



## PRIVACY POLICY

**pursuant to the provisions of articles 13, 14 et sequitur of Regulation (EU) 2016/679 of the European Parliament and Council (“GDPR”)**

### INTRODUCTION

Cassa di Assistenza Previtavia (Previtavia Healthcare Fund) (hereinafter “**Previtavia**”), is an unincorporated association established for healthcare purposes pursuant to article 51 paragraph 2 (a) of the TUIR (Italian consolidated law on income tax).

Previtavia undertakes to protect the Privacy and confidentiality of the Personal Data it collects and processes in the context and for the proper execution of its institutional purposes, such as that of promoting, implementing and providing to its Beneficiaries (the “**Data Subjects**”): i) health treatments and preventive healthcare; ii) healthcare in the case of accidents, death, disability and loss of self-sufficiency, including supplementary services to those provided by compulsory insurances (the “**Services**”). The services offered by Previtavia essentially consist of: i) Services provided through Entities, Companies, Funds, Insurance Funds or Insurance Companies with which Previtavia enters into special agreements and who are intended as Autonomous Data Controllers, for the Data Subjects ii) Services provided directly by Previtavia based on reimbursement of the healthcare cost actually incurred by the Data Subject.

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This Privacy Policy describes how and for what purposes Previtavia collects, uses, consults and processes Personal Data, and the rights of the Data Subject pursuant to the applicable Privacy Law.

The details of the data processors who process the Personal Data that Previtavia collects are indicated below

### DATA CONTROLLER

The Data Controller is Cassa di Assistenza Previtavia, having registered offices at Piazzale Giulio Cesare 9, 20145 Milan, e-mail address: [privacy@cassaprevitalia.it](mailto:privacy@cassaprevitalia.it).

### DATA PROCESSOR

In executing its duties, the Data Controller has appointed as Data Protection Officer (DPO), Lawyer Ms. Federica Rambaldi, Via Visconti di Modrone 28, 20122 Milan, e-mail address [dpo@rbtlegal.it](mailto:dpo@rbtlegal.it). This Data Protection Officer was designated taking into account the professional qualifications of the same, above all her specialised knowledge of the data protection law and practices. The duties of the Data Protection Officer are those indicated by the Article 39 of the Regulation.

### CATEGORIES OF DATA SUBJECTS

In order to provide its services correctly, Previtavia may collect, use, consult and, more generally, process Personal Data relating to the following Data Subjects:

- natural persons associated with the Members deemed to be one and the same (for example, the directors)
- natural persons who have dealings with Members pursuant to any form of collaboration
- natural persons who have dealings with Members pursuant to an employment relationship (“**Employees**”)
- family members of employees, even if deceased (“**Family Unit**”)
- pensioners who have dealings with Members pursuant to an employment relationship

### CATEGORIES OF PERSONAL DATA

In order to provide its services correctly, Previtavia may collect, use, consult and, more generally, process the following Personal Data of the Data Subjects:

- **Personal details:** tax code, name and surname, date of birth, registered residence, gender, family relationship
- **Contact details:** telephone number, fax number, e-mail address, residential address, domicile
- **Main Data of the employment contract that associates the Data Subject to the employer Member:** contractual and/or employment relationship, job classification
- **Identification details:** identification issued by government bodies or agencies (for example, depending on the country of residence of the data subject, the social security number or national number, passport number, ID card number, tax code, driver’s license number)
- **Financial information:** payment card number, account number and bank details, income and other financial information



- **Insured risk:** information on the insured risk containing Personal Data
- **Health data:** health data, such as data that disclose past, present or future physical and/or mental health conditions, information on accidents, (risk of) illness or disability, medical treatment, examinations and check-ups, personal habits such as smoking or drinking, information on medicines available only with a prescription, case history.

## HOW WE COLLECT PERSONAL DATA

In order to provide its services correctly, Previtalia may collect the Personal Data of the Data Subjects:

- directly from the Data Subject when the same: (i) registers; (ii) submits a direct/indirect application for the reimbursement of medical expenses
- from Employer Members of the Data Subjects during registration
- from specialists (including medical examiners), experts, lawyers, accountants
- from other parties involved in the management of the services, with which Previtalia holds contracts and/or special agreements (Insurance companies, service companies, healthcare facilities, consulting firms)

by telephone, e-mail, postal documents, hand-delivered documents.

If the Personal Data are not collected directly from the Data Subject, the person who communicates the Personal Data should give a copy of this Privacy Policy to the Data Subject.

