to the execution of contractual and/or legal obligations on the part of the Data Controller, will take place on the basis of the Data Controller's legitimate interest aimed at monitoring the correct performance of contractual services and supporting the Data Controller in verifying and maintaining quality and safety standards in the performance of operational activities;
- f) **purposes relating to contributory and/or social security solidarity:** the processing is necessary to allow checks relating to contributory and/or social security solidarity. The processing, where not attributable to the execution of pre-contractual and/or contractual and/or legal obligations on the part of the Data Controller due to the relationship with you, will take place on the basis of the Data Controller's legitimate interest aimed at supporting the checks by public bodies and/or qualified third parties (e.g. bankruptcy trustee) regarding the possible joint and several liability of the Data Controller;
- g) **purposes of managing pre-litigation and/or litigation:** the processing is necessary for the management of complaints and/or disputes, for the prevention and repression of unlawful acts, as well as, in general, for the protection of the rights and legitimate interests of the Data Controller and/or third parties, including in court. The legal basis of the processing is legitimate interest (the interest of the Data Controller corresponds to the right of action and defense enshrined in Article 24 of the Constitution);
- h) **purposes of managing the documentation relating to the "Legality Protocol between Minister of Interior and Fincantieri":** the processing is necessary for the performance of tasks of public interest related to cooperation with the Ministry of the Interior on a national scale for the prevention and reduction of the risks of infiltration and interference by organized or common crime;
- i) **purposes of managing the documentation relating to the 'Memorandum of Understanding relating to collaboration relationships between Guardia di Finanza and Fincantieri S.p.A.':** the processing is necessary to ensure the performance of the aforesaid Protocol, signed by

Fincantieri, aimed at strengthening the prevention of attempts at criminal infiltration, combating conduct detrimental to the economic and financial interests of the public sector connected to the performance of works, services, supplies, undeclared work and contribution irregularities, fraud and corruption. The processing is necessary for the performance of contractual obligations and/or pre-contractual measures;

- j) for investigative purposes and protection of the company's assets (including information):** the processing is necessary to protect the Company against any non-compliance and/or violations of the law. The processing is carried out on the basis of the legitimate interest of the Data Controller based on the constitutionally guaranteed right to property (art. 42 of the Constitution);
- k) management purposes of Fincantieri supplier and potential supplier platforms:** carrying out, by way of example, the following processing: (i) to allow contacts between registered users and the Data Controller, to exchange information and commercial proposals and to conclude contracts for the supply of materials and services (ii) to make the data available to the Data Controller and group companies for supplier analysis and system administration, (iii) to send communications relating to commercial proposals, which are promoted through the FINCANTIERI-Suppliers system, (iv) to provide the technical assistance necessary for the best use of the services offered by the FINCANTIERI-Suppliers system. The processing, where not attributable to the execution of contractual and/or legal obligations on the part of the Data Controller, will take place on the basis of the legitimate interest of the Data Controller;
- l) aggregate profiling purposes for data quality.** The personal data you provide as part of the relationship with the Data Controller will be processed by Fincantieri for the preparation of aggregate reports aimed at producing anonymous statistical analyses on the effectiveness of the Data Controller's communications and the operation of the various portals. The legal basis of the processing is the legitimate interest of the Data Controller;
- m) Purpose of sending newsletters:** The personal data you provide will be processed by Fincantieri for the purpose of sending communications with training and information content (with the idea of also measuring the return) of its own and its partners. The legal basis of the processing is your free and optional consent.

It should be noted that your data will be processed within the Company by personnel duly appointed and instructed by the Data Controller.

### 3. Recipients of personal data

Your personal data may be transmitted, in close relation to and compatibly with the purposes set out above, to the following categories of subjects:

- companies of the Fincantieri Group;
- directors, statutory auditors and auditing firms;
- chambers of commerce/register of companies;
- Italian and/or foreign public administrations and supervisory/public authorities;
- non-profit associations/bodies;
- funds or funds, including private ones, for social security and assistance;
- business organizations to which the Data Controller belongs;
- international organizations and authorities of foreign countries;
- banking and insurance institutions;
- partners of the Company;
- control and certification bodies;

- Suppliers and customers
- other subjects for whom the current legal and/or contractual legislation provides for the obligation of communication and/or in cases where the communication must take place by virtue of a contractual relationship with the Data Controller.

