

**Privacy Policy of
SCM GROUP S.p.A. e C.M.S. Costruzioni Macchine Speciali S.p.A.**

This section of the Website may collect Personal Data from Users.

This document can be printed using the print command in the settings of any browser.

Data Controllers are:

- **SCM GROUP S.p.A.**, Via Emilia no. 77 47921 Rimini (RN), Italy - Phone +39 0541 700111;
- **CMS Sp.A. Costruzioni Macchine Speciali (hereinafter C.M.S. S.p.a.)** with registered offices in Zogno (BG) via Locatelli no. 123, Italy - Phone +39 0345 64111.

The Data Processor pursuant to art. 28 of the GDPR is Extera Srl via O. Scavino n. 4 - 47891 Rovereta (RSM), phone +39 0549 941976 (international: +39 378 941976) for requests regarding the processing of data and the rights of the interested party, send an email to privacy@extera.com . Requests will be processed within a maximum of 30 days in compliance with art. 15 et seq. of GDPR 679/2016. In the event that the amount of data requested is such as to require a longer period of time, it will be the responsibility of the Data Controllers to communicate it to the person requiring the data.

The Personal Data Protection Officer (DPO) for Extera Srl is Pc Fast San Marino Consulenze srl email sara@sanmarinoconsulenze.sm

The Representative in the European Union pursuant to art. 27 of the GDPR 679/2016 on behalf of Extera Srl is Mr. Gennaro Maria Amoruso, Via Principe Umberto, 27 00185 Rome email: gennaromariaamoruso@ordineavvocatiroma.org

Duration of processing: data may be stored for a maximum period of 20 years without prejudice to the rights of the data subject to require the said data to be cancelled, if possible, and if there are no other conflicting reference standards.

Portability: in accordance with art. 20 of the GDPR 679/2016 Extera Srl, as data processor, guarantees data portability, if technically possible.

TRANSFER OF DATA TO NON-EU COUNTRIES: Data may be transferred to non-EU countries and to third parties for the purposes stated above only and in full compliance with the processing consent expressed by the User. Extera Srl is based in a non-EU country as specified in the site's contact information. In order to safeguard a right that the European Union deems fundamental, data collected in Europe are transferred to international organizations or non-EU countries following strict rules established by Chapter V of the Regulation: the transfer must take place in compliance with the principles guaranteeing correct processing and in the presence of sufficient and adequate guarantees to protect all interested parties. Data Controllers guarantee, in accordance with art. 46 and 49 of EU Regulation 2016/679, that any transfer to third parties outside the EU will take place in compliance with these rules and it will always and only concern the data of users who have expressed explicit consent to such transfer, which will be processed in a manner that ensures adequate security, following to principles of integrity and confidentiality. It will always be possible to revoke this consent as required by art. 13 of the GDPR.

Data Controllers' email addresses: privacy@scmgroup.com, privacy@cms.it

Types of Data collected

This Website collects, independently or through third parties, the following Personal Data: first name; last name; phone number; VAT Number; company name; address; fax number; province; email address; job; Cookies; Usage Data; geographic position.

Complete details on each type of Personal data collected are provided in the dedicated sections of this privacy policy or by specific explanations displayed prior to the Data collection. Personal data may be freely provided by the User, or, in case of Usage Data, it may be collected automatically when using this Website. Unless otherwise specified, all data requested by this Website is mandatory and failure to provide such data may make it impossible for this Website to offer its services. In cases where this Website specifically states that some data is not mandatory, Users are free not to communicate this data without consequences on the Service and its functioning. Users who are uncertain about which Personal data is mandatory are welcome to contact the data Controllers.

Any use of Cookies – or of other tracking tools – by this Website or by the owners of third-party services used by this Website serves the purpose of providing the Service required by the User, in addition to any other purposes described in the present document and in the Cookie Policy, if available.

Users are responsible for any third-party Personal Data obtained, published or shared through this Website and confirm that they have the third party's consent to provide such data to the Data Controllers.

Methods and place of data processing

Methods of processing

Data controllers take appropriate security measures to prevent unauthorized access, disclosure, modification or unauthorized destruction of Personal Data. Data is processed using computers and/or IT enabled tools, following organizational procedures and modes strictly related to the purposes indicated. In addition to the Data Controllers, in some cases, data may be accessible to certain types of persons responsible for the operation of this Website (administration, sales, marketing, legal, system administration) or external parties (such as third-party technical service providers, mail carriers, hosting providers, IT companies, communications agencies) appointed, if necessary, as Data Processors by the Data Controllers. The updated list of Data Processors may be requested at any time from the Data Controllers.

