

RIGHTS RECOGNIZED BY Alusic SRL TO THE DATA SUBJECT EXTRACT FROM REG.UE 2016/679 GDPR

Article 15 - Right of access by the data subject

1. The data subject has the right to obtain confirmation from the Data Controller that processing of his/her personal data is in progress and, in such case, to obtain access to the personal data and the following information:

- a) purposes of processing;
- b) categories of personal data concerned;
- c) recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular if recipients in third countries or international organisations;
- d) wherever possible, storage period of personal data provided, or if that is not feasible, the criteria used to determine said period;
- e) the existence of the right to request rectification or deletion of personal data from the Data Controller, or restriction of processing of personal data concerning the data subject, or to object to such processing;
- f) the right to lodge a complaint with a supervisory authority;
- g) whereby the personal data is not collected from the data subject, any available information regarding its source;
- h) the existence of automated decision-making, including profiling, referred to in Article 22 n. (1) and (4) and, at least in those cases, meaningful information about the logic involved, as well as the significance and envisaged consequences of such processing for the data subject.

2. If personal data is transferred to a third country or international organisation, the Data Subject has the right to be informed of the existing and appropriate safeguards relating to such transfer, according to Article 46.

3. The data controller shall provide a copy of the personal data which is undergoing processing. For any further copies requested by the data subject, the data controller may charge a reasonable fee based on administrative costs. Where the data subject makes the request by electronic means, and unless otherwise requested by the data subject, the information shall be provided in a commonly used electronic form.

4. The right to obtain a copy referred to in paragraph 3 shall not adversely affect the rights and freedoms of others.

Article 16 - Right to rectification

The data subject shall have the right to obtain from the data controller without undue delay the rectification of inaccurate personal data concerning him or her. Taking into account the purposes of the processing, the data subject shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

Article 17 - Right to erasure ("right to be forgotten")

1. The data subject shall have the right to obtain the erasure of personal data concerning him or her by the data controller without undue delay, and the data controller must erase such personal data without undue delay where one of the following grounds applies:

- b) the data subject withdraws consent on which the processing is based, according to point (a) of article 6(1) of the GDPR, or

point (a) of article 9(2), and where there is no other legal purpose for the processing;

- c) the Data Subject objects to the processing pursuant to article 21(1) and there are no overriding legitimate grounds for the processing, or the Data Subject objects to the processing pursuant to article 21(2);

- d) personal data has been unlawfully processed;

- e) personal data must be erased in compliance with a legal obligation in Union or Member State law to which the data controller is subject;

- f) personal data has been collected in relation to the offer of the information services company referenced in Article 8(1).

2. Where the data controller has made the personal data public and is obliged pursuant to paragraph 1 to erase the personal data, the data controller, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform controllers which are processing the personal data that the data subject has requested the erasure by such data controllers of any links to, or copy or replication of, those personal data.

3. Paragraphs 1 and 2 shall not apply to the extent that the processing is necessary as follows:

- a) for exercising the right of freedom of expression and information;

- b) for compliance with a legal obligation which requires processing by Union or Member State law to which the data controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller;

- c) for reasons of public interest in the area of public health in accordance with points (h) and (i) of Article 9(2) as well as Article 9(3);

- d) for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) in so far as the right referred to in paragraph 1 is likely to render impossible or seriously impair the achievement of the objectives of that processing; or

- e) for the establishment, exercise or defence of legal claims.

Article 18 - Right to restriction of processing

1. The data subject shall have the right to obtain the restriction of processing from the data controller where one of the following applies:

- a) the Data Subject disputes the accuracy of the personal data, for the period necessary for the Data Controller to verify the accuracy of such personal data;

- b) the processing is unlawful and the data subject objects to the deletion of the personal data and requests the restriction of its use instead;

- c) although the data controller no longer needs the personal data for processing purposes, the data subject requires the personal data for the establishment, exercise or defence of rights in court;

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d) The data subject has objected to processing pursuant to Article 21(1) pending the verification whether the legitimate grounds of the controller override those of the data subject.

