

PRIVACY POLICY
EXTERNAL SUPPLIERS

in accordance with Article 13 and Article 14 of Italian Law no. 171 of 21 December 2018 “Protection of natural persons with regard to the processing of Personal Data”

Preamble

This document is drawn up by the Central Bank of the Republic of San Marino (hereinafter “**CBSM**” or “**Controller**”), in its capacity of data controller and in compliance with the legislation in force on the protection of Personal Data, specifically Article 13 of Italian Law no. 171 of 21 December 2018 as amended, entitled “Protection of natural persons with regard to the processing of Personal Data” (hereinafter “**Law**”) and Article 13 of the EU Regulation 2016/679 (hereinafter “**GDPR**”). This document aims to provide information on the processing of the Personal Data that may be acquired for the establishment and management of contractual relationships between the Central Bank of San Marino and the suppliers or associated third-party companies. Personal Data (hereinafter “**Personal Data**”) are processed by CBSM and/or via third parties, by means of both electronic and non-electronic tools, for the purposes indicated below. To define **Personal Data**, reference is made to the UK GDPR: “*Personal Data means any information relating to an identified or identifiable natural person. An identifiable natural person is one who can be identified, either directly or indirectly, through identifiers 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*”. This privacy policy (hereinafter “**Policy**”) concerns the processing of Personal Data carried out by CBSM for the purposes described in the next Section.

SECTION 1 - IDENTITY AND CONTACT DETAILS OF THE CONTROLLER

Pursuant to Article 2 of the Law, the Data Controller acting for the purposes set out below is the Central Bank of the Republic of San Marino, whose headquarters and General Directorate are located at Via Del Voltone n. 120, 47890 – San Marino (Republic of San Marino).

For additional information, individuals can contact the Data Controller via email at privacy.titolare@bcsm.sm or by sending a written request to Banca Centrale della Repubblica di San Marino, Via del Voltone n. 120, 47890 – San Marino (RSM). Alternatively, the Data Controller can be contacted by phone at +378 0549 981010 or by fax at +378 0549 981019.

SECTION 2 - CONTACT DETAILS OF THE DATA PROTECTION OFFICERS

The Controller has appointed Ms Valentina Rabitti and Mr Nathaniel Casadei as “Data Protection Officers” (hereinafter, “**DPOs**”), in accordance with Chapter 4 of the Law. For all issues relating to the processing of Personal Data and/or to exercise the rights envisaged by the Law itself, listed in Section 10 of this Policy, please, send an email to privacy.dpo@bcsm.sm, or a letter to “Nova Poesis, Via Pomposa no. 43/I, 47924 – Rimini (IT)”, addressed to the DPOs.

SECTION 3 - TYPES AND SOURCE OF PERSONAL DATA SUBJECT TO PROCESSING

The Personal Data collected and processed by CBSM in the capacity of Controller for the performance of the Services detailed in Section 5 below may include personal details, residence and/or home address, mailing address, contact details, such as telephone number and email address, unique identification code – Social Security Number or equivalent code – and bank details. Certain specific activities (e.g., video surveillance at entrances) may involve the collection and processing of certain types of biometric data.

If the processing purpose is to protect the health of those who have access to the CBSM premises, "Special Categories of Personal Data" may be processed, namely those data revealing *“racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation”* which may be required pursuant to the Law. Only specifically appointed staff is authorised to process such data.

In the event that the CBSM becomes aware of data belonging to the abovementioned “Special Categories” which is unrelated to its specific purposes – possibly due to unsolicited communication from external guests or other sources – CBSM undertakes to retain such data without processing it, while ensuring that all the rights of the Data Subject under Chapter 3 of the Law are fully upheld.

SECTION 4 – PURPOSES AND LEGAL BASIS FOR THE PROCESSING

The Personal Data is collected and processed for the following purposes:

1. to comply with all operations imposed by regulatory obligations.
2. to perform operations that are essential for establishing contractual relationships, including gathering necessary preliminary information for contract initiation and fulfilment.
3. to manage interactions with the Supplier for purposes of administration, accounting, orders, shipping, invoicing, services, and handling disputes.
4. to assess the Supplier against quality and other criteria, including pre-contractual measures, to ensure contract performance and protect the legitimate interests of the Data Subject.

and they shall be processed in accordance with the principles of fairness, lawfulness, transparency, and respect for confidentiality and the Supplier’s rights.

For the purchase of products and services, resolution of both commercial and non-commercial disputes, and promotional activities, the sole Supplier’s Data shall be processed for the entire duration of the established contractual relationship. Processing may also extend to fulfil legal obligations and potential future commercial needs.

SECTION 5 - METHODS AND TYPES OF PROCESSING

The processing of Personal Data for the purposes set forth above is performed using both automated means, such as electronic or magnetic means, and non-automated means, such as paper-based processes, in compliance with the legal requirements of confidentiality and security established by regulations, internal rules, and the Law.

The processing of Data obtained from previous contractual or pre-contractual relationships does not require this privacy policy to be submitted again. However, it is always within the Data Subject's rights to request a copy again should a new relationship be established.