Legal basis of processing

Data Controllers may process Personal Data on Users if one of the following applies:

- Users have given their consent for one or more specific purposes. Note: Under some legislations the Data Controllers may be allowed to process Personal Data until the User objects to such processing (“opt-out”), without having to obtain consent or any other of the following legal bases. This, however, does not apply, whenever the processing of Personal Data is subject to the European data protection law;
- Data processing is necessary to execute an agreement with the User and/or for any pre-contractual obligations thereof;
- Data processing is necessary to comply with a legal obligation to which the Data Controllers is subject;
- Data processing is necessary to carry out a task in the public interest or in the exercise of official authority vested in the Data Controllers;

- Data processing is necessary to satisfy the legitimate interest pursued by the Data Controllers or by a third party.

In any case, the Data Controllers will always help clarify the specific legal basis that applies to the processing, and in particular, whether the provision of Personal Data is a statutory or contractual requirement, or a requirement necessary to enter into a contract.

Place

Data is processed at the Data controllers' operating offices and in any other place where the parties involved in the processing are located. Depending on the User's location, User's Data may be transferred to a country other than their own. To find out more about the place of processing of such transferred Data, Users can check the section containing details about the processing of Personal Data. Users are entitled to learn about the legal basis of Data transfers to a country outside the European Union or to any international organization governed by public international law or set up by two or more countries, such as the UN, and about the security measures taken by the Data Controllers to safeguard their Data. If any such transfer takes place, Users can find out more by checking the relevant sections of this document or inquire with the Data controllers, using the information provided in the contact section.

Retention time

Personal Data shall be processed and stored for as long as required by the purpose they have been collected for.

Therefore:

- Personal Data collected to perform a contract between the Data Controllers and the User shall be retained until such contract has been fully executed.
- Personal Data collected for the Data Controllers' legitimate interests shall be retained as long as needed to fulfill such purposes. Users may find specific information regarding the legitimate interests pursued by the Data Controllers within the relevant sections of this document or by contacting the Data Controllers.

The Data Controllers may be allowed to retain Personal Data for a longer period whenever the User has given consent to such processing, as long as such consent is not withdrawn. Furthermore, the Data Controllers may be obliged to retain Personal Data for a longer period whenever required to do so to perform a legal obligation or upon an order by an authority. Once the retention period expires, Personal Data shall be deleted. Therefore, the right to access, erase, modify data and the right to data portability cannot be enforced after expiration of the retention period.

Purposes of Data processing

Data on the User is collected to enable the Data Controllers to provide their services, comply with their legal obligations, respond to enforcement requests, protect their rights and interests (or those of Users or third parties), detect any malicious or fraudulent activity, as well as the following: contacting the User, managing contacts and sending messages, heat mapping, location-based interactions, analytics and displaying content from external platforms.

For specific information about Personal Data used for each of these purposes, the User may refer to the section "Detailed information on the processing of Personal Data".

Detailed information on the processing of Personal Data

Personal Data is collected for the following purposes and using the following services:

Contacting the User

Contact form (This site)

By filling out the contact form with their data, Users consent to their use to respond to requests for information, offers or request of any other nature as stated in the form header. Personal Data processed: surname; e-mail; address; first name; fax number; telephone number; VAT number; province; business name; various types of data as specified in the privacy policy of the service.

Mailing list or Newsletter (This Site)

By subscribing to the mailing list or to the newsletter, the User's email address is automatically added to a list of contacts to which email messages containing information, including commercial and promotional information relating to this Website may be transmitted. User's email address may also be added to this list as a result of registering on this Website or after making a purchase.

Personal Data processed: surname; e-mail; first name; job.

Address management and sending of email messages

This type of service is required to manage a database of email contacts, telephone contacts or contacts of any other type, used to communicate with the User.

These services may also enable the collection of data relating to the date and time the messages are displayed by the User, as well as the User's interaction with them, such as information on clicks on the links in messages.

LeadBi

LeadBi is an address management and emails sending service provided by LeadBI srl - Via Martiri VI Ottobre 48 - 66034 Lanciano (Italy) VAT number 02678360690.

Personal Data processed: email

Place of processing: Italy

Heat mapping:

Heat Mapping services are used to identify which areas of a page are subject to the passage of the cursor or are clicked with the mouse in order to detect which of them attract the most interest. These services are used to monitor and analyze traffic data and are used to keep track of the User's behavior.

