

CUSTOMER PRIVACY NOTICE FOR THE PROCESSING OF PERSONAL DATA

Pursuant to Article 13 of Regulation (EU) 2016/679

This privacy notice is issued by NICKERSON ITALIA S.R.L. (through its legal representative pro tempore), in its capacity as Data Controller, pursuant to Article 13 of Regulation (EU) 2016/679 ("GDPR"), with regard to the personal data collected from its customers.

The purpose of this notice is to ensure transparency about how the company collects, uses, protects, and manages personal data in the context of its commercial and contractual activities. The data provided will be processed in full compliance with the principles of lawfulness, fairness, transparency, and confidentiality, with the aim of managing contractual relationships, fulfilling legal obligations, and improving operational efficiency.

DEFINITIONS

Personal Data: Any information relating to an identified or identifiable natural person. A person is considered identifiable if they can be recognised, directly or indirectly, by reference to identifiers such as name, identification number, location data, online identifiers, or to one or more factors specific to their physical, physiological, genetic, mental, economic, cultural, or social identity.

Data Subjects: Natural persons to whom the personal data being processed refer. In practice, these are the individuals whose data are collected and processed.

Data Controller: The natural or legal person, public authority, agency, or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data. The Controller is responsible for ensuring GDPR compliance and for adopting appropriate security measures.

Data Processor: The natural or legal person, public authority, agency, or other body which processes personal data on behalf of the Controller, following the Controller's instructions and acting under a contract or other legal act.

Authorised Personnel: Persons authorised by the Controller or the Processor to carry out data processing operations. These individuals act under the direct authority of the Controller and must comply with the instructions and security measures established.

Purpose of Processing: The specific objectives for which personal data are collected and processed. Purposes must be determined, explicit, and legitimate, and the processing must be limited to what is necessary to achieve them.

Legal Basis for Processing: The legal ground that justifies the processing of personal data by the Controller. The GDPR recognises several legal bases, including the data subject's explicit consent, the performance of a contract, compliance with legal obligations, the protection of vital interests, the performance of a task carried out in the public interest, or the legitimate interest of the Controller or third parties.

DATA CONTROLLER

The Data Controller is NICKERSON ITALIA S.R.L., with registered office in Piazza Pontida 28 - 24122 - Bergamo (BG), Tax Code and VAT No. 03190630164.

CATEGORIES OF PERSONAL DATA PROCESSED

- Identification and contact data: first and last name; tax code and/or VAT number; residential/domicile/legal address; telephone numbers and email addresses; any other contact data provided by the customer for commercial or contractual communication purposes;
- Billing and payment data: banking and payment details (IBAN, transaction details, wire transfer references, etc.); tax data for issuing accounting documents;
- Contractual and transactional data: details of orders and purchases made; contracts and quotes requested or signed; communications and requests related to the commercial relationship (e.g. technical support, consultancy, etc.)

It is specified that the personal data processed may concern natural persons in the strict sense, as well as individuals acting on behalf of or representing legal entities (e.g. owners, employees, collaborators, etc.).

PURPOSES OF PROCESSING AND LEGAL BASIS

In accordance with Regulation (EU) 2016/679 (GDPR), the Data Controller processes the personal data of its customers for the purposes listed below, ensuring transparency and the protection of privacy.

Purpose	Legal Basis
Management of contractual and pre-contractual relationships	Performance of a contract or pre-contractual measures (Art. 6(1)(b) GDPR)
Fulfilment of administrative, accounting and tax obligations	Legal obligation (Art. 6(1)(c) GDPR)
Fulfilment of specific legal obligations under civil, administrative, tax, and accounting laws, and implementation of laws, regulations or EU legislation	Legal obligation (Art. 6(1)(c) GDPR)
Management of communications with customers	Performance of a contract or pre-contractual measures (Art. 6(1)(b) GDPR)
Protection of company rights and management of disputes	Legitimate interest of the Data Controller in protecting its rights (Art. 6(1)(f) GDPR)
Legitimate interest in managing and safeguarding contractual relationships	Legitimate interest of the Data Controller (Art. 6(1)(f) GDPR)

All personal data requested are essential for achieving the purposes described in this notice. Their provision is therefore mandatory, as it is necessary for the correct management of contractual relations, the fulfilment of legal obligations, and the protection of the Data Controller's legitimate interests.

Failure to provide the data may result in the inability to receive the requested service and to establish or continue the relationship with the company.

It should be noted that the Data Controller may, occasionally, send its customers commercial or promotional communications regarding products or services similar to those previously purchased.

This activity, known as soft spam, is carried out in accordance with Article 130(4) of Legislative Decree 196/2003 (Italian Privacy Code) and with the Guidelines issued by the Italian Data Protection Authority.

Soft spam communications are sent without the need for explicit consent, as they concern products and services of the Data Controller that may be of interest to the customer. However, the data subject has the right to object at any time to the receipt of such communications by sending a request to the email address info@nickerson.it or via certified email (PEC) to admin@pec.nickerson.it.

