

## **Data Privacy Statement (valid from 25 May 2018 on)**

(Last updated: 24 May 2018)

Your privacy is important to us. This privacy statement explains how we collect and process your personal data and your rights under the data protection law. As the data we collect and the manner in which we use the data is primarily determined by the purpose, not every part of this privacy statement may be applicable to you.

Please note that we may amend this privacy statement from time to time to reflect any changes in the way we handle your personal data or changes in applicable law. The amendment is effective upon public posting. Only in special cases, for example where your approval is required, we will inform you directly of such amendment.

### **Controller**

G-teK srl

Via G. Puccini, n.10

41012 – Carpi (MO), Italia

tel. +39 059 687214

gtek@gtek.it

[www.den.gtek.it](http://www.den.gtek.it)

### **Data Protection Officer**

G-teK srl

Via G. Puccini, n.10

41012 – Carpi (MO), Italia

tel. +39 059 687214

ragioneria@gtek.it

## **1. Definitions**

In accordance to the EU General Data Protection Regulation ('GDPR'), Art. 4, Section 1 and 2, the following definitions apply to this privacy statement:

'personal data' means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person  
'processing' means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

## **2. Use of data and Data sources**

Depending on the purpose, we use different types of data. This can be personal details (such as name, address, phone number, birthday), legitimization data (such as business registration documents, data from ID cards, tax ID numbers, health insurance numbers), contract data (such as payment order delivery address), information about your financial status (such as data on scoring or rating, origin of assets), advertising and sales data, or documentation data (such as protocol for consultations).

We receive and process data in the context of business relations and our entrepreneurial activity. For fulfilling our business purpose, we also use data legitimately obtained from publicly accessible sources (such as Internet, register of real estate, commercial register, press) or from third parties (such as credit insurance companies, customers and suppliers).

## **3. Purpose of data processing and legal basis**

We process data in accordance with the provisions of the GDPR and the Italian Law on Data Protection.

#### **i. Data processing on the consent of the data subject (Art. 6, Section 1a, GDPR)**

For special cases, we process data only if the data subject has given consent to the processing of his or her data for one or more specific purposes (such as sending out Newsletters, booking trainings, transferring to third parties for quoting, obtaining information, pictures or video recordings as part of events). Upon consent, the data processing is considered lawful.

Any consent given by the data subject may be withdrawn at any time without giving any reason. The revocation is only valid for the future. You may contact our Data Protection Officer (see above).

#### **ii. Data processing for the performance of contract (Art. 6, Section 1b, GDPR)**

When trading with photovoltaic and electrical or different products as well as with the investment and divestment in photovoltaic projects, we process data. This includes, among others, the initiation, purchase and sale of goods and/or photovoltaic projects, the commissioning of service providers and/or the provision of services. These activities lead to administrative tasks and generally to the organization of our business (for example, preparatory accounting, and human resources).

#### **iii. Data processing for the compliance with legal obligation (Art. 6, Section 1c, GDPR)**

As an enterprise, we are subject to several legal obligations (such as tax and commercial law) that require us to process data.

#### **iv. Data processing for protection of vital interests of data subject or of another natural person (Art. 6, Section 1d, GDPR)**

#### **v. Data processing for purposes of legitimate interests pursued by the controller or by third party (Art. 6, Section 1f, GDPR)**

To the extent necessary, we may process your data beyond the scope of the actual performance of the contract so as to protect justified interests of our own and of third parties. Examples:

- advertising (such as distribution of newsletters) or market and opinion research unless you have objected to the use of your data
- lodging legal claims and defense in case of legal disputes
- prevention and investigation of criminal acts
- measures for business management and advanced development of services and products

### **4. Data Users**

Data from data subjects are used within our company and possibly within our group of companies in order to fulfill our contractual, legal and legitimate interests. We may also use the support of third parties (for example, shipping companies, IT service providers, (payroll) accounting, printing companies, telecommunications service providers, e-mail marketing providers, credit insurers, factoring companies).

