

## **PRIVACY NOTICE ON PERSONAL DATA PROCESSING**

Dear Customer,

**Brembo Poland sp. z o.o.** (hereinafter the "**Company**"), in its role of data controller, pursuant to art. 13 of the European Regulation 679/2016 concerning the protection of personal data (the "**Regulation**"), wishes to provide you with the following information:

### **1. Types of personal data**

The data provided by You and concerning the personnel that You have assigned to the performance and management of the agreements (hereinafter the "**Data Subjects**"), including names, surname, positions where relevant, telephone numbers, e-mail addresses, data (if required), either where such data have been provided by You or if they have been derived from public sources, shall be processed by the Company in accordance with the Regulation and with domestic laws and regulations, including decisions (if any) of the Supervisory Authority as applicable.

### **2. Purposes of the processing**

The Company will process the data of the Data Subjects while carrying out its commercial and financial activities and on the basis of purposes that are in connection with the performance of contractual relationships. In particular, the data shall be processed in order to comply with the obligations established by the law (including, without limitation, tax and accounting obligations), for the administrative management of the agreements including for handling invoices, for the compliance with obligation related to the supplying of goods, for registering customers in the Company' lists (customers'list), for handling litigation (if existing). The processing of data for the above-mentioned purposes does not require the individual consent since the Company is authorized to avail itself of the reliefs available under letter b), c) of article 6.1, of the Regulation 2016/679.

### **3. Nature of collection and processing methods**

The collection of personal data concerning a Data Subject is a requirement: failing this, it becomes impossible to enter into a commercial agreement, to duly fulfil the relevant pre-contractual or contractual obligations or, in case of existing agreements, to fulfil the obligations and commitments arising from such agreements.

Possible personal data of the Data Subjects may be processed using video surveillance means placed in the access/exit area for the plant, should the Data Subject visit the Company plants and offices, according to the information notice for data processing for video surveillance purposes, available in our plant.

The data shall be processed by the Company, and by those entrusted by the Company with processing, generally by the administration & finance department and by the relevant commercial department, but also by other staff employees who could have the need to process them, mainly by means of electronic or manual systems and according to the principles of fairness, integrity and transparency that are required by applicable laws on data protection as well as by preserving the privacy of the concerned persons through the implementation of technical and organizational measures ensuring an adequate safety level (including, without limitation, by preventing access from unauthorized persons -unless such access is required by the applicable laws- or by ensuring restoration of access to data after material or technical accidents).

#### **4. Storage of data**

The data shall be stored in compliance with the applicable regulations on protection of personal data for the time that is necessary to comply with the above mentioned purposes. In particular, personal data that are needed to comply with legal and tax obligations, are stored by Company for the whole duration of the agreement and in compliance with such obligations (including, without limitation, the obligation to keep the invoices and other company documents for at least 5 years from the end of the year , in which payment deadline has passed., art. 70 §1 Tax Regulations).

#### **5. Disclosure, dissemination and transfer of data**

Without prejudice to the duty of disclosure in order to fulfil any legal or contractual obligations, the data may be disclosed to tax or legal consultants, to collaborators of the Company, to government or other public entities if required in the framework of tenders, as well as to those persons that are authorized by the laws to receive such data, to Polish or foreign judicial or other public authorities for the fulfilment of legal obligations, or for the performance of the obligations arising from an agreement, including for the purposes of defending before the Courts. Such entities act as independent data controllers. Contact details may also be disclosed on occasion and for single reasons, to other customers and/or suppliers of the Company, including –without limitation- if it becomes necessary to collaborate with any of such persons for the performance of the contractual obligation.

In order to perform certain services implying the need of personal data processing, the Company may also avail of third parties, in respect of all legal services, accounting services and IT services. The shareholder Brembo S.p.A. is one of the external data processor. These companies shall operate in compliance with specific and adequate directions concerning the processing methods and safety measures as specified in specific contractual documents. The full and updated list of the companies acting as processors is available on request to the contact.

The data may be disclosed to other companies belonging to the Group, including to the shareholder Brembo S.p.A. or to other Brembo Group companies (updated list on Brembo official website [www.brembo.com](http://www.brembo.com)), if necessary for internal administration purposes, for the group coordination and if such companies need to coordinate for the performance of the contract. As a general rule, the data shall not be transferred outside the territory of the European Union. However, should the need arise to transfer the data to countries located outside the European Economic Area, including countries not offering adequate data protection, the Company undertakes to ensure a level of protection and preservation, also by means of entering into specific contracts, that is adequate to the applicable laws, including by means of entering into standard contractual clauses (a copy of the commitments undertaken by Brembo Group companies by means of any such clause is available on request to email provided below). Personal data shall not be disseminated.

#### **6. Rights of Data Subjects**

A Data Subject shall have the rights contemplated in the Regulation (articles from 15-21) in respect of the processing of data contemplated thereto, including the right to:

- Obtain confirmation of the existence of personal data concerning him/her and to gain access to them (**right of access**);
- Obtain the updating, modification and/or rectification of its personal data (**right of rectification**);
- Obtain erasure, or to set limits to processing, of personal data whose processing is unlawful, including those that are no longer necessary in relation to the purposes for which they were collected or otherwise processed (**right to be forgotten and right to the restriction of processing**);
- Object to processing (**right to object**);

- Withdraw previously given consent, if any, without prejudice to the lawfulness of processing based on that consent;
- Receive a copy in electronic form of the data concerning him or her which have been provided to a controller in the framework of an agreement and to have such data transmitted to another controller (**right to data portability**).

For the exercise of the rights above and in case of further requests of information, the Data Subject can contact the Data Protection Officer (DPO) by sending an email to [privacy.poland@brembo.pl](mailto:privacy.poland@brembo.pl) or a registered letter to the legal address of the Company.

Data subject may also lodge a complaint with the Supervisory Authority in case of infringement of regulations concerning the protection of personal data.

#### **7. Identity and contact details of the Controller and contact of the Data Protection Officer**

The Data Controller is Brembo Poland sp. z o.o., with registered office in Dąbrowa Górnicza, ul. Roździeńskiego 13 phone number +48 32 295-66-00 represented by its Legal Representative for the time being.

The Data Protection Officer (DPO) is available at the following e-mail address [privacy.poland@brembo.pl](mailto:privacy.poland@brembo.pl).

You undertake to inform all the concerned persons (legal representatives, employees in charge of keeping contacts with our Company) of this privacy notice, to the purpose of the performance of the contract.