



PERSONAL DATA PROCESSING NOTICE

Notice provided pursuant to Art. 13 of EU Regulation 2016/679,
on personal data processing





PERSONAL DATA PROCESSING NOTICE

Notice provided pursuant to Art. 13 of EU Regulation 2016/679, on personal data processing

1. Data controller

This notice is provided by Pagani S.p.A. - Via dell'Artigianato, 5 – Vill. La Graziosa, 41018, San Cesario sul Panaro (MO) Italy, Tel. +39 059 4739201, email: info@pagani.com ("Pagani") in the capacity of Data Controller for personal data ("Data" or "Personal Data") provided and processed within the scope of the performance of the agreement with its commercial partners, including therein its suppliers (hereinafter referred to as the "Partners") or which has been, in any case, lawfully acquired over the course of pre-contractual and contractual relations.

In general, all personal data provided by the Partner and the information then generated through the processing of the said data, will be handled in compliance with the fundamental principles of transparency, correctness, lawfulness, minimisation, restriction of purposes and retention, accuracy, integrity, and confidentiality.

2. Data processed

As part of its dealings with the Partners, Pagani collects and processes data relating mainly to legal persons. However, the Data Controller may also process Personal Data relating to Partners who are natural persons, or Personal Data relating to employees, associates, representatives, or parties who hold roles within the Partner's business organisation, where they are internal points of reference since tasked with performing the agreement entered into by the Parties.

The Data processed includes: first name, surname, company, role with the company, telephone number, email address, the company's physical address, and the Partner's contact details in general. Data relating to performance of contractual relationships, such as billing, bank, and shipping details, is also processed. For activities relating to the selection and qualification of Partners (in particular those qualified as suppliers of products or services), Pagani may also process Data acquired by referencing databases held by third parties containing information on commercial reliability and solvency.

3. Purposes of the processing and legal basis

The Data will be processed for the following purposes:

- a) to process (for example within the context of relations with suppliers before entry into the purchase agreement and related order) requests for contact or enquiries, start negotiations and assess offers, as well as to reach decisions regarding the selection and qualification of Partners, the exchange of proposals or plans, in cases where the Partner, including potential partners, makes contact with Pagani (**Pre-contractual activities**);
- b) to ensure correct fulfilment of contractual obligations during performance of the agreement in place between the Parties, in order to correctly perform the mutual undertakings within the context of the current contractual relationship (**Fulfilment of contractual obligations**);
- c) to fulfil the obligations established by law, regulations, or national or EU legislation, such as accounting, tax and regulatory requirements (**Fulfilment of legislative requirements**);
- d) to carry out the safeguard checks required to ensure compliance with Italian Legislative Decree n. 231/2001 "Provisions on administrative liability of legal persons, companies, and associations, including those without legal personality, pursuant to Article 11 of Italian law n. 300 dated 29 September 2000" (**Safeguard checks**).

The legal bases adopted by Pagani for the processing of the Data, according to the purposes specified above, are stated below.

In the event that the Partner (including potential Partners) makes direct contact with Pagani, the provision of the Data and the processing thereof for the purposes of pre-contractual activities are both instrumental to the performance and management of the Partner's requests and to the correct performance of the preparatory activities for the subsequent entry into agreement. The provision of data for this purpose is not compulsory, however failure to provide the data or provision of data found to be incorrect may make it impossible for Pagani to meet the Partner's requests and may also, in some cases, affect the possibility of establishing the contractual relationship properly.

When carried out for the purposes of **Fulfilment of contractual obligations**, processing is strictly related to proper performance of the existing contractual relationship and is therefore necessary in order to establish both the said contractual relationship and the legal basis of the processing. Consequently, in the event of failure to provide the Personal Data required for this purpose or provision of data found to be incorrect, Pagani may be justified in refusing to perform the relative agreement or in interrupting performance if such data is necessary.

Processing for purposes relating to the **Fulfilment of legislative requirements** is necessary in order for Pagani to comply with legislation applicable at the time which may impose, for example, the retention and disclosure thereof to competent authorities for compliance with tax, customs, or other kinds of requirements .



Processing for the purposes of the **Safeguard checks** is based on the legitimate interest specified by Pagani following the voluntary adoption of its own Organisation, Management, and Control Model compliant with Italian Legislative Decree n. 231 (created taking into account the circumstances, the business carried out by Pagani, and the analysis of the risk of one or more of the offences envisaged being committed) and on the consequent performance of checks in order to prevent the types of offences provided for in Italian Legislative Decree n. 231/2001 being committed. Consequently, in the event of failure to provide the Personal Data required for this purpose or provision of data found to be incorrect, Pagani may be justified in refusing to perform the relative agreement or in interrupting performance if such data is necessary.

