

## PRIVACY NOTICE ON PERSONAL DATA PROCESSING

**Dear Client,**

CORPORATION UPWARDS 98 S.A. (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") through this document and related to the integration of your data into a processing file wishes to provide you with the following information:

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

The information provided regarding any natural person will be incorporated into a data file in the following cases:

**Clients:** Natural persons involved in a contractual relationship for purchasing or offering services to CORPORACIÓN UPWARDS.

**Potential clients:** Natural persons who offer to establish or maintain a commercial relationship as clients of CORPORACIÓN UPWARDS.

**Contact persons:** This section also includes natural persons who, within the performance of a specific job, and without holding the status of sole proprietorship, assume contact functions or representation functions of a client company in the framework of development of the contractual obligations established with CORPORACIÓN UPWARDS.

**Personal Data subject to processing:** In the case of **Clients**, the data subject to processing will be those necessary to manage and perform the established business relationship, including name, NIF (tax identification number), registered office, legal address, telephone number, fax, email address, web page, bank accounts (IBAN). In case of physical access into CORPORACIÓN UPWARDS' headquarters, the images obtained through the installed video surveillance system may be processed, for the sole purpose of identification.

In the case of **potential clients**, the data will be those necessary to perform company's commercial advertising, specifically, name and surname, registered office, telephone number, fax and e-mail address.

In case of **contact persons**, the data categories will be: name, surname, function or position held, professional or employment contact address, telephone number, fax and email.

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

The Company will process the data of the Data Subjects within the performance of its own commercial and financial activities for the purpose of management and performance of the contractual relationships. In particular, the data will be processed in order to comply with legal obligations (for example, tax and accounting obligations); for the registration of clients into the Company's Management System (clients' list); for the administrative management of the contracts, including the management of payments and invoices; for the compliance with obligation related to the supply of goods and services, as well as for managing possible litigation.

For the above-mentioned purposes your consent is not required since the Company is authorized to avail itself of the reliefs available under letter b), c) of article 6.1, of the Regulation.

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

The collection of the 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.

Personal data of the natural persons Data Subjects may be processed using video surveillance instruments, in form of images, placed both in the access/exit area and inside the premises, should the Data Subject visit the Company premises, according to the information notice for data processing for video surveillance purposes, available in our premises.

The data shall be processed by the Company, and by its entrusted personnel by the Company, only for the purposes specifically recognized in the data processing, 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.

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

The data will 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 will be stored by Company for the whole duration of the contractual relationship and also after its termination, in compliance with civil and tax obligations of any kind, the deadline for the data's elimination will be the maximum provided by law and regulations for the term of the statute of limitations for actions and responsibilities of any kind, both contractual and fiscal. In the case of potential Clients, the deadline is established in one year from the first contact. The deadlines will be calculated since the actions or responsibilities could be exercised or demanded.

### **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 Company's collaborators, to the banks, to public entities as well as to those persons that are authorized by the laws to receive such data, if required, to Spanish 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 defense before the Courts. Such entities act as independent data controllers. For this purpose, when required, the corresponding confidentiality agreement contract will be requested prior to the data communication.

Contact details may also be disclosed occasionally and for single reasons, to other clients and/or suppliers of the Company, including if it becomes necessary to collaborate with any of such persons for the performance of the contractual obligation.

The Company may communicate personal data to BREMBO S.P.A. in the framework of the management of their computer systems inside Brembo Group.

The subjects to whom the personal data are communicated will operate as external data processors 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 data processors is available on request to the contacts mentioned below.

The data may be disclosed to other companies belonging to the Group with registered office inside and outside the European Union (the updated list is available on Brembo website), if necessary for internal administration purposes and the coordination of the group, or if such companies need to cooperate for the performance of the contract. In this case, with reference to transfer the data to countries located outside the European Union, the Company undertakes to ensure a level of protection and preservation, also by means of entering into specific contracts, adequate to the applicable laws, including the entering into standard contractual clauses.

Personal data will 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:

- Right of access: obtain confirmation of the existence of personal data concerning him/her and to gain access to them;
- Right of rectification: obtain the updating, modification and/or rectification of its personal data;
- Right to be forgotten and right to the restriction of processing: 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 object: object to processing;
- Right to withdrawal: withdraw previously given consent, if any, without prejudice to the lawfulness of processing based on that consent;
- Right to data portability: 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.

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

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 CORPORACIÓN UPWARDS 98 S.A. (Brembo España), with registered office in Calle La Habana, 17, 50198 Polígono Industrial Centrovía, La Muela – Zaragoza (España) CIF A50047463, represented by its Legal Representative for the time being.

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

\* You undertake to inform, with respect to data processing, the Data Subjects whose personal data may be processed by the Company for the purposes mentioned (for example directors, employees and collaborators whose data may be processed by the Company for performance of the agreement) about the content of this privacy notice.