The contact details of external data processors who carry out activities in the interest of the Data Controller may be requested by you at the following e-mail address: [privacy@fincantieri.it](mailto:privacy@fincantieri.it).

#### **4. Transfer of personal data to a third country or an international organization**

The Data Controller may transfer your personal data outside the European Economic Area ("EEA"). To protect your data in the context of international transfers, the Data Controller will adopt appropriate safeguards, i.e. adequacy decisions of the European Commission pursuant to art. 45 of the Regulation, standard contractual clauses approved by the European Commission and contractual instruments that offer adequate guarantees (Article 46 of the Regulation); alternatively, transfers will take place in the presence of the exceptions provided for in Article 49 of the Regulation (*i.e.* consent of the data subject, necessity of the transfer for the purposes of contractual/pre-contractual measures, overriding public interest, right of defense in court, vital interests of the data subject or of other persons, data entered in a public register).

#### **5. Retention period of personal data**

Your data will be stored for the time necessary to fulfil the contractual obligations as well as the additional purposes described above for a maximum period of 10 (ten) years from the end of the contractual relationship between you and the Data Controller, and in the case of Fincantieri supplier portals for 10 years from the last access to the platform made by you.

In the event that the processing is based on the legal basis of consent (paragraph 2 letter l), the processing will be possible until the withdrawal of the same.

The above terms are valid unless certain requirements are met that justify retention for a further period, such as the emergence of disputes. In the latter case, the data will be stored until the expiry of the terms of appeal.

#### **6. Rights of the data subject**

We inform you that as a data subject you have the right to obtain from the Data Controller:

<b>Right of access:</b> (art. 15 of the Regulation)	or confirm whether or not personal data concerning you are being processed and, if so, the right to obtain, inter alia, access to your personal data and information regarding the purposes of the processing, the categories of personal data in question, the recipients or categories of recipients to whom the personal data have been or will be disclosed.
<b>Right to rectification:</b> (art. 16 of the Regulation)	(i) rectification of inaccurate personal data concerning you without undue delay and (ii) completion of your personal data, if incomplete.
<b>Right to erasure ('right to be forgotten'):</b> (art. 17 of the Regulation)	deletion of personal data concerning you without undue delay.
<b>Right to restriction of</b>	limitation of processing in the cases referred to in Article 18 of the

<b>processing:</b> <b>(art. 18 of the Regulation)</b>	Regulation.
<b>Right to data portability:</b> <b>(art. 20 of the Regulation)</b>	receipt in a structured, commonly used and machine-readable format of the personal data concerning you and in our possession; the right to transmit such data to another data controller without hindrance from the data controller to whom they have been provided in the cases referred to in Article 20 of the Regulation.
<b>Right to object to processing carried out pursuant to Article 6(1)(e) or (f):</b> <b>(art. 21 of the Regulation)</b>	object, at any time, on grounds relating to your particular situation, to the processing of personal data concerning you pursuant to Article 6(1)(e) or (f), including profiling on the basis of these provisions.

You may exercise the above rights at any time by sending a formal request to the e-mail address: [privacy@fincantieri.it](mailto:privacy@fincantieri.it).

You also have the right **to lodge a complaint with the Italian Data Protection Authority** if you believe that the processing of your personal data violates EU Regulation no. 679/2016.7.

#### **7. Nature of the provision of data and consequences in the event of failure to provide the same**

The provision of your personal data for the purposes referred to in paragraph 2 letters a) - l) is necessary to comply with legal obligations and/or contractual obligations of the Data Controller to execute the contractual relationship between you and the Data Controller. Therefore, failure to provide such data will make it impossible for the Company to execute the contractual relationship with you.

The processing of personal data relating to the purposes referred to in paragraph 2, letter m) above is optional, therefore the lack of consent will not affect the possibility for you to sign the contract with the Data Controller, but will not allow you to receive Fincantieri newsletters.

#### **8. Revisions and updates**

As our privacy policy is subject to change, please check it frequently at the following link <https://www.fincantieri.com/it/suppliers/e-procurement/> for updates.