Autostrada del Brennero SpA
Brennerautobahn AG

# INFORMATION ON PERSONAL DATA PROCESSING DURING TENDER PROCEDURES
(EU Regulation 2016/679)

Autostrada del Brennero S.p.A. as Data Controller hereby informs you, pursuant to and in accordance with the Articles 13 and 14 of the EU Regulation 2016/679 regarding the protection of personal data (hereinafter referred to as the Regulation), that the personal data collected in the context of the tender procedures may be subject to personal data processing including data of representatives, spokespeople, employees or partners of the contractors.

## 1. Type of data processed

The following types of personal data may be subject to processing:

a) personal, identification and contact data (for example, name and surname, DOB, tax code, address, telephone numbers, residence, domicile);
b) information about convictions and offenses, as well as the existence of ongoing criminal proceedings derived from pending charge certificates for persons identified under Article 94 of the Legislative Decree of March 31, 2023 no. 36 (Public Contract Code);
c) suitable data certifying the possession of the requisites foreseen in the anti-mafia legislation (Legislative Decree no. 159/2011) and, in particular, certifying the absence or existence of lawsuits of suspension, forfeiture or prohibition set out in Article 67 and of attempted Mafia infiltration set out in Article 84 of the same Decree;
d) information specifically required by the selection procedure, such as professional requirements, academic and professional qualifications etc.

## 2. Purpose of the data processing

Personal data may be processed for the following purposes:

a) management of the tender procedure compliant with the applicable legislation;
b) ascertainment of the requirements laid out in the tender specifications, even in relation to technical competency or to any curricular requirements requested;
c) verification of possession of suitable requisites based on the self-declaration produced at the tender headquarters, and of any obligations foreseen in matters of sub contracts and works contracts;
d) fulfillment of requirements relating to obligations of publication as provided for in Legislative Decree of March 14, 2013 no. 33 and the legislation in force on matters of administrative transparency.

## 3. Lawful basis, conferment of the data and processing time limits

The data processing set out in points 2.a) and 2.b) is preliminary and prior to any establishment of a contractual relationship. The lawful basis of the processing in points 2.c) and 2.d) is the need to meet legal obligations which the Data Controller is subject to. The conferment of data is mandatory to achieve the purposes set out above; partial, inexact or lack of conferment will result in exclusion from the tender or forfeiture of the awarded contract. The data collected will be processed up until the conclusion of the administrative and selection procedure, and for the winning tender, for the entire length of the contractual relationship. Once the purposes of the processing have ceased, the data will be stored in compliance with the legislation in force on the storage of administrative documentation.

## 4. Recipients of personal data

The personal data provided will be processed by appointed and appropriately trained personnel who operate under the authority and management of the Data Controller. The members of the tender commission and persons, either public or private, entitled to know them based on specific laws or regulations, may become aware of the data. The information may also be transmitted, also in compliance with articles 35 and 36 of Legislative Decree 31 March 2023 unless otherwise provided for by legislation, to tender competitors or to other persons entitled under the laws governing the right of access to administrative documents. Some data may be published on the company website www.autobrennero.it and other media, based on the provisions in the legislation concerning legal publicity and publicity for the purposes of ensuring business transparency.
The personal data may also be processed by third parties who provide necessary services, among which certified digital procurement platforms, communication, email and mail delivery services, IT services and other service suppliers inherent in the aforementioned purposes. Only the data strictly necessary for execution of these operations will be communicated to these persons. The updated list of recipients and managers is available at the Data Controller's headquarters.

## 5. Data subject rights

The data subject may exercise the rights provided for in Chapter 3 of the Regulation.
In particular, the data subject has the right to ask the Data Controller for access to data collected on them, their correction or deletion, the updating of incomplete data and restriction of the processing. They have the right to receive the data in a commonly used and structured format, readable on an automatic device and the right to object to all or part of the use of the data as well as exercising the other rights granted by applicable legislation. These rights can be exercised upon presenting a specific request by post to the Data Protection Officer (DPO), domiciled for duties at the Data Controller's headquarters, or by sending an email to the following address: privacy@autobrennero.it.. Pursuant to the Article 77 of the Regulation, the data subject also has the right to lodge a complaint with the Data Protection Authority if they believe that the processing violates the Regulation.

## 6. Data Controller and Data Protection Officer

Data Controller for personal data processing is Autostrada del Brennero S.p.A. with headquarters in Via Berlino 10, 38121, Trento, Italy. The Data Protection Officer (DPO) is domiciled for duties at the Data Controller's headquarters and can be contacted by email at the address: privacy@autobrennero.it.