

PRIVACY POLICY

EXTERNAL SUPPLIERS

in accordance with Art. 13 and Art. 14 of Italian Law no. 171 of 21 December 2018 “Protection of natural persons with regard to the processing of personal data”

Preambles

In accordance with and in respect of the legislation in force on the protection of personal data and in particular in accordance with Art. 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, in short, “**Law**”) and in accordance with Art. 13 of Regulation EU 2016/679 (hereinafter, in short, “**GDPR**”) Banca Centrale della Repubblica di San Marino, in the capacity of data controller (hereinafter, in short, “**BCSM**” or “**Controller**”), provides you with the following information with regard to the processing of your personal data acquired from you for the establishment and management of the contractual relationship held with you or with the third-party company for which you work; these data will be processed, even using electronic tools, directly by BCSM and/or by way of third parties, for the purposes indicated below (hereinafter “**Personal Data**”).

Personal Data means any information relating to an identified or identifiable natural person; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier 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 of that natural person. This privacy policy (hereinafter “**Policy**”) concerns the processing of Personal Data carried out by BCSM for the purposes described in the next Section.

SECTION 1 - IDENTITY AND CONTACT DETAILS OF THE CONTROLLER

In accordance with Article 2 of the Law, the Controller of processing for the purposes indicated below is Banca Centrale della Repubblica di San Marino, with registered office and general management at Via Del Voltone no. 120, 47890 – San Marino (Republic of San Marino).

For further information, please contact the privacy email address privacy.titolare@bcm.sm or send a written request to Banca Centrale della Repubblica di San Marino based in Via Del Voltone no. 120, 47890 – San Marino (RSM), or telephone +378 0549 882325 or fax number +378 0549 882328

SECTION 2 - IDENTITY AND CONTACT DETAILS OF THE DATA PROTECTION OFFICER

The Controller has appointed a “Data Protection Officer” in accordance with Chapter IV of the Law (hereinafter, in short, “**DPO**”), in the persons of Ms Valentina Rabitti and Mr Nathaniel Casadei. For all issues relating to the processing of your Personal Data and/or to exercise the rights envisaged by the Law itself, listed in Section 11 of this Policy, you can contact the DPO at the email address privacy.dpo@bcm.sm, or send a written request to the DPO at Nova Poesis, Via Pomposa no. 43/l, 47924 – Rimini (IT).

SECTION 3 - IDENTITY AND CONTACT DETAILS OF THE REPRESENTATIVE IN THE EUROPEAN UNION

In accordance with Articles 3 and 27 of the GDPR, the Controller has appointed as Representative in the European Union Mr Alberto Paganini, BCSM employee, who can be contacted at the email address privacy.rappresentanteue@bcsm.sm, on telephone number +378 0549 885310 or by sending a written request to Banca Centrale della Repubblica di San Marino based in Via del Voltone no. 120, 47890, San Marino (RSM).

SECTION 4 – TYPE AND SOURCE OF PERSONAL DATA PROCESSED

The Personal Data collected and processed by BCSM in the capacity of Controller for the performance of the Services detailed in Section 5 below may include: personal details, residence and/or domicile, address and contact details, such as telephone number and email address, unique identification code (ISS code or equivalent), bank details. In carrying out some specific activities (for example, video surveillance at the entrances) some types of biometric data may be collected and processed.

If the purpose is exclusively linked to protecting the health of persons who have access to the BCSM premises, "Special categories of personal data" may be processed, namely those data revealing *“racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation”* which the law may require from time to time. Those data will be processed exclusively by specifically appointed staff.

If BCSM becomes aware (through an undue communication by an external guest or by other methods) of data belonging to the “special categories” indicated above, which it does not need to process specifically for its own purposes, it undertakes simply to retain the same without performing further processing, notwithstanding that the data subject continues to hold all rights indicated in Title III of the Law.

SECTION 5 – PURPOSES AND LEGAL BASES OF PROCESSING

The Personal Data are collected and processed:

1. to comply with all operations imposed by regulatory obligations;
2. for operations strictly connected and instrumental to the establishment of contractual relationships, therein including the acquisition of preliminary information required to enter into the contract and to perform the contract;
3. to manage relationships with the Supplier for activities of administration, accounting, orders, shipments, invoicing, services, dispute management;
4. for any assessment of the supplier based upon specifications linked to quality certifications and any other requirements, such as pre-contractual measures, aimed at performing the contract and in the legitimate interest of the data subject;

and they will be processed on the basis of principles of fairness, lawfulness and transparency and protection of your confidentiality and your rights.

The contractual purposes, of the purchase of products and services, of commercial and other disputes and promotional purposes, concern the processing of personal data of the Supplier alone. The Supplier's Personal Data will be processed for the entire duration of the contractual relationships established and even subsequently for the fulfilment of all legal requirements as well as for future commercial purposes.

SECTION 6 - METHODS AND TYPES OF PROCESSING

The processing of personal data for the purposes illustrated above takes place with both automated - electronic or magnetic media - and non-automated - paper - methods, in respect of the rules of confidentiality and security envisaged by law, by the consequent regulations and by internal rules.

