

**PRIVACY NOTICE REGARDING THE PROCESSING OF SUPPLIERS' PERSONAL DATA IN ACCORDANCE WITH  
ARTICLES 13 and 14 OF REGULATION (EU) 2016/679 ('GDPR') - ESSELUNGA GROUP**

**DATA CONTROLLERS:**

Esselunga S.p.A. ("Esselunga" or "Data Controller"), Address: Via Giambologna n. 1, 20096, Limito di Pioltello (MI) - E-mail address: [privacy@esselunga.it](mailto:privacy@esselunga.it) ; EsserBella S.p.A. ("EsserBella" or "Data Controller"), Address: Via Giambologna n. 1, 20096, Limito di Pioltello (MI) - E-mail address: [privacy.esserbella@esserbellaprofumerie.it](mailto:privacy.esserbella@esserbellaprofumerie.it); Atlantic S.r.L. ("Atlantic" or "Data Controller"), Address: Via Giambologna n. 1, 20096, Limito di Pioltello (MI) - E-mail address: [privacy.atlantic@bar-atlantic.it](mailto:privacy.atlantic@bar-atlantic.it)

**DATA PROTECTION OFFICER ("DPO") Esselunga Group**

Address: DPO c/o Esselunga S.p.A., Via Giambologna n. 1, 20096, Limito di Pioltello (MI) - E-mail address: [dpo@esselunga.it](mailto:dpo@esselunga.it)

**Esselunga exclusively for the purpose of selection and management of suppliers received through a dedicated channel will process personal data owned by EsserBella and Atlantic, each as Data Controller, on their behalf as Data Processor.**

**What personal data we process and where we collect them**

The term "Data" includes, for example, common data of the supplier natural person or company ("Supplier"), such as:

**Supplier natural person:** name, surname, tax code, identity document number, address, telephone number, e-mail address of the consultants/collaborators natural persons processed by the Controller for the conclusion and execution of the contractual relationship. The Data are collected directly from the Supplier. **Supplier Company:** name and surname, telephone number, role and company e-mail such as data relating to legal representatives signing contracts on behalf of suppliers, in addition to supplier employees/consultants involved in contract activities. In this case, the source from which the Data come is the Supplier Company.

The sharing of Personal Data belonging to categories other than the common ones, where shared directly by the Supplier or its employees/ consultants, will not be taken into account and subsequently deleted. Data are referred to as 'Personal Data'.

How we use your Personal Data and which condition makes the treatment lawful	How long do we keep your Personal Data
<p><b>Purposes related to the selection, management and qualification</b> of the Supplier, as well as compliance with the principles of transparency, integrity, fairness, loyalty and legality as recalled by the Code of Ethics and Code of Conduct adopted by Data Controller pursuant to Legislative Decree 231/2001 and recalled in pre-contractual relations with the Supplier.</p> <p>Following the selection and qualification phase, the Supplier will be included in the so-called suppliers' list of Data Controller to which it has applied.</p> <p>We process the Data of Suppliers, employees/ consultants of the Supplier, for the fulfilment of contractual measures between the Data Controller and the Supplier for which you work, in accordance with article 6.1, b) of the GDPR.</p>	<p>Duration of the contract and after completion, for 10 years. Data Controller will verify every 3 years whether the Supplier has chosen to remain on suppliers' list or has decided to rectify/update the Personal Data of its employees/ consultants.</p>
<p><b>Purposes related to the establishment and execution of the contractual relationship between the Supplier and the Data Controller</b> as well as to compliance with the principles of transparency, integrity, fairness, loyalty and legality as recalled by the Code of Ethics and Code of Conduct adopted by this company pursuant to Legislative Decree 231/2001 and recalled in the existing contractual relationships with the Supplier.</p> <p>We process the Personal Data of Suppliers, employees/ consultants of the Supplier, for the performance of a contract between the Controller and the Company for which you work, pursuant to Article 6.1, b) of the GDPR.</p>	<p>Duration of the contract and after completion, for 10 years, unless further retention is required by law. Personal Data relating to the access of the Supplier's employees/collaborators (other than through video surveillance) are stored for a maximum of 3 months after collection, unless other terms are indicated in specific information notice.</p>
<p><b>To fulfill administration/accounting requirements, such as accounts and treasury management, invoicing (e.g. logging and checking invoices) in accordance with legislation.</b></p> <p>We process Personal Data to fulfil a legal obligation to which the Data Controller is subject, art. 6.1, c) GDPR.</p>	<p>For the retention period provided for by law or sector regulations.</p>
<p><b>If necessary to ascertain, exercise and/or safeguard Data Controller rights in legal proceedings</b></p> <p>If necessary, we process Personal Data for a legitimate interest, art. 6.1, f) GDPR.</p>	<p>For the duration of any legal disputes until completion of the terms of implementation outlined in legal remedies.</p>

