



# THE SPECIALIST

Registered office: Via Bitritto 119 – Bari (Ba), 70124 Italy  
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## PRIVACY POLICY – CMCLIFT.COM WEBSITE

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#### Privacy documents to comply with European Regulation 2016/679 GDPR

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### 0 General introduction to the Privacy Policy template

Why do we keep our privacy policy up to date?

CMC S.r.l. complies with the standards provided by the GDPR by updating the information and allowing easier reading and understanding.

What is the GDPR?

The GDPR is a Regulation aimed at strengthening and unifying data protection for all entities within the European Union. The GDPR requires a greater degree of transparency on how personal data is collected, stored and used, and more generally on how personal data is processed, and imposes stricter limits on how it is used.



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#### Why do we need your details?

CMC S.r.l. uses the data collected to improve your experience with us and through your consent to offer you tailored offers, save you time, and make your experience more user-friendly.

### 1 The role of CMC S.r.l. with regard to the processing of personal data

The following notice is prepared, pursuant to Art. 13 of the EU Regulation 2016/679, by CMC S.r.l. in relation to the personal data of users collected during access and/or registration to the cmclift.com website ("website") and/or the request for assistance and customer care services of the website (cumulatively, the "Website services").

CMC S.r.l. operates on the website, which it owns, as provider of the registration service, of information on products and of the support and customer care services of the website.

Therefore, the user's personal data are processed by CMC S.r.l.

Therefore, the following notice is provided pursuant to art. 13 of the Regulation, with reference to CMC S.r.l.

### 2 Identity and contact details of CMC S.r.l.

CMC S.r.l.

with registered office in Via Bitritto 119 – Bari (Ba), 70124 Italy

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Is the data controller of the personal data of users collected during the use of the services of the website and, in particular, when accessing and/or registering on the website and/or when requesting information, support and customer care services of the website.



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#### 3 Contact details of the personal data protection officer of CMC S.r.l.

Users may contact the data protection officer ("DPO") for all matters relating to the processing of their personal data and the exercise of their rights under the Regulation.

The contact details of the Data Protection Officer of CMC S.r.l. are as follows:

- Email address: famendolito@amendolitoassociati.it
- Certified email: famendolito@pec.amendolitoassociati.it
- Phone number: 080 501 4547
- Postal address: Via Marco Partipilo 48 – Bari (Ba), 70124 Italy  
Studio Legale Amendolito & Associati

#### 4 Data processing by CMC S.r.l. for the purposes of access and registration to the website

CMC S.r.l. will process the user's personal data to:

- Allow registration on the website and use of services reserved for registered users
- Process requests submitted by the user

The legal basis for this processing is the consent of the user (Art. 6.1.a) of the Regulation.

For this purpose, CMC S.r.l. will process the user's data for the time strictly necessary to carry out the individual processing activities (e.g.: the registration data will be processed until the account is closed, taking into account the technical time necessary for the closure); without prejudice to the fact that, after this deadline, CMC S.r.l. may keep the data for the purposes and for the maximum retention periods in the cases established by the Regulation and/or by law.

#### 5 Data processing by CMC S.r.l. for general marketing purposes

Subject to the users' express consent, CMC S.r.l. may process your personal data to send you information and promotional communications, including the newsletters, discount coupons and special offers, relating to its own products and/or services, as well as for direct sales and market research purposes, via email and postal service.

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The legal basis for this processing is the express consent of the user (Art. 6.1.a) of the Regulation.

The user may withdraw the granted consent thereof at any time and/or object at any time to the processing of the data thereof for marketing purposes:

- By contacting CMC S.r.l. at the following address: info@cmclift.com
- Through the appropriate link in each promotional communication sent by CMC S.r.l.

Submitting data for general marketing purposes is optional: there is no legal or contractual obligation on the user to provide such data for such purposes and/or to consent to the processing of the personal data for such purpose.

For general marketing purposes, CMC S.r.l. will process the user's data until the withdrawal of consent and/or the exercise of the right of opposition and, in any case, no later than four years from the collection of the data, reserving the right, before the expiry of this term, to ask the user to renew the consent and/or update data.