In order to meet applications for the direct/indirect reimbursement of medical expenses of the Data Subject, Previtalia needs to collect, use, consult and, more generally, process the Health Data of the same. In order to process the Personal Data correctly and in compliance with the law, Previtalia requires the express consent of the Data Subject; failing which, Previtalia cannot process such data and will therefore not be able to provide the Services.

Previtalia will accordingly provide prior specific and adequate information to the Data Subjects, and will obtain the express consent of the Data Subject. (see the section CONSENT and WITHDRAWAL hereunder). If the Health Data of the Data Subject are not collected directly from the Data Subject, such prior, specific and appropriate information and consent should be given and obtained, on behalf of Previtalia, by the person who communicates the Data.

If the Data Subject is under 18 years of age, the Personal Data thereof, including the Health Data, will be communicated to Previtalia by a parent or person having parental authority. In this case, the latter assumes the above obligation of providing a copy of the Privacy Policy and obtaining consent.

## CATEGORIES OF RECIPIENTS OF YOUR PERSONAL DATA

In order to provide its services correctly, Previtalia may disclose the Personal Data of the Data Subjects to the following categories of recipients:

- Data Processor
- Specialists (including medical examiners), experts, lawyers, accountants
- Parties involved in the management of the Services, with which Previtalia holds contracts and/or special agreements (Insurance companies, service companies, healthcare facilities, banks, consulting firms)
- Associate employers
- Public Authorities, Supervisory Authorities and the Tax Authorities

## PURPOSE OF THE PROCESSING OF PERSONAL DATA AND LEGAL BASIS OF PROCESSING

Previtalia processes the Personal Data of the Data Subjects in compliance with the provisions of the GDPR and Legislative Decree 196/2003 as amended.

This section defines the purposes for which Previtalia collects, uses and, more generally, processes Personal Data, and describes how the data collected are shared and indicates the "legal basis" of processing. Should Previtalia intend to further process the Personal Data for purposes other than those for which the same are collected, prior to such processing, it should provide to the Data Subject information on such purposes and any additional information that may be required, as set forth by the GDPR.

Personal Data are processed to fulfil institutional purposes, or to provide Services to the Data Subjects pursuant to the membership with Previtalia of a Member and the consent given by the Data Subject for the particular categories of Personal Data (health data) for which this is required pursuant to the GDPR (see CONSENT and WITHDRAWAL section below).



Personal Data may be processed to defend and protect the legitimate interests of Previtalia in legal proceedings, or when this is required in order to comply with obligations set forth by applicable laws and regulations.

For more information about the purposes for which Personal Data are processed, please read Previtalia's membership documents and contracts.

### **CONSENT AND WITHDRAWAL**

Previtalia may not process Health Data, or Personal Data which disclose health data, without the express consent of the Data Subject, that may however be necessary to execute jointly signed insurance contracts with the Insurance Company in favour of the Data Subject or to implement self-managed health plans. Without the express consent of the Data Subject, Previtalia will be unable to process such data and will consequently not be able to fulfil its contractual obligations.

The consent to the processing of such Data expressly authorizes the Data Controller to share such data with the Data Processor and with any Joint Data Controllers.

The Data Subject may withdraw its consent to the processing of such Data at any time, without prejudice to the legality of data processed pursuant to consent given prior to such withdrawal. Withdrawal of consent means that Previtalia and its Data Processor and any Joint Data Controllers will be unable to fulfil their contractual obligations, and the Services will therefore be immediately suspended.

### **AUTOMATED DECISION-MAKING PROCESSES, INCLUDING PROFILING**

Pursuant to article 22 of the GDPR, Previtalia does not use automated decision-making processes. Should Previtalia decide to use such processes in specific cases, it will inform the Data Subject accordingly, as set forth by applicable National and European Privacy Laws. Previtalia does not process data to evaluate personal aspects (known as profiling).

### **SECURITY**

Previtalia and its Data Controller use physical, electronic and procedural security measures appropriate to the sensitivity of the Personal Data held by the same. Such measures may vary according to the level of sensitivity, format, location, quantity and method of distribution and retention of the Personal Data, and include measures to protect Personal Data against unauthorized access. Security measures used include, as appropriate, SSL encryption of communications, encryption of stored data, firewalls, access control, separation of functions and other similar security protocols.

Access to Personal Data is allowed only to personnel and third parties who need to access such data for appropriate and legitimate business purposes, or reasons related to the institutional objectives of Previtalia.

