APPENDIX 3

INFORMATION ON PROCESSING PRIVACY PERSONAL DATA
(ex art.13, Regulation 2016/679 / UE - GDPR)

1. Data Controller and Data Protection Officer
The Data Controller is **Regional Agency ARET Pugliapromozione**, with registered office in Bari, Piazza Moro, 33/A (operational headquarters at Fiera del Levante PAD 172, Lungomare Starita - 70132 Italy), fiscal code and VAT 93402500727 - Tel. (+39)0805821400 - privacy@aret.regione.puglia.it (hereinafter "**PP**" or "**Controller**"), as data controller, informs pursuant to art. 13 EU Reg.no. 2016/679 (hereafter, "**GDPR**") that your data will be processed according to the following procedures and purposes.
Officer in charge of personal data protection
The Data Protection Officer can be contacted at: dpo@aret.regione.puglia.it.

2. Purpose of Data Processing
The Data Controller processes personal, ID data (e.g. name, surname, address, telephone, e-mail, bank and payment references, income or financial data, etc.) – hereinafter referred to as "**personal data**" or "**data**" communicated within a contract in which the interested subject is a party or to execute pre-contractual measures or to fulfill legal obligations.
All data that is communicated by interested parties (or acquired directly from PP by third parties) will be exclusively used for the management of contractual and pre-contractual relationships with the interested parties, to fulfill obligations of supranational, national, and regional regulations governing the institutional activity of PP and possibly for purposes of significant public interest, connected to carrying out relationships. The above reasons are the legal basis of related processing (see art.6 par.1 letter b, c and e of GDPR, as well as art.9 par.2 letter g of GDPR).

3. Description of Data Processing
Personal data are processed in a lawful, accurate and transparent way towards in the interest of the concerned party. Data are processed to carry out the verification (in the pre-contractual or contractual phase) of judicial, tax and conduct positions of suppliers and economic operators, in order to:
- carry out preliminary activities related in particular to controlling the possession of general requirements (also in consideration of the anti-mafia legislation) and of special interest (professional suitability, economic and financial capacity, technical and professional expertise);
- carry out activities aimed at evaluating presented offers (economic and technical, if provided) as well as activities aimed at assessing the offers' incongruity (where necessary);
- manage related procedure and activities (contract signing, monitoring times and schedule, contract execution);
- manage any litigation phase.
Furthermore, without your express consent (Art. 6 - b), c), e) GDPR), for the following Service Purposes:
- execute signed contracts for the acquisition of services, supplies, works, as well as design competitions;
- fulfill pre-contractual, contractual and tax obligations deriving from existing relationships with you;
- fulfill obligations established by law, regulation, EU legislation or by an kind of the Italian Privacy Authority (such as for anti-money laundering);
- exercise the rights of the Owner, for example the right to a just defense in court;

4. <u>Nature of Personal Privacy Data and data related to criminal convictions and crimes. Strictly necessary personal data to pursue the assigned purpose</u>
All data can be voluntarily communicated by interested parties, or, for reasons strictly and exclusively connected to the fulfillment of regulations governing PP activities, they can be collected from public sources that provide this information for institutional purposes. Processing will be carried out both with analog and/or IT and/or online tools, with organization and processing logics strictly related to the

purposes themselves and in any case in order to guarantee data safety, integrity and confidentiality in compliance with organizational, physical and logical measures provided by current regulations.
It may be necessary to register and/or perform retention of personal data in documentation relating to:
• DURC (Italian single insurance contribution certificate) e.g. acquiring part of data from Italian public institutions (pension, health, and public/private bodies: Inps, Inail, Cassa Edile, Casse Previdenza);
• Chamber of Commerce checks (acquired through the Public Administration verification system);
• Certificate of full criminal record and of pending charges, if any (referring to subjects as per art. 80, paragraph 3, of the Italian Penal Code), the latter to be acquired at the local public prosecutor's office; Certificate of the registry of administrative rulings descending from a crime;
• Checks on counterparties' corporate and personal situation, ANAC-Italian Anti-Corruption Agency records, Public Contracts Service Database; AVcpass (ANAC);
• Economic Operators Database (Ministry of Infrastructures and Transport), when available;
• Anti-Mafia communications and information (check database on: https://bdna.interno.it);
• Assessment of tax regularity (Revenue Agency);
• Employment of disabled workers (Province);
• Registration to M.E.P.A./EMPULIA online procurement platforms;
• Italian S.O.A. (certification bodies company);
The above checks are also necessary for cases of availment and/or subcontracting and/or temporary company networks (agent and principals) and/or company networks.

