

DISCLOSURE ON PROCESSING OF PERSONAL DATA

Pursuant to article No. 13 of EU Regulation No. 2016/679 ("Regulation" or "GDPR") and Italian Legislative Decree No. 196/2003, as amended by Legislative Decree No. 101/2018

1. Data Controller

The Data Controller is Grandi Navi Veloci SpA, with registered offices in Palermo, Calata Marinari d'Italia, tax code and VAT Registration No. 13217910150 (hereinafter "GNV" or "Data Controller").

The Data Controller can be contacted by writing to: direzione@pec.gnv.it

The Data Controller has appointed a Data Protection Officer (DPO) who can be contacted for any enquiries or requests at the following address: e-mail: dpo@gnv.it

2. Types of data

The Data Controller processes, collects and/or receives information concerning the data subject, such as name, surname, physical address, nationality, province and municipality of residence, landline number and or mobile phone, fax, tax code, email address(es), ID card, IBAN, bank/post office account, credit cards, Logs, source IP address (for services used through the GNV web portal).

3. Purposes of the data processing

The Data Controller informs you about the processing of your personal data and your rights, so that you can consciously express your consent, where required.

Your personal data (provided by yourself, third parties, or originating from public directories within the limits of the law) may be processed for the following purposes:

1 – **compliance with obligations provided by law, on the legal basis of art. 6.1.c) GDPR:** meaning for compliance with obligations provided by law, by a regulation, by Community legislation and by provisions issued by Authorities entitled to do so by law, or by competent Supervisory and Control Bodies (in such circumstances your consent is not required because the data processing is related to these obligations/provisions);

2 – **performance of contractual obligations of sale and assistance, on the legal basis of art. 6.1.b) GDPR:** i.e. to meet obligations arising from contracts to which you are party, or to fulfil, either before or after the conclusion of the contract, your specific requests, also via remote communication techniques, which may include a dedicated call centre and Customer Care (in such circumstances, your Consent is not required because the data processing is functional to the management of the relationship or performance of the requests);

3 – **defensive purposes:** to establish, exercise or defend a legal claim on the legal basis of art. 6.1.f) and 9.2.f) GDPR;

4 – **management of prize competitions, on the legal basis of art. 6.1.b) GDPR:** the provision of your data is necessary because otherwise you will not be able to take part in the prize competition (any refusal will lead to the participant's exclusion from the above process);

5 – **commercial purposes:** with your consent, pursuant to art. 6.1.a) GDPR, to provide you with information (also through remote communication methods such as, by way of an example only, post, telephone calls also using automated calling systems, telefax, email, SMS or MMS or any other kinds of messages) regarding Grandi Navi Veloci SpA products, services or initiatives, to promote them, to conduct market research and/or to check the quality of the products or services offered to you (also through phone calls or by sending questionnaires);

6 – **commercial or direct sales of products or GNV services similar to those purchased by you:** in this regard it should be noted that the Data Controller may use, without your consent, the e-mail and postal addresses provided by you in the context of the sale of a product or service. The legal basis of the processing of your data for such purposes is the legitimate interest of the Data Controller pursuant to art. 6.1.f) of GDPR. In any case, pursuant to art. 21 GDPR, you have the right to object to such processing at any time, either initially or in subsequent communications, easily and free of charge by writing to the Data Controller at the following e-mail address: dpo@gnv.it;

7 – **profiling:** with your consent, pursuant to art. 6.1.a) GDPR, for analysis of your purchasing decisions and your behavioural preferences, on-line and off-line, in order to improve the structure of customised business communications and proposals, optimise the offer itself (also through the use of focused and selective analysis), make a general assessment for strategic orientation and business intelligence, and, in general, for profiling.

The provision of your personal data for the purposes referred to in sections 2, 4 and 6 is optional. Your refusal to do so will have no consequences except with regard to purpose a) where failure to provide data will prevent the fulfilment of contractual sales and assistance obligations by the Data Controller.

