

**POLICY ON THE PROCESSING OF PERSONAL DATA
APPLICANTS**

pursuant to Article 13 and Article 14 of Law No. 171 of December 21, 2018 'Protection of natural persons with regard to the processing of Personal Data''

Preamble

This document is drawn up by the Central Bank of the Republic of San Marino (hereinafter “**CBSM**” or “**Controller**”), in its capacity of data controller and in compliance with the legislation in force on the protection of Personal Data, specifically Article 13 of Italian Law no. 171 of 21 December 2018 as amended, entitled “Protection of natural persons with regard to the processing of Personal Data” (hereinafter “**Law**”) and Article 13 of the EU Regulation 2016/679 (hereinafter “**GDPR**”). This document aims to provide information on the processing of the Personal Data that may be acquired for the establishment and management of contractual relationships between the Central Bank of San Marino and the suppliers or associated third-party companies. Personal Data (hereinafter “**Personal Data**”) are processed by CBSM and/or via third parties, by means of both electronic and non-electronic tools, for the purposes indicated below.

To define Personal Data, reference is made to the UK GDPR: “**Personal Data** means any information relating to an identified or identifiable natural person. An identifiable natural person is one who can be identified, either directly or indirectly, through identifiers such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity”. This privacy policy (hereinafter “**Policy**”) concerns the processing of Personal Data carried out by CBSM for the purposes described in Section 4.

**SECTION 1 - CONTACT DETAILS OF THE DATA CONTROLLER AND DATA
PROCESSOR**

Pursuant to Article 2 of the Law, the Data Controller acting for the purposes set out below is the Central Bank of the Republic of San Marino, whose headquarters and General Directorate are located at Via Del Voltone n. 120, 47890 – San Marino (Republic of San Marino).

For additional information, individuals can contact the Data Controller via email at privacy.titolare@bcm.sm or by sending a written request to Banca Centrale della Repubblica di San Marino, Via del Voltone n. 120, 47890 – San Marino (RSM). Alternatively, the Data Controller can be contacted by phone at +378 0549 981010 or by fax at +378 0549 981019.

SECTION 2 - CONTACT DETAILS OF THE DATA PROTECTION OFFICERS

The Controller has appointed Ms Valentina Rabitti and Mr Nathaniel Casadei as “Data Protection Officers” (hereinafter, “DPOs”), in accordance with Chapter 4 of the Law. For all issues relating to the processing of Personal Data and/or to exercise the rights envisaged by the Law itself, listed in Section 10 of this Policy, please, send an email to privacy.dpo@bcm.sm, or a letter to “Nova Poesis, Via Pomposa no. 43/1, 47924 – Rimini (IT)”, addressed to the DPOs.

SECTION 3 - TYPES AND SOURCE OF PERSONAL DATA SUBJECT TO PROCESSING

The Personal Data collected and processed by CBSM in the capacity of Controller for the performance of the Services detailed in Section 4 may include personal details, residence and/or home address, mailing address, contact details, such as telephone number and email address, unique identification code – Social Security Number or equivalent code – information on academic and educational background, past work experiences, assignments, and pictures – e.g., photograph included in the CV.

In the event that CBSM becomes aware of additional data, including those belonging to 'special categories' as defined in Article 8 of the Law, which do not require specific processing for its own purposes, it undertakes to merely retain such data without any further processing, while upholding all rights of the data subject as outlined in Chapter 3 of the same Law.

SECTION 4 - PURPOSES AND LEGAL BASIS FOR THE PROCESSING

The collection and processing of Personal Data are carried out for the following purposes:

- For potential hiring, where not already occurred.
- For the protection of rights in judicial proceedings.
- To respond to any requests from institutional bodies or Public Administration, in those cases where a response is required from CBSM.

and they shall be processed in accordance with the principles of fairness, legality, transparency, and the protection of the individuals’ privacy and rights. Personal Data shall be processed during the application procedures and all subsequent obligations required by law and the employment contract.

The provision of Personal Data is essential for proper management of applications. Therefore, any refusal to provide them in whole or in part may result in CBSM being unable to properly fulfill all the related obligations.

Data is processed pursuant to Article 5, paragraph 1, letters b), c), and f) of the Law, in order to ascertain compliance with the requirements for employment and/or the initiation of a collaboration, as well as to fulfill related legal obligations.

SECTION 5 - DATA PROCESSING METHODS

The processing of Personal Data for the purposes set forth above is performed using both automated means, such as electronic or magnetic means, and non-automated means, such as paper-based processes, while adhering to confidentiality and security regulations stipulated by the law, ensuing regulations, and internal provisions.

SECTION 6 - DISCLOSURE OF DATA

The following categories of designated internal and external personnel, to whom specific written instructions have been provided, may become aware of the data being processed:

- Employees of the Data Controller
- External software houses
- Any companies in charge of specific activities (such as recruitment) that require the transmission of Personal Data.