4. Data Recipients

Personal data will be disclosed to or shared with:

a) Pagani personnel responsible for the management of relations with the Partners, including potential Partners, and of the IT system in which the Data is contained. The said personnel, authorised by Pagani to process Data to achieve the aforesaid purposes, has either undertaken to maintain data confidential or is legally bound to maintain confidentiality;

b) member companies of Pagani Group for internal administration and accounting purposes, some of which companies are located in countries outside the European Union and/or European Economic Area;

c) third parties – designated as data processors, when necessary, in compliance with applicable legislation – which are assigned the task of processing Data on Pagani's behalf (for example, IT system and service management companies, suppliers of email platforms, companies in the Pagani sales and assistance network, service and consultancy firms, as and when necessary for the performance of their assignments for Pagani, etc.);

d) third parties with which Pagani has entered into agreements for the provision of services involving Data processing (such as, for example, transport and shipping companies for aspects relating to the shipment of goods and customs operations, auditing companies, persons, companies or firms that provide assistance and advice on administrative, legal, tax, and financial matters or carry out credit recovery services relating to the sale of goods and services, banks for the management of takings and payments, etc.).

Finally, when required, data will be transmitted to financial offices and/or other public administration offices in compliance with the laws in force. The personal Data processed will not be published or disseminated.

5. Transfer

Some Data may be shared with other recipients in countries outside the European Union or the European Economic Area (e.g. member companies of Pagani Group), including therein through the entry of the Data in databases managed by third parties working on Pagani's behalf.

Pagani guarantees that the data will be processed by these parties solely for the purposes for which it was collected and will be processed in compliance with applicable regulations. Therefore, in the event that data is transferred outside the European Union or European Economic Area, Pagani will adopt all and any contractual measures deemed suitable and necessary to guarantee an adequate level of protection, including – amongst others – adequacy decisions, agreements based on the standard contractual clauses approved by the European Commission, and any other guarantee which may help ensure the level of protection of natural persons guaranteed by EU Regulation 2013/679 is not undermined.

Further information may be obtained through a written enquiry sent to privacy@pagani.com

6. Retention

Data processed for **Pre-contractual activities** and for the **Fulfilment of contractual obligations** will be retained for as long as is strictly necessary, respectively, to carry out all the activities relating to the stage prior to entry into arrangements or agreements, to fulfil specific requests, and to allow proper fulfilment of the mutual contractual undertakings. Pagani may keep such Data for longer if necessary in order to protect itself against possible liability, or in the event of claims and/or disputes.

Personal Data processed for the purpose consisting of the **Fulfilment of legislative requirements** will be retained for the period established by the specific legal requirements or on the basis of the provisions of applicable legislation.

Personal Data processed for the purposes of carrying out **Safeguard checks** will be retained for as long as is strictly necessary to carry out, respectively, all activities relating to the checks required to prevent the offences envisaged by Italian Legislative Decree n. 231/2001 being committed.

7. Rights of the data subject:

Pursuant to Arts. 15 - 22 of EU Regulation 2016/679, each data subject has a series of rights which he or she may exercise at any time, free of charge.

Right of access: The data subject, pursuant to Art. 15, has the right to obtain confirmation that personal data concerning him or her is being processed and, if necessary, to obtain a copy of such data. The data subject also has the right to obtain access to his or her personal data and to obtain further information, such as the purpose of the processing, the categories of recipients, the retention period, and the rights which may be exercised.

Right of rectification: The data subject, pursuant to Art. 16, has the right to obtain the rectification of inaccurate personal data concerning him or her or the supplementation thereof.



Right to erasure: the data subject has the right to obtain the erasure of personal data concerning him or her, without unjustified delay, in any of the events provided for in Art. 17.

Right to restriction of processing: the data subject has the right, in the cases envisaged in Art. 18 of EU Regulation 2016/679, to have the processing restricted.

Right to data portability: the data subject has the right to receive personal data concerning him or her in a structured, commonly used, and machine-readable format and has the right to transmit the data to another controller without hindrance, in accordance with the provisions of Art. 20 of EU Regulation 2016/679;

Right to object to the processing: the data subject has the right to object to the processing of personal data concerning him or her, as envisaged in Art. 21 of EU Regulation 2016/679:

If the data subject believes there is a problem in the management of his or her Data, deeming it to have been processed unlawfully, he or she may file a claim, at any time, with the national personal data protection authority, in particular with the said authority in the country of residence (for example, in Italy, the said authority is known as the "Garante Privacy"), or in any other country of the European union or European Economic Area. The requests referred to in the previous sections must be emailed to the Data Controller at privacy@pagani.com, using the appropriate form available at <https://www.garanteprivacy.it/web/guest/home/docweb/-/docweb-display/docweb/1089924> if necessary.

The Data Controller will carry out requests from the data subject to exercise the rights thereof in a timely manner and, in any case, within the time limits established by legislation in force.

Request for explanations or clarifications may be sent in writing to the data controller.

8. Updates and changes

The Data Controller reserves the right to periodically change, supplement, or update this information in accordance with the applicable legislation or the measures taken by the Italian data protection authority.

In any case, all Data Subjects are invited to check the updated information.

Last amendment: 20 November 2023