**Once the aforementioned retention period has expired the data will be destroyed or made anonymous compatibly with technical erasure and backup procedures.**

**Personal Data Provision**

Personal Data must be provided to agree and/or execute the contract and/or to fulfil legal obligations. Refusing to provide the Personal Data means it will not be possible to establish the contractual relationship and/or fulfil the resulting contractual obligations.

On the other hand, the provision of Personal Data is necessary, where applicable, to ascertain, exercise or defend the Controller's rights in extrajudicial and/or judicial claims and/or settlements.

**Personal Data Recipients**

The Personal Data may be communicated to parties operating as data controllers, such as supervisory bodies and authorities, and private or public organisations in general authorised to request data, companies belonging to the Esselunga S.p.A. Group (Esserbella S.p.A. e Atlantic S.r.l.) for administrative accounting purposes.

The Personal Data may also be processed, on behalf of the Data Controller, by external parties designated as data processors, who perform on behalf of the owner specific activities, by way of example, companies that perform accounting and tax obligations, companies that carry out insurance activities, mail delivery company, company for the management of receipts and payments, company of the Esselunga S.p.A. Group for intragroup services.

**Parties Authorised To Process Data**

Personal Data will only be processed by employees of the company departments assigned to the pursuit of the above-mentioned purposes, who have been expressly authorised to process them and have received adequate operational instructions.

**Extra-EU Transfer of Personal Data**

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Your Personal Data may be transferred to third countries outside the European Economic Area (EEA) (e.g. USA). In this case, the transfer of the Data Personal data will be transferred in accordance with the provisions of the GDPR, Title V, Articles 44 et seq. In particular, the transfer will take place to a third country deemed to be adequate pursuant to Article 45 GDPR in accordance with the decision adopted by the Commission or, for third countries not subject to an adequacy decision, the transfer will take place on the basis of the Standard Contractual Clauses, pursuant to Article 46 GDPR, subject to verification that the third country guarantees an adequate level of protection of Personal Data. For further information, you may write to the Controller's address.

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#### **Personal Data subjects' rights - complaint to the Supervisory Body**

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The data subject may request from the Controller access to the personal data concerning him/her, their rectification or erasure, the integration of incomplete personal data, the restriction of processing in the cases provided for by Article 18 GDPR<sup>1</sup> as well as the objection to processing in cases of legitimate interest of the Controller. In addition, for cases where the processing is based on consent or contract and is carried out by automated means, the data subject has the right to exercise the right to data portability, i.e. to receive Personal Data in a structured, commonly used and machine-readable format, as well as, if technically feasible, to transmit it to another data controller without hindrance.

At any time, you may lodge a complaint with the Personal Data Protection Authority, as well as resort to the other remedies provided for by the applicable legislation.

Your rights may be exercised by writing to [privacy@esselunga.it](mailto:privacy@esselunga.it), [privacy.esserBella@esserbellaprofumerie.it](mailto:privacy.esserBella@esserbellaprofumerie.it), [privacy.atlantic@bar-atlantic.it](mailto:privacy.atlantic@bar-atlantic.it) to the kind attention of the Head of Sales Management.

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#### **<sup>1</sup> What does the right to restriction of processing consist of?**

In temporarily subjecting the data to storage only, in the following hypotheses of Art. 18 GDPR:

- (a) the data subject contests the accuracy of the personal data, for the period necessary for the controller to verify the accuracy of such data;
- (b) the processing is unlawful and the data subject objects to the deletion of the data and requests instead that their use be restricted;
- (c) the data controller no longer needs the data, but the data are necessary for the establishment, exercise or defence of a legal claim;
- (d) the data subject has objected to the processing pursuant to Article 21.1 of the GDPR, pending verification as to whether the data controller's legitimate reasons prevail over those of the data subject.