2. Where processing has been restricted under paragraph 1, such personal data shall, with the exception of storage, only be processed with the Data Subject's consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State.

3. A data subject who has obtained restriction of processing pursuant to paragraph 1 shall be informed by the data controller before the restriction of processing is lifted.

Article 19 - Notification obligation regarding rectification or erasure of personal data or restriction of processing

The data controller shall communicate any rectification or erasure of personal data or restriction of processing carried out in accordance with Article 16, Article 17, paragraph 1, and Article 18 to each recipient to whom the personal data have been disclosed, unless this proves impossible or involves disproportionate effort. The data controller shall inform the data subject about those recipients if the data subject requests it.

Article 20 - Right to data portability

1. The data subject shall have the right to receive the personal data concerning him or her, which he or she has provided to a data controller, in a structured, commonly used and machine-readable format and have the right to transmit those data to another data controller without hindrance from the data controller to which the personal data have been provided, where:

a) the processing is based on consent pursuant to point (a) of Article 6(1) or point (a) of Article 9(2) or on a contract pursuant to point (b) of Article 6(1); and

b) the processing is carried out by automated means.

2. In exercising his or her right to data portability pursuant to paragraph 1, the data subject shall have the right to have the personal data transmitted directly from one data controller to another, where technically feasible.

3. The exercise of the right referred to in paragraph 1 of this Article shall be without prejudice to Article 17. That right shall not apply to processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller.

4. The right referred to in paragraph 1 shall not adversely affect the rights and freedoms of others.

Article 21 - Right to object

1. The data subject shall have the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him or her which is based on point (e) or (f) of Article 6, paragraph 1, including profiling based on those provisions. The Data Controller shall no longer process the personal data unless the Data Controller demonstrates compelling legitimate grounds for the processing, which override the interests, rights and freedoms of

the Data Subject or for the establishment, exercise or defence of legal claims.

2. Where personal data are processed for direct marketing purposes, the Data Subject shall have the right to object at any time to processing of personal data concerning him or her for such marketing, which includes profiling to the extent that it is related to such direct marketing.

3. Where the data subject objects to processing for direct marketing purposes, the personal data shall no longer be processed for such purposes.

4. At the latest at the time of the first communication with the Data Subject, the right referred to in paragraphs 1 and 2 shall be explicitly brought to the attention of the Data Subject and shall be presented clearly and separately from any other information.

5. In the context of the use of information company services, and notwithstanding Directive 2002/58/EC, the Data Subject may exercise his or her right to object by automated means using technical specifications.

6. Where personal data are processed for scientific or historical research purposes or statistical purposes pursuant to Article 89, paragraph 1, the data subject, on grounds relating to his or her particular situation, shall have the right to object to processing of personal data concerning him or her, unless the processing is necessary for the performance of a task carried out for reasons of public interest.

Article 22 - Automated individual decision-making, including profiling

1. The Data Subject shall have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her.

2. Paragraph 1 shall not apply if the decision:

a) is necessary for entering into, or performance of, a contract between the data subject and a data controller;

b) is authorised by Union or Member State law to which the data controller is subject and which also lays down suitable measures to safeguard the data subject's rights and freedoms and legitimate interests;

c) is based on the explicit consent of the Data Subject.

3. In the cases referred to in paragraph 2, letters a) and c), the Data Controller shall implement suitable measures to safeguard the Data Subject's rights and freedoms and legitimate interests, at least the right to obtain human intervention on the part of the Data Controller, to express his or her point of view and to contest the decision.

4. Decisions referred to in paragraph 2 shall not be based on special categories of personal data referred to in Article 9, paragraph 1, unless point (a) or (g) of Article 9, paragraph 2, applies and suitable measures to safeguard the data subject's rights and freedoms and legitimate interests are in place.