Crazy Egg (Crazyegg)

Crazy Egg is a heat mapping service provided by Crazy Egg, Inc.

Personal Data processed: Cookies; Usage data.

Place of processing: USA - Privacy Policy.

Location-based interactions:

Non-continuous geolocation (This Website)

This website may collect, use and share data relating to the user's geographical location in order to provide services based on the location itself.

Most browsers and devices provide, by default, tools to deny geo-tracking. If the User has expressly authorized it, this website may receive information on the User's geographical position.

The geographical localization of the User is carried out in a non-continuous manner and upon specific request by the User or when the User does not specify their location in the appropriate field and allows the application to automatically detect their position.

Personal data processed: geographical position.

Statistics

Statistics services enables the Data Controllers to monitor and analyze traffic data and are used to keep track of the User's behavior.

Google Analytics (Google Inc.)

Google Analytics is a web analysis service provided by Google Inc. ("Google"). Google uses the Personal Data collected for the purpose of tracking and examining the use of this website, compiling reports and sharing them with other services developed by Google.

Google may use the Personal Data to contextualize and personalize the advertisements of its own advertising network.

Personal Data processed: Cookies; Usage data.

Place of processing: USA - Privacy Policy – “opt-out”.

Viewing content from external platforms

This type of service enables you to view content hosted on external platforms directly from the pages of this website and interact with them.

In the event that a service of this type is installed, it is possible that, even if the User does not use the service, it collects traffic data relating to the pages for which it is installed.

Google Fonts (Google Inc.)

Google Fonts is a font style visualization service managed by Google LLC or by Google Ireland Limited, depending on the location in which this website is used, which enables this website to integrate such content within its pages.

Personal Data processed: Usage data; various types of data as specified in the privacy policy of the service.

Place of processing: USA - Privacy Policy. Subject adhering to the Privacy Shield.

Google Maps widget (Google Inc.)

Google Maps is a map viewing service managed by Google Inc. that allows this website to integrate such content within its pages.

Personal Data processed: Cookies; Usage data.

Place of processing: USA - Privacy Policy.

YouTube Video Widget (Google Inc.)

YouTube is a video content viewing service managed by Google Inc. that enables this Website to integrate such content within its pages.

Personal Data processed: Cookies; Usage data.

Place of processing: USA - Privacy Policy.

Users' rights

Users may exercise certain rights on the data processed by the Data Controllers.

In particular, the User has the right to do the following:

- Withdraw their consent at any time. The user has the right to withdraw consent to the processing of their Personal Data they have previously given.
- Object to the processing of their data. The user has the right to object to the processing of their data if the processing is carried out on a legal basis other than the consented one. Further details are provided in the dedicated section below.

- Access Data. The User has the right to obtain information on data being processed by the Data Controllers, on certain aspects of the processing and to attain a copy of the data undergoing processing.
- Verify and seek modifications. The user has the right to verify the accuracy of their data and ask for such data to be updated or corrected.
- Restrict the processing of data. The user has the right, under certain circumstances, to restrict the processing of data. In this case, the Data Controllers will not process data for any purpose other than storing it.
- Have Personal Data deleted or removed. The user has the right, under certain circumstances, to obtain the erasure of data from the Data Controllers.
- Receive data and have it transferred to another data controller. The user has the right to receive data in a structured, commonly used and machine-readable format and, if technically feasible, to have it transmitted to another controller without any obstacles. This provision is applicable when data are processed by automated means and if the processing is based on the User's consent, on a contract the User is part of or on pre-contractual obligations thereof.
- Lodge a complaint. The user has the right to bring a claim before competent data protection authority.

Details about the right to object to processing

When Personal Data is processed for a public interest, in the exercise of official powers vested in the Data Controllers or to satisfy a legitimate interest pursued by the Data Controllers, the User may object to such processing for reasons related to their particular situation.

The user should know that, however, should their Personal Data be processed for direct marketing purposes, it is possible to object to that processing at any time without providing any justification. In order to verify whether the Data Controllers are processing Personal Data for direct marketing purposes, the user may refer to the relevant sections of this document.

How to exercise these rights

Any requests to exercise Users' rights can be directed to the Data Controllers through the contact details provided in this document. These requests can be sent free of charge and will be addressed by the Data Controllers as early as possible and no later than one month.

Cookie Policy

This Website uses Cookies and other Identifiers. To learn more, Users may consult the [Cookie Policy](#).

Additional information about data collection and processing

Legal action

The User's Personal Data may be used for legal purposes by the Data Controllers in court or in the stages leading to possible legal action arising from improper use of this Website or of the related Services.

