

**PRIVACY POLICY STATEMENT FOR CUSTOMERS AND CUSTOMER COMPANY CONTACTS  
PURSUANT TO ARTICLES 13 AND 14 OF REGULATION (EU) 2016/679 CONCERNING THE PROTECTION AND PROCESSING  
OF PERSONAL DATA (GDPR)**

### **1. IDENTITY OF THE DATA CONTROLLER**

The Data Controller is Emilceramica S.r.l. a Socio Unico, with registered office at Via Ghiarola Nuova 29, 41042 Fiorano Modenese (Modena) Italy, in the person of its current legal representative (“**Data Controller**” or “**Emilceramica**”).

To exercise your rights, or for any information concerning them and/or this Privacy Policy Statement, you may contact the Data Controller at: [privacy@emilceramicagroup.it](mailto:privacy@emilceramicagroup.it) tel. +39 0536 835111.

The Data Controller has appointed a Data Protection Officer (“DPO”), whom you can contact to exercise your rights, as listed in point 7 below, as well as to receive any information concerning them and/or this Policy Statement, by writing to: [dpo@emilceramicagroup.it](mailto:dpo@emilceramicagroup.it).

### **2. WHICH PERSONAL DATA WE PROCESS AND WHERE WE OBTAIN THEM**

For the purposes stated in this Privacy Policy Statement, the Data Controller may process your personal data, supplied directly by you or obtained from third parties (e.g. agencies or other business partners, or your employer). These data may include ordinary and contact data (such as your name, surname, telephone number, email address and other contacts), your financial data (IBAN number) and data relating to your professional status.

### **3. PURPOSES AND LEGAL BASIS OF THE PROCESSING**

The Data Controller will process your personal data for the following purposes:

- a) purposes relating to the management of the sales contract and fulfilment of the relative legal obligations, including precontractual activities, shipment and after-sales service (e.g. customer care), and management of communications; the legal basis for this purpose is the fulfilment of a contract to which you are a party, under article 6, first comma, subsection b), of the GDPR or, if you are an employee/contact of the legal person customer, the legitimate interest of the Data Controller, under article 6, first comma, subsection f) of the GDPR, deriving from the need to interact with the legal person customer through you;
- b) administrative-accounting purposes or purposes of compliance with laws, regulations and the instructions of authorities; the legal basis for this purpose is the fulfilment of a legal obligation to which the Data Controller is subject under article 6, first comma, subsection c) of the GDPR;
- c) purposes relating to the management of any disputes; in this case the legal basis of the data processing is the pursuance of a legitimate interest of the Data Controller, under article 6, first comma, subsection f) of the GDPR;
- d) email marketing purposes relating to services or products similar to those already purchased by the customer, including through the dispatch of newsletters or invitations to events concerning the said services or products; the legal basis for the data processing is the pursuance of a legitimate interest of the Data Controller, under article 6, first comma, subsection f) of the GDPR, as specifically recognised by art. 130, comma 4, of Italian Legislative Decree 196/2003 (*Data Protection Code*). You may object to the processing of data for this purpose at the time of collection of the data or on dispatch of every successive communication, by clicking the “Unsubscribe” link provided, or by the procedures described in point 7 below;
- e) marketing purposes via conventional means (e.g. telephone contact, paper mail, individual emails, etc.) or automated contacts (e.g. automated email campaigns, automated telephone SMS contact, instant messaging, social media, etc.); the legal basis for the data processing is the issue of your consent, under article 6, first comma, subsection a), of the GDPR or, if you are an employee/contact of the legal person customer, the legitimate interest of the Data Controller, under article 6, first comma, subsection f) of the GDPR, deriving from the need to promote the Data Controller's products with the legal person customer through you;
- f) if you decide to subscribe to the Newsletter service voluntarily to receive updates about Emilceramica, products and services by filling in the form provided on the Data Controller's site ([www.emilgroup.it/newsletter-registration](http://www.emilgroup.it/newsletter-registration)), your personal data will be processed in order to provide you with the service requested and the legal basis for this

purpose will be fulfilment of a contract to which you are a party, under article 6, first comma, subsection b) of the GDPR.

#### **4. DATA STORAGE PERIOD, NATURE OF CONTRIBUTION AND PROCESSING PROCEDURES**

The period of storage of your personal data:

- for the purposes as per point 3 subsections a) and b), above will be the entire duration of the contract relationship, and a period of 10 years after its conclusion;
- for the purpose as per point 3 subsection c) above, will be the duration of the dispute, and a period of 10 years after its resolution;
- for the purposes as per point 3 subsections d) and f) above, may continue until you decide to withdraw your consent, if relevant, until you decide to exercise your right to object to the processing, or, with regard to the Newsletter service, until you cancel your subscription.

With regard to the purposes as per point 3 subsections a), b) and c) above, the contribution of your personal data is compulsory and your refusal to contribute them during the precontractual stage will render the conclusion or implementation of the contract impossible; with regard to the purposes as per point 3 subsections d), e) and f) above, the contribution of your personal data is optional and if you refuse to contribute them the Data Controller will simply be unable to update you concerning its products and projects.

Your personal data will be processed, in compliance with the provisions of the GDPR, by paper, IT and telematic means, for the stated purposes, and in all cases by procedures which guarantee an appropriate level of security and confidentiality, in accordance with the provisions of Article 32 of the GDPR.

#### **5. RECIPIENTS OF YOUR PERSONAL DATA, AND PARTIES WHO MAY GAIN KNOWLEDGE OF THEM**

For the pursuance of the purposes described in point 3 above, the personal data processed will be known to Emilceramica's employees, contract staff and associates working in the capacity of authorised data users.