The processing of those data already provided during any contractual or pre-contractual relationships already held, which may occur during any subsequent relationships, if performed within the time period indicated in Section 9, does not require this privacy policy to be submitted again. The data subject may always and in any case request a further copy of this privacy policy when opening a new account.

SECTION 7 - DISCLOSURE OF DATA

Without prejudice to communications made in compliance with legal obligations, all Personal Data collected and processed may be disclosed exclusively for the purposes specified above to:

- a. workers who act under the employ of the Controller and are specifically authorised (so-called “processing officers”);
- b. external persons who collaborate with the Controller, designated as Processors or authorised to process as they act under the authority of the Controller;
- c. professionals and consultants, and consulting companies that assist the company from the IT and infrastructural perspective;
- d. professionals, consortia of services, services companies and consultants that assist the company from the tax, commercial and legal perspective;
- e. persons legitimated to access the data by virtue of provisions of law, regulations, and Community legislation.

In particular, based upon the roles and work duties carried out, workers are legitimated to process your Personal Data, within the limits of their responsibilities and in conformity with the instructions given to them by the Controller.

Any disclosure of the Personal Data to External Processors, professionals, consulting companies, etc. will occur through the stipulation of a specific contract of appointment defining the duties and responsibilities of the entity external to BCSM, in order to guarantee compliance with the principles of the Law and the legislation in force at the time.

We are happy to provide, at any time, the list of entities to which we disclose the Personal Data and the limits on their use. This list can be obtained from the office of BCSM.

SECTION 8 - TRANSFER OF DATA ABROAD

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

SECTION 9 – DATA RETENTION TIMES

The Personal Data provided will be stored in our archives, commencing from their receipt/update, for an appropriate period of time with respect to the processing purposes indicated above.

The Personal Data will be stored on paper and/or electronic media only for the time necessary for the purposes for which they were collected, in respect of the principles of restriction of storage and minimisation indicated in Article 4, paragraph 1, letters c) and e) of the Law. The Personal Data will be stored in order to comply with regulatory obligations and to pursue the aforementioned purposes, in accordance with the principles of indispensability, lack of excess, and pertinence. BCSM may retain the Personal Data after termination of the contractual relationship to comply with regulatory and/or post-contractual obligations; thereafter, once the aforementioned reasons for processing are no longer in place, the Personal Data will be erased, destroyed or simply stored anonymously. Further information is available upon request from BCSM using the contact details indicated in Section 11.

SECTION 10 – EXISTENCE OF AN AUTOMATED DECISION-MAKING PROCESS, INCLUDING PROFILING

BCSM does not use any automated decision-making process on your Personal Data, including profiling indicated in Art. 22 of the Law.

SECTION 11 – RIGHTS OF THE DATA SUBJECT

The Data Subject may at any time exercise in relation to BCSM the rights envisaged by the Law listed below, which are granted to the Data Subject by the personal data protection legislation, by sending a specific request in writing to Banca Centrale della Repubblica di San Marino by one of the following methods:

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

1. Right of access

You may obtain from BCSM confirmation as to whether or not personal data concerning you are being processed, and, where that is the case, access to the personal data and the information envisaged by Art. 15 of the Law, obtaining evidence, by way of example, of the purposes pursued by the Controller, the categories of data involved, the recipients to whom the same may be disclosed, the envisaged period for storage and the existence of automated decision-making processes.

2. Right of rectification

You have the right to obtain from BCSM, without undue delay, the rectification of inaccurate personal data concerning you, as well as, taking into account the purposes of the processing, the right to have incomplete personal data completed, including by means of providing a supplementary statement.

3. Right to erasure

You have the right to obtain from the Controller the erasure of personal data concerning you if one of the grounds envisaged by Art. 17 of the Law is in place, including, by way of example, if the Personal Data are no longer necessary

in relation to the purposes for which they were collected or otherwise processed or if consent on which the processing of your Personal Data is based has been withdrawn by you and there is no other legal ground for the processing. The withdrawal of consent is without prejudice to the lawfulness of the processing carried out until that time. We inform you that BCSM may not erase your Personal Data: if their processing is necessary, for example, to comply with a legal obligation, for reasons of public interest, or for the establishment, exercise or defence of legal claims.

4. Right to restriction of processing

You may obtain the restriction of processing of your Personal Data where one of the circumstances envisaged by Art. 18 of the Law applies, including, for example: the accuracy of the personal data is disputed by you, or if your Personal Data are required for the establishment, exercise or defence of legal claims, even if BCSM no longer needs them for processing purposes.

5. Right to object

You may object at any time to the processing of your Personal Data if the processing is carried out for the performance of an activity in the public interest or to pursue a legitimate interest of the Controller (including profiling activity), within the limits indicated in Art. 21 of the Law. If you decide to exercise the right to object described here, BCSM will refrain from processing your Personal Data any further, unless there are compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.

6. Right to lodge a complaint with the Data Protection Authority

Without prejudice to your right to take action in any other administrative or jurisdictional venue, if you believe that the processing of your Personal Data by the Controller is occurring in violation of the Law and/or the applicable legislation, you may lodge a complaint with the Data Protection Authority.