It should be noted, with regard to the described commercial purposes referred to in number 4, that the Data Controller collects a single consent under the General Measure of the Data Protection Authority "Guidelines on Marketing and against Spam" of 4 July 2013.

4. Fidelity Card

In the context of participation in the GNV loyalty programme, the data processing will take place to carry out the following activities:

- a) issuing the Fidelity Card and managing activities which cannot be carried out anonymously but which are essential to allow users to use said card, to benefit from discounts and promotions, to take part in points collection and to access other ancillary services available via the Card;
- b) conducting, with your express written consent, direct marketing activities, such as sending (including via email, SMS and MMS or non-automatic means such as post or operator phone calls) advertising materials and communications containing information and/or promotional content about products or services supplied and/or promoted by the Data Controller;
- c) engaging, with your express written consent, in individual or aggregate profiling activities and market research serving, for example, for analysis of consumers' habits and choices, processing of statistics on them or assessment of the degree of satisfaction with the proposed products and services.

For the purposes referred to in letter a) of the previous point, the provision of data is optional, but is an essential prerequisite for the issue of the Fidelity Card. Therefore, failure to provide data will prevent the applicant from obtaining the Card.

For the purposes referred to in letters b) and c) of the previous point, the provision of your data is optional. Refusal to provide the data and the relative consent will make it impossible for the Data Controller to follow up on the direct marketing and profiling activities indicated therein, but will nonetheless allow the applicant to obtain issue of the Fidelity Card and access the benefits associated with it.

5. Recipients and transfer of the data

The personal data may be disclosed to:

- staff in charge of the processing under article 29 GDPR;
- subjects, bodies or authorities, autonomous Data Controllers, who require the communication of your personal data in accordance with the provisions of law or by order of the authorities (supervisory bodies, judicial authorities, insurance companies for the provision of insurance services);
- subjects who typically act as Data Processors in accordance with art. 28 GDPR; the updated and complete list can be requested from the Data Controller at the above addresses.

Regarding the possible transfer of personal data to third countries, the Company announces that the processing will take place according to one of the methods allowed by the law in force, such as the consent of the data subject, the adoption of Standard Clauses approved by the European Commission, the selection of subjects adhering to international programmes for the free circulation of personal data (e.g. EU-USA Privacy Shield) or operating in Countries considered safe by the European Commission. Further information is available on request from the Data Controller at the above addresses.

6. Retention and methods of processing

Assurance is given that all processing will be based on the tenets provided by the GDPR, with particular reference to the lawfulness, fairness and transparency of the processing, to the usage of the data for the specified, explicit and legitimate purposes and in a relevant manner, respecting the principles of data minimisation, exactness, limitation of data retention, integrity, confidentiality and accountability (art. 5 GDPR).

The personal data will be processed by means of: collection, registration, organisation, structuring, storage, consultation, adaptation or modification, usage, dissemination, disclosure by transmission, retrieval, alignment, combination, restriction, erasure and destruction of data.

Processing of personal data will be both paper-based and electronic.

The Data Controller will process personal data for as long as is required to fulfil the aforementioned purposes.

7. Minors

Our services, websites and apps are not intended for direct use by minors. You must be at least eighteen years to use the services and perform transactions on our website and app. Without the consent of the parent or legal guardian (except as permitted by applicable law), we will not collect, as far as we know, any personal information about minors. By performing transactions with us, you automatically acknowledge that you are over eighteen years old and have full authority to carry out such transactions and to be legally bound.

Should it come to our attention or should we find out that a minor has provided us with personal data, we will promptly erase such data.