Any Personal Data disclosure to External Processors, professionals, consulting companies, etc. shall occur through the establishment of a specific contract of appointment outlining the roles and duties of the external entity in relation to CBSM, in order to guarantee compliance with the principles set forth by current Laws and the legislations. All Personal Data shall be processed in accordance with the principles of fairness, lawfulness, transparency, and the protection of confidentiality and the rights of the Data Subjects.

We are pleased to provide the list of entities to which we disclose the Personal Data, along with the associated usage constraints, whenever needed. Such list is kept at the CBSM headquarters.

SECTION 7 - TRANSFER OF DATA TO THIRD COUNTRIES

The Data Controller does not transfer Personal Data to third countries or international organizations.

SECTION 8 – DATA RETENTION TIMES

Starting from their receipt/update, the Personal Data provided shall be stored in our archives for a period of time which is appropriate to the institutional purposes pursued by the Central Bank in accordance with Law No. 96/2005 and subsequent amendments, as well as Article 5, paragraph 1, letters e) and f) of the Law.

The Personal Data shall be stored on paper and/or electronic media only for the time necessary to the purposes for which they were collected, in accordance with the principles of storage limitation and data minimization as defined in Article 4, paragraph 1, letters c) and e) of the Law. The Personal Data shall be stored in order to comply with regulatory obligations and the aforementioned purposes, in accordance

with the principles of indispensability, lack of excess, and relevance. CBSM may retain the Personal Data after the termination of the contractual relationship to comply with regulatory and/or post-contractual obligations. Thereafter, once the aforementioned reasons for processing are no longer applicable, the Personal Data shall be erased, destroyed, or simply stored anonymously. Further information is available upon request from CBSM using the contact details provided in Section 10.

Any spontaneously submitted curriculum vitae (i.e., outside of public selection processes) and the Personal Data contained therein, will be deleted upon receipt.

SECTION 9 – AUTOMATED DECISION-MAKING PROCESS, INCLUDING PROFILING

CBSM does not process Personal Data through any automated decision-making processes, including profiling as mentioned in Article 22 of the Law.

SECTION 10 – RIGHTS OF THE DATA SUBJECT

The Data Subject may exercise the following rights granted by the legislation on Personal Data Protection against CBSM at any time. To do so, the Data Subject must submit a specific written request to the Central Bank of the Republic of San Marino using one of the following means:

- recorded delivery letter addressed to Banca Centrale della Repubblica di San Marino, Via del Voltone no. 120 – 47890 San Marino (RSM)
- email to privacy.titolare@bcm.sm
- fax to + 378 0549/882328

Consent to this Policy may be revoked at any time using the same means.

a) Right of access

The Data Subject shall have the right to obtain confirmation from CBSM of whether its Personal Data are being processed, and, if so, request access to the Personal Data and information envisaged by Article 15 of the Law. This includes obtaining information about the purposes pursued by the Data Controller, the categories of data involved, the individuals to whom the data may be disclosed, the applicable retention period, and the existence of automated decision-making processes, among others.

b) Right to rectification

The Data Subject has the right to obtain from CBSM, without undue delay, the rectification of their Personal Data, in case of inaccuracies. Additionally, considering the purposes of the processing, the Data Subject may request the completion of their data, if it is found incomplete, by providing a supplementary statement.

c) Right to erasure

The Data Subject has the right to request the erasure of their Personal Data from the Controller, if one of the reasons set forth by Article 17 of the Law applies. You may exercise such right if your Personal Data is no longer necessary for the purposes for which it was collected or otherwise processed or if consent to the processing has been revoked and there is no other legal basis for processing their Personal Data. However, the revocation of consent shall not affect the lawfulness of any processing carried out prior to such revocation. Please, note that CBSM may not be able to erase your Personal Data if its processing proves necessary to comply with a legal obligation, for reasons of public interest, or for legal purposes such as establishing, exercising, or defending legal claims.

d) Right to restricted processing

The Data Subject may request that the processing of their Personal Data be restricted where one of the circumstances envisaged by Article 18 of the Law applies. This may include circumstances in which the Subject deems their data incorrect, or when the data is necessary for legal purposes such as establishing, exercising, or defending legal claims, even though CBSM no longer needs it for its original processing purposes.

e) Right to object

The Data Subject may object to the processing of their Personal Data at any time, especially if the processing is carried out for the performance of an activity in the public interest or for the pursuit of the Data Controller's legitimate interests, including profiling, as specified in Article 21 of the Law. Should the Data Subject decide to exercise their right to object, CBSM shall refrain from processing their Personal Data any further, unless there are compelling legitimate reasons for the processing which outweigh the interests, rights and freedoms of the Data Subject or for the establishment, exercise, or defence of legal claims.

f) Right to lodge a complaint with the Data Protection Authority

Without prejudice to the Data Subject's right to seek remedies in any other administrative or judicial authority, they may lodge a complaint with the Data Protection Authority if they believe that the processing of their Personal Data by the Controller violates the Law and/or the applicable regulations.