The User declares to be aware that the Data Controllers may be required to reveal personal data upon request of public authorities.

Additional information about User's Personal Data

In addition to the information contained in this privacy policy, this Website may provide the User with additional and contextual information on particular Services or on the collection and processing of Personal Data upon request.

System logs and maintenance

For operation and maintenance purposes, this Website and any third-party services may collect files that record interaction with this Website (System logs), which can also contain other Personal Data (such as the IP Address).

Information not contained in this policy

More details concerning the collection or processing of Personal Data may be requested from the Data Controllers at any time. Please refer to the contact information at the beginning of this document.

How “Do Not Track” requests are handled

This Website does not support “Do Not Track” requests. To determine whether any of the third-party services used support the “Do Not Track” requests, please read their privacy policies.

Changes to this privacy policy

The Data Controllers have the right to make changes to this privacy policy at any time by notifying Users on this page and, if possible, on this Website and/or - as far as technically and legally feasible – by notifying Users via any contact information available to the Data Controllers. It is strongly recommended to check this page often, always paying attention to the date of last update at the bottom.

Should the changes affect processing activities performed on the basis of the User’s consent, the Data Controllers shall collect new consent from the User, if required.

Definitions and legal references

Any information that, directly or indirectly, also in connection with any other information, including a personal identification number, makes a natural person identified or identifiable constitutes personal data.

Usage Data

Usage data refers to the information collected automatically through this Portal (also by third-party applications integrated into this Portal), including: IP addresses or domain names of the computers used by the User who connects with this Portal, addresses in URI notation (Uniform Resource Identifier), time of the request, method used to forward the request to the server, size of the file obtained in response, numeric code indicating the status of the response from the server (successful, error, etc.), country of origin, features of the browser and operating system used by the visitor, time details of the visit (for example time spent on each page) and of the itinerary followed within the Application, with particular reference to the sequence of pages consulted, parameters relating to the operating system and IT environment of the User.

User

The person using this Portal who, unless otherwise specified, coincides with the Data Subject.

Interested person

The natural person to whom the Personal Data refers.

Data Processor (or Manager)

The natural person, legal person, public administration and any other body that processes personal data on behalf of the Data Controllers, as set out in this privacy policy.

Data Controllers (or Controller)

The natural or legal person, public authority, service or other body which, individually or together with others, determines the purposes and means of the processing of personal data and the tools adopted, including the security measures relating to the operation and use of this Website. The Data Controllers, for services provided through the Customer Portal, are the companies:

-SCM GROUP S.p.A., Via Emilia no. 77 47921 Rimini (RN), Italy Tel +39 0541 700111;

- Costruzioni Macchine Speciali C.M.S. S.p.a. (hereinafter C.M.S. S.p.a.) with registered office in Zogno (BG) via Locatelli no. 123, Italy Tel +39 0345 64111.

Extract of the joint ownership agreements are available at the link myportal.scmgroup.com/en/joint-owners

This section of the Portal

The hardware or software tool through which the User's Personal Data are collected and processed.

Service

The Service provided by this Portal.

European Union (or EU)

Unless otherwise specified, any reference to the European Union contained in this document is intended to be extended to all current member states of the European Union and the European Economic Area.

Cookies

Small piece of data stored in the User's device.

Legal references

This privacy statement is drafted on the basis of multiple legislative systems, including articles 13 and 14 of Regulation (EU) 2016/679.

Unless otherwise specified, this privacy policy applies exclusively to this Portal.

Last updated on 20th October 2020.

INTERNAL AGREEMENT TEMPLATE FOR DATA CONTROLLERS

pursuant to art. 26 of the Regulation (EU) 2016/679

Between

1. **SCM GROUP SPA** with registered office in Rimini, via Emilia no. 77, Italian tax number and VAT registration number 006480409 represented here by its General Manager Marco Mancini, vested with the necessary powers, hereinafter also referred to as "SCM" and Data Controller

2. **C.M.S. Costruzioni Macchine Speciali SPA** with registered office in Zogno (BG), via Locatelli no. 123, Italian tax number and VAT registration number 01412130161, represented here by its Managing Director Giovanni Negri, vested with the necessary powers, hereinafter also referred to as "CSM" and Data Controller and, together with SCM, as "Parties" or "Data Controllers", "Joint Data Controllers".

Whereas

- The companies SCM and CMS belong to the same industrial group called SCM GROUP and have until now shared and adopted security standards for the processing and protection of information collected in the course of their business activities.

