

## MANAGEMENT OF CONTRACTUAL PROCEDURES

### Personal data protection policy

(Pursuant to Articles 13 and 14 of European Regulation 679/2016)

Italferr S.p.A, within the framework of the activities carried out for the management of contractual procedures, processes the personal data of the Economic Operators and Contractors of which Italferr S.p.A has become aware of for the purposes related to the registration on the purchasing portal, the management of tender procedures, the negotiation, finalisation and execution of Contracts, as well as the management of any additional and amending acts, terminations and transactions, in accordance with the procedures detailed below.



### I. Data Controller

*This section provides details on our references*

- Italferr S.p.A, Data Controller, represented by the **pro-tempore Chief Executive Officer**, can be contacted at the e-mail address [titolaretrattamento@italferr.it](mailto:titolaretrattamento@italferr.it), with registered office in Roma, Via Vito Giuseppe Galati 71.

For further information regarding processing activities, you can contact the following address [protezionedati@italferr.it](mailto:protezionedati@italferr.it) (**Data Protection Referent** contact data).



### II. Types of personal data

*This section outlines the types of data requested from you*

The personal data (of Economic Operators and Contractors represented by natural persons or natural persons belonging to their organisations) to be processed fall into the following categories:

- Common data acquired directly from the Economic Operator and the Contractor:** personal data, tax identification code, identification documents (driving licence/Identity Card/Passport), contact data (certified e-mail, e-mail, telephone contacts). On the basis of the requirements relating to individual contractual procedures, further data is also processed, such as: bank details, economic/financial data, income data, vehicle registration number plate, credentials, personal identification code (CID), credit card number, credit card transactions, data contained in CVs (educational qualifications, membership of professional associations/categories).
- Data on the Economic Operator and the Contractor acquired from Public Administrations and Judicial Authorities as part of the management of the fulfilments relating to the performance of the contractual procedures:** judicial data for the verification of the causes of exclusion on the basis of the provisions of the regulations in force concerning public contracts (Legislative Decree 50/2016 and subsequent amendments and additions), including anti-mafia investigations pursuant to the regulations in force (Legislative Decree 159/2011 and subsequent amendments and additions); data concerning the fulfilment of contribution and tax obligations.

**Judicial data is only processed within the framework of contractual procedures carried out in accordance with current legislation on public contracts or in the event of the conclusion of legal protocols.**

Your data will be processed using electronic and hard copy media to guarantee suitable measures of security and privacy.



### III. Data Processing Purpose

*This section tells you why we are asking for your data*

We collect and process the data we ask you to provide for the purpose of carrying out tender procedures, negotiating, finalising and executing Contracts, managing any additional and amending acts and terminations of Contracts, as well as managing transactions.

Personal data is processed on the following legal bases:

1. processing required for the conclusion and execution of the contract, including in the pre-contractual phase of supplier registration or qualification on the procurement portal and during the tendering and negotiation phase (Article 6, paragraph 1, letter b of EU Regulation 2016/679);
2. need for the processing to fulfil legal obligations to which the data controller is subject (Article 6, paragraph 1, letter c of EU Regulation 2016/679).

Judicial data is processed to verify the absence of causes of exclusion under the current legislation on public contracts (fulfilment of legal requirements for participation in tenders Article 2 - octies legislative decree 196/03 and subsequent amendments and additions) and for purposes connected with the signing of legality protocols (fulfilment of obligations provided for by legal provisions on anti-mafia communications and information or on the prevention of mafia-type crimes and other serious forms of social risk Article 2 - octies legislative decree 196/03 and subsequent amendments and additions). The provision of the data required to pursue the above-mentioned purposes is mandatory and any refusal to do so may make it impossible for Italferr S.p.A to manage the activities related to contractual procedures in accordance with the law.



### IV. The data recipients

*This section outlines who will process your data and to whom it will be communicated*

Personal data provided for the pursuit of the above-mentioned purposes will be processed by the following entities:

➤ **Area connected to Italferr S.p.A**

- Persons authorised to process data: personal data will only be made accessible to people working for Italferr S.p.A, who require the data to carry out their tasks or because of the hierarchical position held. These people will have been suitably trained in order to prevent any loss, unauthorised access or unauthorised processing of your data.
- FS Italiane Group companies, which in turn may disclose the data, or grant access to it, to their employees and any consultants, to the extent that this is functional to the pursuit of the purposes provided for in sub III.
- Companies who provide IT services to Italferr S.p.A (e.g., Purchasing Portal suppliers).

➤ **Area not connected to Italferr S.p.A**

Personal data may be forwarded, in accordance with laws or regulations, to Public Administrations and Judicial Authorities acting as Independent Data Controllers.



### V. Data disclosure

*This section explains our guarantee that your data will not be disseminated*

Personal data are not subject to dissemination. Information on contractual procedures required to comply with legal obligations concerning the publicity of contracts, transparency and anti-corruption are subject to institutional publication.



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## VI. Data retention

*This section covers the amount of time your data will be stored*

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Personal data processed for the above purposes will be kept for a period of time not exceeding 10 years from the expiry date of the stipulated Contract or from the date of the awarding of the Contract, unless otherwise required by requests from the Judicial Authorities and/or Authorities equivalent thereto, or in the event of litigation before the competent courts.



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## VII. Rights of the Data Subjects

*This section provides details on your guaranteed rights*

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EU Regulation 2016/679 (Articles 15 to 23) grants Data Subjects the exercise of specific rights. Specifically, in relation to personal data processing, the data subjects have the right to ask Italferr S.p.A access, rectification, cancellation, restriction, opposition and portability; the data subject may also lodge a complaint with the Supervisory Authority, which in Italy is the *Garante* per la “Protezione dei Dati Personali”.

The data subject may ask to exercise his or her rights at any time by sending a request to Italferr S.p.A to be contacted at [titolaretrattamento@italferr.it](mailto:titolaretrattamento@italferr.it) or contacting the **Data protection referent** who can be contacted at the e-mail address [protezionedati@italferr.it](mailto:protezionedati@italferr.it).