### 6 Data processing by CMC S.r.l. for profiling purposes for marketing purposes

With the user's explicit consent, CMC S.r.l. may process the user's personal data, automatically, to:

- Monitor and track user behaviour on the website, collecting and recording browsing data (e.g. pages visited, product categories viewed, access device)
- Analysing and processing this data, along with other information about the user (such as, but not limited to zip code, IP address), in order to identify correlations between user behaviour and place them in different "clusters" or sets of customer types who may have common traits
- Sending, by email or mail, and/or displaying on the website personalised offers that are matched to the cluster in which the user was placed and, therefore, presumed to be of specific interest to the user

All processing steps, including the final decision on the promotional communication to be sent or displayed to the user based on the cluster(s) to which they belong, are fully automated, without any human intervention. based on an algorithm whose parameters were previously set by CMC S.r.l.

The decision based solely on automated processing, including profiling, has legal effects concerning the data subject (i.e. the limitation of the freedom of choice thereof) and is permitted by the reason for exemption pursuant to art. 22.2.a of the GDPR, as necessary for the performance of the contract between the controller and the data subject and/or in any case related to that contract and its validity and effectiveness.



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Therefore, the users have the right, at any time, to:

- Obtain an operator's intervention from CMC S.r.l.
- Express their opinion
- Challenge the decision taken by CMC S.r.l. (e.g.: placement in a given cluster)

To exercise this right, the user may:

- Contact CMC S.r.l. at the following address: info@cmclift.com

The legal basis for this processing is the explicit consent of the data subject (art. 21.1 of the Regulation).

The user may withdraw the consent thereof at any time and/or object at any time to the processing of the data thereof for profiling purposes for marketing purposes:

- By contacting CMC S.r.l. at the following address: info@cmclift.com

Through the appropriate link in each promotional communication sent by CMC S.r.l.

For profiling purposes for marketing purposes, CMC S.r.l. will process the user's data until the withdrawal of consent and/or the exercise of the right of opposition and, in any case, no later than 12 months from the collection.

The provision of data for the purposes of profiling for marketing purposes is optional: that is, there is no legal or contractual obligation on the user to provide such data for such purpose and/or to give consent to the processing of data thereof for that purpose.

### 7 Data processing by CMC S.r.l. for customer support/care purposes

CMC S.r.l. will process users' data for general support and customer care activities and therefore to respond to requests for information from users or to respond to complaints, reports, objections.

The legal basis for this processing is the performance of pre-contractual measures taken at the request of the data subject (art. 6.1.b, last paragraph of the Regulation or depending on the case), the legitimate interest of CMC S.r.l. (art. 6.1.f of the Regulation).

It is the legitimate interest of CMC S.r.l. to respond to requests for information and/or reports and/or complaints and/or objections from users of the website (to which, moreover, CMC S.r.l. is required to respond,



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also according to the legislation referred to in the Consumer Code, given its role as website manager). This legitimate interest of CMC S.r.l. also coincides with the legitimate interest of the users of the website who make the requests and/or reports and/or complaints and/or objections in question and that, therefore, in the context of the relationship with CMC S.r.l., it may be reasonably presumed that they expect their personal data to be used by CMC S.r.l. for feedback purposes.

The legitimate interest of CMC S.r.l. thus identified can therefore be considered to prevail over the fundamental rights and freedoms of the data subject, also in view of these reasonable expectations and the relationship between the data subject and CMC S.r.l. as well as in view of the nature of the data processed and the coincident interest of the data subjects themselves.

In any case, you have the right to object, at any time, for reasons related to your personal situation, to the processing of your personal data for the purpose in question (i.e. support and customer care).

To exercise this right, the user may:

- Contact CMC S.r.l. at the following address: info@cmclift.com

### 8 Personal data processing by CMC S.r.l. for administrative-accounting and tax purposes

CMC S.r.l. will process the data of users for the purpose of carrying out administrative and/or accounting and/or tax obligations, related to the provision of the services of the website, such as, for example, keeping accounting records and issuing the sales invoice.