- The Regulation (EU) 2016/679 of 27th April 2016, by the European Parliament and of the Council on the protection of individuals, the processing of personal data and the free circulation of such data, which repeals Directive 95/46/EC, (hereinafter referred to only as GDPR) provides, in art. 26, that when two or more Data Controllers jointly determine the purposes and means of the processing, they are to be considered joint Data Controllers.

- The joint Data Controllers determine, in a transparent manner, through an internal agreement:
 - mutual responsibilities regarding compliance with the obligations deriving from the GDPR, with particular regard to the exercise of the rights of the data subjects;
 - mutual information communication functions referred to in articles 13 and 14 of the GDPR.

- Through the internal agreement a contact point for the data subjects can be appointed, although the data subjects can exercise their rights under the GDPR towards and against each Data Controller.

- An internal agreement is not necessary when mutual responsibilities are determined by the law of the European Union or the Member State data controllers are subject to.

- The Data Controllers cited above jointly determine the **purposes** and means of the processing listed below, as stated in the policy in Annex A) myportal.scmgroup.com/en/privacy-policy
 - a) archiving;
 - b) execution of contractual obligations assumed by the parties;

- c) fulfillment or request to fulfill specific obligations or to perform specific tasks provided for by European Union legislation, national laws or regulations;
- d) sending of promotional and/or commercial communications to customers, in order to inform them about events, initiatives, special offers and/or features of products and/or services.

The aforementioned **processing** refers to the following actions/procedures:

- Contacting the User;
- Management of addresses and sending of email messages;
- Heat mapping;
- Location-based interaction;
- Production of statistical analyses;
- Display of contents from external platforms;

- As a result of the joint determination of purposes and means of processing, the undersigned Data Controllers become joint Data Controllers for the processing of data and are required to enter into an internal agreement.

Now, therefore

Data controllers cited above agree as follows.

1. Joint ownership of the processing

The Data Controllers cited above, taking into account the roles and relationships each of them has with the data subjects, mutually acknowledge that, for the following actions/procedures they shall behave as follows:

- For **SCM** the processing of personal data of users interested in interacting with the company shall consist of name; surname; telephone number; VAT number; business name; address; fax number; province; email address; job; banking data; Cookies; Usage data; geographic location;
- For **CMS** the processing of personal data of users interested in interacting with the company shall consist of name; surname; telephone number; VAT number; business name; address; fax number; province; email address; job; banking data; Cookies; Usage data; geographic location;

2. Responsibility deriving from joint Data Controlling

Without prejudice to the roles and relationships each Data Controller has with the data subjects, the responsibilities of the Data Controllers cited above in complying with the obligations deriving from the GDPR are defined as follows:

- SCM is directly responsible for a) the compliance of the processing with its specified purposes and b) for the compliance of the processing means with the GDPR regarding the processing of personal data of users interested in interacting with SCM;
- CMS is directly responsible for a) the compliance of the processing with its specified purposes and b) for the compliance of the processing means with the GDPR regarding the processing of personal data of users interested in interacting with CMS;

With regard to the data subjects, the Data Controllers are jointly and severally liable for damages deriving from the processing, without prejudice, in internal relations, to the responsibility directly attributable to each Data Controller under this agreement.

3. Information policy for data subjects

Information referred to in articles 13 and 14 of the GDPR shall be communicated by the Data Controller to whom the data subject seeks information from, and the Data Controller shall promptly inform the other Data Controller of any circumstances that may delay or prevent the release of information.

The contact points for the data subjects are identified in the contact points of each Data Controller.

4. Exercise of the rights of the data subjects

Regardless of the provisions of this agreement, data subjects can exercise their rights under the GDPR towards and against each Data Controller.

5. Roles and relationships between Data Controllers

Data Controllers mutually acknowledge that this agreement adequately reflects their respective roles and relationships with the data subjects.

6. Transparency towards the data subjects

This agreement, as regards the main content, is made available to data subjects, in accordance with the provisions of art. 26 of the GDPR.

7. Attachments

A) **"Privacy Policy of SCM GROUP S.p.A. and C.M.S. Costruzioni Macchine Speciali S.p.A."**

This agreement, drawn up in duplicate, with each copy consisting of 3 pages, to be registered only in case of use, is read, signed and undersigned as follows.

Rimini, 19th October 2020

Zogno, 19th October 2020

SCM GROUP SPA

General Manager Marco Mancini

C.M.S. Costruzioni Macchine Speciali SPA

Managing Director Giovanni Negri