SECTION 6 - DISCLOSURE OF DATA

Without prejudice to communications required by legal obligations, all Personal Data collected and processed may be disclosed for the sole purposes specified above to the following categories:

- a. specifically authorised employees of the Controller (referred to as "Processing Officers").
- b. external parties who collaborate with the Controller, designated as either Processors or Authorised Parties operating under the authority of the Controller.
- c. professionals, consultants, and consulting companies providing IT and infrastructural support.
- d. professionals, service consortia, service companies, and consultants providing tax, commercial, and legal assistance.
- e. individuals authorised to access the data in accordance with the law, regulations, and Community legislation.

More specifically, based upon the roles and work duties carried out, employees are authorised to process the Supplier's Personal Data, within the scope of their job responsibilities and in conformity with the instructions provided by the Controller.

Any Personal Data disclosure to External Processors, professionals, consulting companies, etc. shall occur through the establishment of a specific contract of appointment outlining the roles and duties of the external entity in relation to CBSM, in order to guarantee compliance with the principles set forth by current Laws and the legislations.

We are pleased to provide the list of entities to which we disclose the Personal Data, along with the associated usage constraints, whenever needed. Such list is kept at the CBSM headquarters.

SECTION 7 - TRANSFER OF DATA TO THIRD COUNTRIES

The Controller does not transfer Personal Data to third countries or international organisations.

SECTION 8 – DATA RETENTION TIMES

Starting from their receipt/update, the Personal Data provided shall be stored in our archives for a period of time which is appropriate to fulfil the processing purposes indicated above.

The Personal Data shall be stored on paper and/or electronic media only for the time necessary to the purposes for which they were collected, in accordance with the principles of storage limitation and data minimization as outlined in Article 4, paragraph 1, letters c) and e) of the Law. The Personal Data shall be stored in order to comply with regulatory obligations and the aforementioned purposes, in accordance with the principles of indispensability, lack of excess, and relevance. CBSM may retain the Personal Data after the termination of the contractual relationship to comply with regulatory and/or post-contractual obligations. Thereafter, once the aforementioned reasons for processing are no longer applicable, the Personal Data shall be erased, destroyed, or simply stored anonymously. For further information, please, contact CBSM using the contact details provided in Section 10.

SECTION 9 – AUTOMATED DECISION-MAKING PROCESS

CBSM does not process Personal Data through any automated decision-making processes, including profiling as mentioned in Article 22 of the Law.

SECTION 10 – RIGHTS OF THE DATA SUBJECT

The Data Subject may exercise the following rights granted by the legislation on Personal Data Protection against CBSM at any time. To do so, the Data Subject must submit a specific written request to the Central Bank of the Republic of San Marino using one of the following means:

- recorded delivery letter addressed to Banca Centrale della Repubblica di San Marino, Via del Voltone no. 120 – 47890 San Marino (RSM)
- email to privacy.titolare@bcsn.sm
- fax to + 378 0549/882328

1. Right of access

The Data Subject shall have the right to obtain confirmation from CBSM of whether its Personal Data is being processed, and, if so, request access to the Personal Data and information envisaged by Article 15 of the Law. This includes obtaining information about the purposes pursued by the Data Controller, the categories of data involved, the recipients to whom the data may be disclosed, the applicable retention period, and the existence of automated decision-making processes, among others.

2. Right to rectification

The Data Subject has the right to obtain from CBSM, without undue delay, the rectification of their Personal Data, in case of inaccuracies. Additionally, considering the purposes of the processing, the Data Subject may request the completion of their data, if it is found incomplete, by providing a supplementary statement.

3. Right to erasure

The Data Subject has the right to request the erasure of their Personal Data from the Controller, if one of the reasons set forth by Article 17 of the Law applies. The Data Subject may exercise such right if their Personal Data is no longer necessary for the purposes for which it was collected or otherwise processed or if consent to the processing has been revoked and there is no other legal basis for processing their Personal Data. However, the revocation of consent shall not affect the lawfulness of any processing carried out prior to such revocation. Please, note that CBSM may not be able to erase your Personal Data if its processing proves necessary to comply with a legal obligation, for reasons of public interest, or for legal purposes such as establishing, exercising, or defending legal claims.

4. Right to restricted processing

The Data Subject may request that the processing of their Personal Data be restricted where one of the circumstances envisaged by Article 18 of the Law applies. This may include circumstances in which the Subject deems their data incorrect, or when the data is necessary for legal purposes such as establishing, exercising, or defending legal claims, even though CBSM no longer needs it for its original processing purposes.

5. Right to object

The Data Subject may object to the processing of their Personal Data at any time, especially if the processing is carried out for the performance of an activity in the public interest or for the pursuit of the Data Controller's legitimate interests, including profiling, as specified in Article 21 of the Law. Should the Data Subject decide to exercise their right to object, CBSM shall refrain from processing their Personal Data any further, unless there are compelling legitimate reasons for the processing which outweigh the interests, rights and freedoms of the Data Subject or for the establishment, exercise, or defence of legal claims.

6. Right to lodge a complaint with the Data Protection Authority

Without prejudice to the Data Subject's right to seek remedies in any other administrative or judicial authority, they may lodge a complaint with the Data Protection Authority if they believe that the processing of their Personal Data by the Controller violates the Law and/or the applicable regulations.