The legal basis for this processing is the fulfilment of legal obligations to which CMC S.r.l. is subject (art. 6.1.c of the Regulation).

The provision of data for the purpose in question is mandatory, because the processing of such data is necessary to enable the company to comply with legal obligations imposed on it. Should the user decline to submit data for this purpose will make it impossible for the user to use the services of the website.

For this purpose, CMC S.r.l. will process the user's data until the expiration of the legal terms provided for the performance of each administrative-accounting and tax fulfilment and/or for the retention times provided by law for the retention of the related documentation.



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#### 9 Personal data processing by CMC S.r.l. in order to allow the users to exercise their rights

C.M.C. S.r.l. will process the user's data in order to:

- Receive and respond to requests to exercise personal data protection rights under the Regulation and carry out all related activities

The legal basis for this processing is the fulfilment of legal obligations to which the company is subject (art. 6.1.c of the Regulation).

#### 10 Personal data processing by CMC S.r.l. for the purpose of ascertaining, exercising or defending a right

CMC S.r.l. will process users' data for ascertaining, exercising or defending a right before all authorities. The legal basis for this processing is the legitimate interest (art. 6.1.f of the Regulation).

It is in the legitimate interest of the data controller to seek remedies to demonstrate to have fulfilled the obligations imposed on the data controller by law. This legitimate interest is also based on the constitutionally protected right of defence. It may therefore prevail over the fundamental rights and freedoms of the data subject, also in view of the reasonable expectations of the data subject.

In any event, the users have the right to object, at any time, on grounds relating to their personal situation, to the processing of personal data concerning them for the purpose in question (i.e. defending a right/justice purposes).

To exercise this right, the user may:

- Contact CMC S.r.l. at the following address: info@cmclift.com



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#### 11 Categories of subjects to whom CMC S.r.l. discloses the user's personal data (recipients)

The entities to which the company communicates the data act as external data processors designated by appropriate contract (“Data Processors”) or as persons authorized to process personal data under the direct authority of the company or, in the case of third parties used by the data processor, as “Sub-Processors”, pursuant to art. 28.4 of the Regulation, except in cases where the recipients act as autonomous data controllers, as, for example, in the case of the Payment Service Provider or in the case of couriers. The personal data provided by the user may be communicated by CMC S.r.l. to the categories of recipients, both internal and external to the company, indicated below:

##### Internal subjects:

Employees of CMC S.r.l. and collaborators of CMC S.r.l. who operate under direct control of the data controller under different contractual form

##### External subjects:

Tax consultancy firms (accountants, tax consultants, etc.) and consultancy firms in general.

Authorised workshops (for maintenance, warranty work etc.)

Insurance companies

Finance companies (loans, financing, leasing, long-term rental) Equipment companies

Consultancy firms for special easements (verification of tax benefits)

The disclosure to entities outside the organization will be made to the extent strictly necessary to comply with the client’s requests and the proper development of the mandate received or by virtue of legal obligations (e.g. company accounting and tax records). As a result, not all categories of persons mentioned may process the data, but only the internal or external persons/entities who have been entrusted with carrying out a particular mandatory processing.





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#### 12 Transfers to third countries

The data submitted by you will be processed only in Italy, or in any case within the European Union. If your data are transferred to a third country or to an international organization as a result of a contractual relationship, the rights granted to you by the European Union Law will be guaranteed and you will be informed promptly.

In case of any transfer, it will take place on the basis of the adequacy decisions of the European Commission and the consequent authorization measures of the Italian Data Protection Authority or on the basis of the standard contractual clauses between the data controller and the data processor or on the basis of the exemptions pursuant to art. 49 of the Regulation.

#### 13. Right to objection

The data subjects shall have the right to object at any time, on grounds relating to their particular situation, to the processing of personal data concerning them which have the legitimate interest of the controller as its legal basis.

