

## **PRIVACY POLICY “SUPPLIERS”**

### **PURSUANT TO ART. 13 OF EU REGULATION NO. 679/2016**

#### **DATA CONTROLLER AND CONTACTS**

The Data Controller is Azienda Trasporti Milanesi S.p.A. (ATM), with registered office in Foro Buonaparte 61, 20121, Milan (Italy). The Data Protection Officer can be contacted at the following email address: [rpd@atm.it](mailto:rpd@atm.it)

#### **PURPOSE OF THE PROCESSING AND LEGAL BASIS**

- A) The purpose of the processing is the evaluation and management of requests for registration of suppliers in the list of economic operators for the assignment of supplies, services and works; the verification of the fulfilment of the requirements prescribed for participation in procurement procedures; administrative, commercial and logistical management of the supply relationship (including, by way of example, contracting, invoicing, payments and delivery schedules); issuance of identification badges or access permits for ATM premises.

The legal basis is the execution of a contract or the execution of pre-contractual measures pursuant to art. 6, paragraph 1, letter b of EU Regulation No. 679/2016.

- B) The purpose of the processing is the fulfilment of legal, regulatory and tax obligations related to the contractual relationship and required by law and the protection of the rights deriving from the procedures of assignment or from the contract (for example: contractual breaches, formal notices, imposition of penalties, transactions). The legal basis is the fulfillment of a legal obligation pursuant to art. 6, paragraph 1, letter c) of EU Regulation No. 679/2016.

- C) The purpose of the processing is the prevention and suppression of unlawful acts, as well as the exercise of the Controller's rights in judicial proceedings and the management of disputes; the Controller's interest corresponds to the constitutionally guaranteed right to take legal action (Article 24 of the Italian Constitution) and, as such, is socially recognised as prevailing over the interests of the individual data subject.

The legal basis for the processing is the Controller's legitimate interest pursuant to art. 6, paragraph 1, letter f) of EU Regulation No. 679/2016.

#### **CATEGORIES OF DATA PROCESSED**

Data processed are ordinary personal data: identification data and contact details

#### **DATA DISCLOSURE**

Personal data are processed by personnel authorized pursuant to Article 29 of the GDPR and Article 2-quaterdecies of the Italian Data Protection Code, by the data controller and may be communicated to companies that provide goods and/or services related to the processing.

#### **METHODS OF PROCESSING**

The processing of personal data may also be carried out through automated and computerized procedures, by means of the operations of collection, recording, organization, storage, consultation, processing, alteration, selection, retrieval, comparison, use, interconnection, restriction, disclosure, erasure and destruction of the data. Furthermore, the data

are processed solely for the purposes indicated above, in accordance with the principles of lawfulness, fairness, transparency, accuracy, integrity and confidentiality established by the applicable legislation.

#### **DATA TRANSFER**

No transfer of the personal data collected for the purposes set out above to third countries outside the European Economic Area or to international organizations is currently envisaged. Should such transfer become necessary, it will be carried out based on an adequacy decision pursuant to Article 45 of the GDPR and in compliance with the appropriate safeguards provided for under Article 46 of the GDPR.

#### **DATA RETENTION PERIOD**

The data will be retained, with reference to the purpose referred to in point:

- A) for ten years following the expiration of the order/contract;
- B) for ten years following the expiration of the order/contract;
- C) for the period necessary to establish, exercise or defend a legal claim, until the expiry of the applicable time limits for bringing or challenging actions.

#### **PROVISION OF DATA**

The provision of personal data is mandatory for purpose A), and any refusal to provide such data may result in the inability to continue with the procurement selection process.

The provision of personal data is mandatory for purpose B), and any refusal to provide such data may result in the inability to continue with the execution of the contract.

#### **DATA SUBJECT RIGHTS**

All the rights of the data subject are guaranteed in accordance with the provisions of Articles 15, 16, 17, 18, 20, 21, 22 and 77 of the GDPR:

- right of access to your personal data and all information on the processing carried out;
- right to rectification of inaccurate personal data and integration of incomplete data;
- right to erasure ('right to be forgotten');
- right to limit the processing of your personal data;
- right to data portability;
- right to object to the processing of your personal data;
- right not to be subject to a decision based solely on automated processing;
- right to lodge a complaint with the Italian Data Protection Authority in case a violation is thought to have been carried out.

Should the data subject believe that their rights have been infringed, they are entitled to lodge a complaint.

For further information, we invite you to consult the website of the Italian Data Protection Authority – [www.garanteprivacy.it](http://www.garanteprivacy.it) – where a dedicated section on these rights is available.

#### **METHODS FOR EXERCISING RIGHTS**

You may exercise your rights at any time by:

- sending a registered letter with return receipt to the address of Data Controller;
- sending an email to: [protezionedatipersonali@atm.it](mailto:protezionedatipersonali@atm.it)