### **LIMITS TO COLLECTION AND RETENTION**

Previtalia processes Personal Data (collection, use, disclosure etc.) to fulfil specific contractual and membership obligations, within the limits set forth by applicable National and European Privacy Laws. Should Previtalia need to process Personal Data for purposes other than those indicated by this Privacy Policy, the same will inform the Data Subject of such different additional purposes and will request the consent of the Data Subject, if this is required.

Personal Data are retained for the length of time required to comply with contractual and membership obligations and to comply with the legal obligations of Members, Data Subjects and any other persons involved in processing, including any other permitted or related purposes and pursuant to the provisions of the applicable law.

When the Personal Data are no longer required to comply with contractual, membership and legal obligations, Previtalia will transform the same to anonymous form (thus retaining and further using such anonymised data) or shall delete the same in a secure manner, unless further processing is required (for a limited period of time) for the following purposes: compliance with retention periods set forth by commercial and tax laws.

### **ACCURACY, RELIABILITY, TRANSPARENCY**

Previtalia warrants that the Personal Data will be processed in an accurate, complete and updated manner at all times.

Data Subjects may contact Previtalia on e-mail [privacy@cassaprevitalia.it](mailto:privacy@cassaprevitalia.it) to update their Personal Data.

Any questions about Previtalia's privacy practices should be addressed to the Data Protection Officer ("DPO") on e-mail address: [dpo@rbtlegal.it](mailto:dpo@rbtlegal.it).



## RIGHTS OF THE DATA SUBJECT

All Data Subjects, namely the natural persons to whom the Personal Data refer, have the following rights as regards the protection of Personal Data, which may be exercised against the Data Controller, by sending an email to: [privacy@cassaprevitalia.it](mailto:privacy@cassaprevitalia.it) or a registered letter with acknowledgement of receipt to the registered offices of Previtalia, at Piazzale Giulio Cesare 9, 20145 Milan:

- Right of access (article 15 of the GDPR, i.e. the right to request how Personal Data are used and processed),
- Right to rectification (article 16 GDPR i.e. the right to rectify inaccurate Personal Data),
- Right to erasure (article 17 GDPR the right to have Personal Data erased if the legal basis for processing no longer exists or if the data subject withdraws consent),
- Right to restriction of processing (article 18 GDPR i.e. the accuracy of the Personal Data is contested by the Data Subject, and restriction of processing of the Personal Data is performed for a period enabling the controller to verify the accuracy of the Personal Data),
- Right to data portability (i.e. the data subject shall have the right to receive and transmit to another controller) the Personal Data retained (article 20 of the GDPR),
- Right to object (article 21, paragraphs 1 and 2, GDPR “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(1), including profiling based on those provisions. The data controller shall no longer process the Personal Data unless the 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*”),
- the right to withdraw consent to the processing of Personal Data, as better specified by the previous paragraph “CONSENT AND WITHDRAWAL”.

These rights are subject to certain exemptions in order to protect public interests (for example, the prevention and prosecution of criminal offences).

Previtalia undertakes to respond to most of the requests received to exercise the above rights within 30 days from receipt at the addresses indicated in this Privacy Policy.

Should Previtalia and the DPO be unable to provide an appropriate response to a request for explanations or complaint, the Data Subject may file a claim with the Italian Data Protection Authority (Public Relations Office), Piazza Venezia no. 11 - 00187 Rome Phone: (+39) 06.69677.2917 E-mail: [urp@gpdp.it](mailto:urp@gpdp.it).

For any further questions or requests relevant to this privacy policy, please contact the DPO by writing to the following e-mail address: [dpo@rbtlegal.it](mailto:dpo@rbtlegal.it).

The details of the DPO are as follows: Federica Rambaldi, Via Uberto Visconti di Modrone 28, 20122 Milan.

### N.B.

#### **Right to object in specific cases pursuant to of article 21, paragraph 1, of the GDPR**

The Data Subject has the right to object, at any time, to the processing of any Personal Data concerning the same pursuant to article 6, paragraph 1, (e) of the GDPR (public interest) and article 6, paragraph 1, (f) of the GDPR (legitimate interests). This also applies to profiling pursuant to Article 4 paragraph 4, of the GDPR. If the Data Subject exercises its right to object, Previtalia shall no longer process the Personal Data unless the same demonstrates that there are 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.

#### **Right to object in the case of processing for direct marketing purposes as set forth by article 21 paragraphs 2 and 3, of the GDPR**

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