Should the data be processed for direct marketing purposes (and therefore should it be processed for the purposes set out in Section 6 of this notice), the data subjects shall also have the right to object at any time to the processing of personal data concerning them carried out for those purposes, including profiling to the extent that it is related to such direct marketing.

The data subjects may exercise their right to object against the controller in the following way:

- By contacting CMC S.r.l. at the following address: [info@cmclift.com](mailto:info@cmclift.com)

The data subjects may also object to the further processing of their data for direct marketing purposes (purposes referred to in sections 5 and 6 of this notice) through the appropriate link in each promotional communication sent by CMC S.r.l.



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#### 14 Right to access

Data subjects have the right to obtain confirmation from the controller as to whether or not personal data concerning them are being processed and, if so, to obtain access to the personal data and information concerning them.

Data subjects may exercise their access rights:

- By contacting CMC S.r.l. at the following address: info@cmclift.com

#### 15 Right to correction

The data subject has the right to obtain from the data controller the rectification of personal data concerning him/her without undue delay. Taking into account the purposes of the processing, the data subject has the right to obtain the integration of incomplete personal data, also by providing a supplementary declaration.

Data subjects may exercise the correction right:

By contacting CMC S.r.l. at the following address: info@cmclift.com

#### 16 right to erasure

Data subjects have the right to obtain from the controller the deletion of personal data concerning them without undue delay and the controller shall have the obligation to delete personal data without undue delay.

Data subjects may exercise the right to erasure:

- By contacting CMC S.r.l. at the following address: info@cmclift.com

### 17 Right to restriction of processing

Data subjects have the right to obtain from the controller restriction to processing where one of the following applies:

- Data subjects object to the accuracy of the personal data for as long as the controller needs to verify the accuracy of the personal data
- The processing is unlawful and the data subject opposes the erasure of personal data and instead requests that its use be restricted

Although the controller no longer needs it for the purposes of the processing, the personal data are necessary for the data subject to establish, exercise or defend legal claims.

Data subjects have objected to the processing in the case of processing based on the legitimate interest of the controller, for reasons related to their particular situation (and, therefore, if they oppose the processing of data for the purposes set out in sections 7 and 8 of this notice), pending verification as to whether the legitimate grounds of the controller prevail over those of the data subject.

Data subjects may exercise their right to restriction:

- By contacting CMC S.r.l. at the following address: info@cmclift.com

### 18 Right to data portability

Data subjects have the right to receive in a structured, commonly used and machine-readable format, personal data concerning them which have been provided to a controller. In addition, they have the right to transfer such data to another controller without hindrance by the controller to whom they submitted them, where:

- Processing is based on the data subject's consent or on a contract
- Processing is carried out by automated means

The data subject may exercise the right to portability:

- By contacting CMC S.r.l. at the following address: info@cmclift.com



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#### 19 Time-frame and procedures for responding to the exercise of the data subject's rights

The data controller shall provide the data subject with information about the actions taken in relation to a request to exercise the rights laid down in articles 15 to 22 of the Regulation (i.e. right to access, right to correction, right to erasure, right to restriction to processing, right to data portability, right to objection) and referred to in sections 13, 14, 15, 16, 17, 18 and 19 of this notice ("Data subject rights"), without undue delay and in any case within one month of receipt of request. Such period may be extended by two months, if necessary, taking into account the complexity and number of requests. The controller shall inform the data subject of such extension, and of the reasons for the delay, within one month of receipt of the request. Should the data subject make the request by electronic means, the information shall be submitted, where possible, by electronic means, unless otherwise indicated by the data subject.

#### 20 Right to lodge a complaint with a supervisory authority

Without prejudice to any other administrative or judicial remedy, should data subjects consider that the processing operation concerning them infringes the Regulation, they have the right to lodge a complaint with a supervisory authority, in particular in the Member State in which they habitually reside, work or of the place where the alleged infringement occurred. The supervisory authority to which the complaint was lodged shall inform the complainant of the status or outcome of the complaint, including the possibility of judicial review.