5. Methods for providing this information
This information is provided along with the Call/Tender documentation package. Upon signing of contract, it may be necessary to deliver more specific information according to rendered services or acquired goods or performance and/or works in the specific field. The possible appointment and designation of an external manager who ensures and sufficient guarantees the implementation of adequate technical and organizational measures assessed case by case, according to situations, to fulfill requirements of art. 28 of EU Reg. 2016/679 (GDPR) and to guarantee the protection of subject's rights.

6. Data retention period
All data held by PP are only kept for the necessary period, based on management needs and applicable regulatory obligations, and in compliance with regulations on conservation of administrative, technical and economic documentation. Since PP is subject to specific data retention rules (Digital Administration Code, Consolidated legislative and regulatory provisions on administrative documentation, Rules on administrative procedures and right of access to administrative documents, VAT Regulations and accounting), all data are kept for the established time as per regulations and physically erased also by means of archive rejection procedure. Times can vary depending on type and subject of contract. The time schedule is based on common sense principles and on clarifications of the Guarantor Authority, according to which data can be kept in general "as long as there is a justifiable interest", that is as long as their conservation is necessary for the purposes for which they were collected and processed.

7. Processing methods
Processing of Economic Operators' data, to whom this note is addressed, is carried out by means of: collection, registration, organization, conservation, consultation, processing, modification, selection, extraction, comparison, use, interconnection, blocking, communication, cancellation and destruction of data. Your personal data are subject to paper, electronic and/or automated processing.

8. Data access and communication to third parties
Your data may be made accessible:
- to PP employees and collaborators and/or companies, PP technological partners, PP managers of the legal office and IT support, in their capacity of managers and/or system administrators, from applications receipt to the proposal phase of contract (so-called "provisional assignment");

- to employees and collaborators of Service Owner, from the assignment phase and for the entire contract duration (services, supplies, works, design competitions), as being internal data processors;
- to third-party companies or other subjects (banks, public social security, insurance companies, etc.) carrying out outsourcing activities on Data Controller's behalf, in their capacity of external processing managers.
- to subjects to whom communication is necessary for a contractual relationship, to IT staff (internal or external) exclusively for unavoidable technical needs and in a limited way to what is strictly necessary. In no case PP communicates data to third parties if this is not necessary for the express fulfillment of regulatory obligations, for contractual needs or for management needs.

Without prejudice to confidentiality of documentation covered by technical or commercial secret, which must be previously communicated and adequately proven and motivated, and for which the Administration has the right to assess its compatibility with the right of access to documents, through an autonomous balance of interests:
- by any competing economic operator owning the right of access to any administrative, technical and economic document contained in the submitted Call/tender package;
- by each competing economic operator who has read administrative, technical and economic documents of the submitted Call/tender package; it is possible to make copies of what is necessary for the economic operator for the protection and court defense purposes.

The Data Controller may communicate your data to judicial authorities, the Revenue Agency, the Italian State Pension Body INPS, to insurance companies, as well as to subjects whom communication is mandatory by law for the fulfillment of said purposes. These subjects will process data in their capacity as independent data controllers.
To fulfill D.Lgs. 33/2013 your data may be published on our website, on the Transparency section.

9. Data transfer
Personal data are stored on servers located within the European Union. In any case, it is understood that the Owner, if necessary, has the right to move servers even outside the EU. In this case, the Data Controller hereby ensures that extra-EU data transfer will take place in accordance with applicable legal provisions, subject to signing of standard contractual clauses provided by the European Commission.

10. Origin of data provision and consequences of answer refusal
All data from requested to interested party are mandatory for managing contractual and/or pre-contractual relationships as foreseen by regulations governing this relationship. Therefore, failure to communicate requested data during the entire contractual and/or pre-contractual relationship can cause: failure to establish contractual relationships, interruption of relationship, compensation for damage or performance of further specific services justified by the legitimate interest of PP.

12. Rights of interested party
Regulations grant significant rights to all concerned parties; PP is committed to ensuring the capacity to exercise these rights in the easiest way. Please note that among guaranteed rights there is the access to personal data, of modification or cancellation, of request for interruption of processing, the limitation of processing or opposition thereof, in addition to the right to data portability. Concerned parties may exercise these rights by writing to above listed PP contacts. At any time, concerned parties may exercise their rights by writing to the Data Protection Officer: dpo@aret.regione.puglia.it.

13. Entitlement to complain
Regulations also establish the right for anyone to file a complaint with the Italian national supervisory authority, namely the Guarantor for Protection of Persona Privacy Data (www.garanteprivacy.it).

The Data Controller

(ARET Pugliapromozione)