In such cases, the Data Controller will immediately cease the sending of further promotional communications of this type, ensuring compliance with the data subject's request.

The Data Controller guarantees that data will be processed in a manner that ensures appropriate security, including protection through suitable technical and organisational measures against unauthorised or unlawful processing and against accidental loss, destruction, or damage (pursuant to Article 5(1)(f), "integrity and confidentiality"). Furthermore, all personal data will be processed in full compliance with the principle of data minimisation, as established in Article 5(1)(c) of the GDPR, and will not be subject to dissemination.

METHODS OF PROCESSING

The processing of personal data is carried out, under the authority of the Data Controller, by individuals specifically appointed, authorised, and instructed in accordance with Article 29 of the GDPR, using computer and/or paper-based tools, with methods strictly related to the purposes and in such a way as to guarantee the confidentiality and security of the personal data in accordance with Article 32 GDPR.

The processing may also be carried out, on behalf of the Data Controller, by Data Processors specifically appointed pursuant to Article 28 of the Regulation.

The updated list of appointed individuals and external parties designated as Data Processors is kept at the registered office of the Data Controller, and will be made available upon express request.

Pursuant to Article 5 of the GDPR, your personal data will be:

- processed lawfully, fairly, and in a transparent manner in relation to the Data Subject;
- collected and recorded for specified, explicit and legitimate purposes, and further processed in a manner compatible with those purposes;
- adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- accurate and, where necessary, kept up to date;
- processed in a manner that ensures appropriate security;
- stored in a form which permits identification of the Data Subject for no longer than is necessary for the purposes for which the personal data are processed.

DISCLOSURE OF PERSONAL DATA

The personal data collected for the purposes described above may be disclosed, within the scope of their specific competence, to public and private entities for the proper execution of the contractual relationship or to comply with justified requests from authorities, laws, regulations and/or EU provisions. By way of example but not limited to, your personal data may be disclosed to the following categories of recipients:

- to the Tax Authority and other public Authorities or Entities, where required by law or upon their request;
- to credit institutions and banks for payment instructions or other financial activities instrumental to the execution of the Contract;
- to the Revenue Agency;
- to postal offices, shipping agents, and couriers for the delivery of documents and/or materials;
- to specialised companies or law firms for debt collection and/or to protect the company's rights or interests.

The above-mentioned parties, to whom the personal data of the Data Subject may be communicated, will process the data as independent Data Controllers, acting entirely separately from the original processing carried out by the Data Controller.

In any case, the personal data of the Data Subject will not be subject to dissemination by the Data Controller.

TRANSFER OF DATA ABROAD

The processing of personal data takes place within the territory of the European Union, thereby ensuring a level of protection in accordance with current regulations. Should the company use service providers or data processors who operate tools or services (such as servers or cloud platforms) located outside the EU, the Data Controller undertakes to ensure that such transfers are carried out in full compliance with Articles 44 et seq. of Regulation (EU) 2016/679 (GDPR).

DATA RETENTION

Personal data are retained only for as long as is strictly necessary to achieve the purposes for which they were collected and processed, and in any case, for no longer than the time limits provided for by law, in compliance with the so-called "data minimisation principle" under Regulation (EU) 2016/679 (GDPR). In particular, accounting and tax records are retained for 10 years from the last recorded entry, in accordance with Article 2220 of the Italian Civil Code.

DATA SUBJECT RIGHTS

Data Subjects may exercise their rights under Articles 15–22 of the GDPR, including in particular:

- the right of access to personal data, as provided for in Article 15 GDPR;
- the right to rectify or supplement inaccurate personal data held by the company, pursuant to Article 16 GDPR;

- the right to erasure of personal data for which the company no longer has any legal basis for processing, as per Article 17 GDPR;
- the right to restriction of processing, under the conditions set out in Article 18 GDPR;
- the right to receive a copy of the personal data provided to the company, in a structured, commonly used and machine-readable format, and to transmit such data to another controller (so-called “data portability”), as per Article 20 GDPR;
- the right to object at any time, on grounds relating to the data subject’s particular situation, to the processing of personal data for the purposes of pursuing the controller’s legitimate interests, as per Article 21 GDPR;
- the right not to be subject to automated decision-making, including profiling, as per Article 22 GDPR.

The Data Subject may exercise these rights at any time by sending an email with the subject “privacy rights” to info@nickerson.it, or via certified email (PEC) to admin@pec.nickerson.it.

If the Data Subject believes that their personal data are being processed by the Controller in violation of the Regulation and/or applicable law, they may file a complaint with the Italian Data Protection Authority, as described on the website www.garanteprivacy.it, without prejudice to their right to take action in any other administrative or judicial venue.

CHANGES

This notice may be subject to updates, also in light of any legislative changes. Where necessary, the Data Controller will inform the Data Subject of any such updates.