8. Rights of the Data Subject

In your capacity as Data Subject, you have the following rights to knowledge and control as envisaged under the GDPR.

| RIGHTS TO KNOWLEDGE | |
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| Right to be informed art. 12, 13, 14 recital 58, 60 | Data Subjects are entitled to receive precise information about the processing of their personal data. The information provided must include the following elements: <ul style="list-style-type: none"> • Data Controller’s identity; • Data Protection Officer contact details; • Purposes of the processing; • Legal basis; • Any legitimate interest forming the legal basis; • Any legal or contractual obligations according to which data must be provided; • Area of data movement (inside or outside the EU); • Duration of treatment; • (Any) decision-making process underlying the automated processing; • Rights of the Data Subject: access, rectification, integration, erasure, restriction, objection, portability, complaint to the Supervisory Authority and withdrawal of consent. |
| Right to Access art. 15 recital 63 | The Data Subject has the right to obtain from the Data Controller confirmation of whether processing of his/her personal data is under way and, in any case, to obtain access to his/her personal data. |
| RIGHT TO CONTROL | |
| Right to rectification and integration art. 5 (1) (d), 16 recital 39, 59, 65 and 73 | The Data Subject has the right to obtain from the Data Controller rectification of inaccurate personal data concerning him/her without undue delay. Considering the purposes of the processing, the Data Subject has the right to obtain completion of incomplete personal data, also by submitting a supplementary statement. |
| Right to erasure and to be forgotten art.17 recital 65-66 & 68 | The Data Subject has the right to obtain from the data controller erasure of the personal data concerning him/her without undue delay, and the Data Controller is obliged to erase the personal data without undue delay, if one of the reasons described in article 17(1) of the Regulation is applicable. |
| Right to restriction art. 18 recital 67 | The Data Subject has the right to obtain from the Data Controller restriction of processing where one of the following applies. |
| Right to object art. 21 recital 50, 59, 69-70 & 73 | The data subject has the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him or her, which is based on point e) or f) of art. 6(1), including profiling based on those provisions. The Data Controller shall no longer process the personal data unless the controller demonstrates compelling legitimate grounds for the processing which override the Data Subject’s right to object. |
| Right to portability art. 20 recital 68 & 73 | It is a new right. The Data Subject has the right to receive the personal data concerning him or her, which he or she has provided to the Data Controller, in a structured, commonly used and machine-readable format. He/she also has the right to transmit this data to another Data Controller without hindrance from the Controller to which the personal data have been provided, where: <ul style="list-style-type: none"> • the processing is based on consent pursuant to point a) of art. 6(1) or point a) of art. 9(2) or on a contract pursuant to point b) of art. 6(1); and |

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| | <ul style="list-style-type: none"> the processing is carried out by automated means. <p>A specific opinion was issued on the right to portability by the WP 29 Working Group.</p> |
| Diritto di opposizione e decisioni basate unicamente sul trattamento dei dati | Where personal data is processed for the purposes of direct marketing, the Data Subject has the right to object to processing of the data concerning him/her for such purposes, including profiling to the extent that it is related to such direct marketing. |
| Art. 21, paragraph 2,3 art. 22 <i>recital 70</i> | The Data Subject has the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her. |

Therefore, the Data Subject has all the rights envisaged by articles 15 - 21 GDPR as well as the right to lodge a complaint with the Competent Authorities, pursuant to art. 77 GDPR.

9. Procedure for exercising your rights and communications

The Data Subject can send a formal request to exercise its rights or may report an alleged incident of non-compliance or breach by sending an email to: dpo@gnv.it

The Data Controller will manage and execute any users' requests to exercise their rights, in compliance with the GDPR. Note that:

- It will take 30 days to deal with the Data Subject's request and this time frame may be extended by a further 60 days if this proves necessary due to the complexity and number of requests. In such circumstances, the Data Controller will notify the Data Subject of the new term and explain the reasons for the delay within 30 days of receiving the request.
- The information supplied by the Data Subject and any notifications and action taken are free of charge.
- If the Data Subject makes patently unjustified or excessive requests (particularly because they are repetitive), the Data Controller can:
 - charge a reasonable amount as a contribution to the expense incurred based on the administrative costs borne for providing the information or communication or carrying out the requested action; or
 - refuse to deal with the request.

For any explanations or requests about data processing, the Data Controller or the DPO can be contacted at any time at the above email address.

Last update: February 2020