### **5. Transfer of data to a third country or an international organization**

Data transfer to bodies in states outside the European Union (so-called third countries) will only rarely take place and will always be in compliance with the legal basis listed in Section 3 above.

For example, data transfer may be necessary in case of a guarantee if the manufacturer is based in a third country.

### **6. Storage period**

We will process and store your personal data as long as it is required to meet our contractual and statutory obligations as well as legitimate interests. Data that is no longer needed is erased at regular intervals.

Following are some examples:

- Due to very high product and performance guarantees in the photovoltaic industry, up to 30 years of customer and supplier data may be retained.

- Commercial and tax-related records must be retained for a period of 2 to 10 years.

## **7. Data protection rights of data subjects**

- Right of access by the data subject (Art. 15 GDPR)
- Right to rectification (Art. 16 GDPR)
- Right to erasure ('right to be forgotten') (Art. 17 GDPR)
- Right to restriction of processing (Art. 18 GDPR)
- Right to data portability (Art. 20 GDPR)
- Right to object (Art. 21 GDPR)
- Right to lodge a complaint with a supervisory authority (Art. 77 GDPR)

Any consent given by the data subject may be withdrawn at any time without giving any reason. The revocation is only valid for the future. You may contact our Data Protection Officer (see above).

## **8. Automated individual decision-making, including profiling (Art. 22 GDPR)**

In accordance with the GDPR, Art. 22, we do not use fully automated decision-making.

In order to provide our customers the best possible information about our products, we may use evaluation tools for needs-based advertising and communication.

To reduce the default risk of receivables, we may use credit and rating data provided by third parties.

## **9. Privacy policy for visitors of our website**

When you access our website, a cookie may automatically records information of a general nature. This information (server log files) includes, the type of web browser, the operating system used, the domain name of your Internet service provider and suchlike. These cookies do not collect information that identifies visitors, individually or personally.

This information may be technically necessary to correctly deliver the contents of web pages requested by you. They may be processed in particular for the following purposes:

- ensuring a hassle-free connection of the website,
- ensuring a smooth use of our website,
- evaluation of system security and stability, as well as
- For further administrative purposes.

The processing of your data is based on our legitimate interest for the purposes mentioned above for data collection. We do not use your data in order to draw conclusions about you.

The recipient of the data is only the responsible body and possibly the processor.

Anonymous information of this kind may be statistically evaluated by us to optimize our website and the underlying technology.

### **i. Cookies**

Like many other websites, we may also use so-called "cookies". Cookies are small text files that are transferred from a website server to your hard drive. This automatically gives us certain data, such as IP address, browser used, operating system and your connection to the Internet.

Cookies cannot be used to run programs or to transfer viruses to a computer. Based on the information contained in cookies, we can facilitate the navigation and enable the correct visual display of our websites.

In no case the data collected by us will be passed on to third parties. Also none will be linked to data without your consent.

You may view our website without cookies. Internet browsers are regularly set to accept cookies. In general, you can disable the use of cookies at any time through the settings of your browser. Please use the help features of your internet browser to find out how to change these settings. Please note that some features of our website may not work if you have disabled the use of cookies.

### **ii. SSL-Coding**

To protect the security of your data during transmission, we may use state-of-the-art coding techniques (such as SSL) over HTTPS.

**iii. Using of script libraries and font libraries (Google Webfonts)**

In order to present our content correctly and graphically appealing across browsers, we may use script libraries and font libraries on our website, such as: Google Web Fonts (<https://www.google.com/webfonts/>). Google web fonts are transferred to the cache of your browser to prevent multiple loading. If the browser does not support Google Web Fonts or prohibits access, contents will be displayed in a standard font.

The call of script libraries or font libraries automatically triggers a connection to the operator of the library. Thereby it is theoretically possible - but currently also unclear whether and if so for what purposes - that operators of such libraries collect data.

You can refer to the privacy policy of Google here:

<https://www.google.com/policies/privacy/>