Moreover, for the pursuance of the purposes described in point 3 above, your personal data may be processed by third parties belonging, for example, to the following categories:

- providers of technical assistance services for operation of the IT system, logistics suppliers, advertising agencies or other service providers;
- dealers or parties through which Emilceramica supplies its products;
- supervisory and controlling authorities and bodies, and public or private bodies in general with a public interest function;
- business partners;
- suppliers of external digital communications platforms;
- other companies belonging to the same group of companies as Emilceramica, or linked to Emilceramica, or the parent company Mowhawk Industries.

The entities in the aforesaid categories operate in some cases as data processors specifically designated by the Data Controller in accordance with article 28 of the GDPR, and in other cases with complete independence as separate Data Controllers, in which case your personal data will only be disclosed to the said independent data controllers for the pursuance of the purposes referred to in point 3 above.

The complete, updated list of the entities to which your personal data may be disclosed can be requested from the Data Controller using the contacts provided in point 1 of the Privacy Policy Statement.

Your personal data will not be disseminated.

#### **6. TRANSFER OF PERSONAL DATA OUTSIDE THE EUROPEAN UNION**

For technical and organisational purposes, your data may be transferred to non-European Union member states: this transfer is, in any case, lawful since it is covered by adequacy decisions issued by the European Commission and/or standard data protection clauses based on the models adopted by the European Commission pursuant to art. 46 of the GDPR.



You may request a copy of the safeguards adopted for data transfer outside the EU, and information concerning the places where the data have been made available, by sending a specific request to the Data Controller at the email address [privacy@emilceramicagroup.it](mailto:privacy@emilceramicagroup.it).

## 7. YOUR RIGHTS AS DATA SUBJECT

With regard to the data processing described in this Privacy Policy Statement, as data subject, on the conditions set forth by the GDPR, you may exercise the rights provided by articles 15 - 21 of the GDPR, in particular:

- **right of access** - article 15 GDPR: right to obtain confirmation of whether or not personal data concerning you are being processed and, if this is the case, to obtain access to your personal data - including a copy of them - and communication, amongst other things, of the following information:
  - purposes of the processing
  - categories of personal data processed
  - recipients or categories of recipients to whom they have been or will be disclosed
  - data storage period or the criteria used
  - rights of the data subject (rectification, erasure of personal data, restriction of processing and right to object to processing)
  - right to lodge a complaint with the supervisory authority
  - right to receive information on the origin of personal data if they have not been collected from the data subject
  - the existence of automated decision-making, including profiling, and meaningful information about the logic involved, as well as the envisaged consequences of such processing for the data subject
- **right to rectification** - article 16 GDPR: right to obtain, without undue delay, the rectification of inaccurate personal data concerning you and/or the completion of incomplete personal data;
- **right to erasure (right to be forgotten)** - article 17 GDPR: right to obtain, without undue delay, the erasure of personal data concerning you, when:
  - the data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
  - you have withdrawn consent and where there is no other legal ground for the processing;
  - you have successfully objected to the processing of the personal data;
  - the data have been unlawfully processed,
  - the data have to be erased for compliance with a legal obligation;
  - the personal data have been collected in relation to the offer of information society services referred to in article 8, comma 1 of the GDPR.

The right to erasure does not apply to the extent to which the processing is necessary for compliance with a legal obligation or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller, or for the establishment, exercise or defence of legal claims.

- **right to restriction of processing** - article 18 GDPR: right to obtain restriction of the processing, when:
  - the accuracy of the personal data is contested by the data subject;
  - the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead
  - the data subject needs the personal data for the verification, exercise or defence of a right during judicial proceedings;
  - the data subject has objected to processing pending the verification whether the legitimate grounds of the controller override those of the data subject.
- **right to data portability** - article 20 GDPR: right to receive the personal data concerning you, which you have provided to the Data Controller, in a structured, commonly used and machine-readable format and the right to transmit those data to another controller without hindrance, if the processing is based on consent and is carried



out by automated means. In addition, the right to have your personal data transmitted directly by the Data Controller to the other controller, where technically feasible.

- **right to object** - article 21 GDPR: right to object to the processing of personal data concerning you, unless there are legitimate grounds for the Data Controller to continue the processing;
- **right to lodge a complaint with the Italian Data Protection Authority** - Garante per la protezione dei dati personali, Piazza Venezia no. 11, 00187, Rome (Italy).

The above rights may be exercised in relation to the Data Controller using the contacts provided in point 1 above. The Data Controller shall examine your request and shall inform you, without undue delay and in all cases within no more than one month of its receipt, concerning the action taken with regard to your request.

The exercise of your rights as data subject is free of charge in accordance with article 12 of the GDPR. However, in the event of requests which are manifestly unfounded or excessive, in particular because of their repetitive character, the Data Controller may charge you a reasonable fee taking into account the administrative costs of dealing with your request, or refuse to act on the request.

Please also note that the Data Controller may request further information necessary to confirm the identity of the data subject.

Emilceramica S.r.l. a socio unico  
(Data Controller)

\* \* \*

\_\_\_\_\_  
Name, Surname

\_\_\_\_\_  
Email address

**I AGREE** to the processing of my personal data for marketing purposes, also by automated procedures, as per point 3 subsection e) of this Privacy Policy Statement.

**I DO NOT AGREE** to the processing of my personal data for marketing purposes, also by automated procedures, as per point 3, subsection e) of this Privacy Policy Statement.

\_\_\_\_\_, \_\_\_\_\_  
*Place*                      *Date*

I confirm that I have read and understood the Privacy Policy Statement

\_\_\_\_\_  
Mr/Ms

Last update 05.12.2019

