

**INFORMATION NOTICE  
PURSUANT TO THE APPLICABLE PRIVACY LAW<sup>1</sup>**

Dear user,

pursuant to Articles 13 and 14 of the Regulation (EU) 2016/679 on the protection of natural persons with regard to the Processing of Personal Data, as well as on the free movement of Personal Data and as Data Subject involved in the Processing of Personal Data, we provide you with the following information, in order to inform you about the following:

- the identity and the contact details of the Data Controllers;
- the purposes, methods and legal basis of the Processing;
- the nature of the provision of your Personal Data and the consequences of any refusal;
- the scope of Personal Data communication;
- how to exercise your rights;
- the retention period of your Personal Data.

**Joint Controllers**

- Leonardo – a joint stock company with registered office in Rome - 00195, Piazza Monte Grappa, 4, represented by the Processors of the *Acquisti* Units of the single divisions (hereinafter, “**LDO**”)
- Leonardo Global Solutions S.p.A with registered office in Rome - 00195, Piazza Monte Grappa, 4, represented by the Processor of the Business Unit *Acquisti* (hereinafter, “**LGS**”)
- Subsidiaries and/or affiliated companies, directly or indirectly, of LDO (hereinafter, the “**Operating Companies**”) that are parties to the Joint Controllers Agreement entered into by and between LDO and LGS, represented by the Processors of the Purchasing Units.

The complete list of Joint Controllers (the “**Joint Controllers**”) can be requested to each Joint Controller by contacting

- The Help Desk at the e-mail address [moc@leonardocompany.com](mailto:moc@leonardocompany.com) or by calling the free phone number 800591122 or for calls from abroad +390650264588;
- The Data Protection Officer of LDO and LGS, at the e-mail address [dpo.leonardo@leonardocompany.com](mailto:dpo.leonardo@leonardocompany.com) or by writing to the following address: Data Protection Officer (DPO) c/o Leonardo S.p.A. - Piazza Monte Grappa, 4 - 00135 – Roma.

**Categories of Data Subjects**

Data Subjects are all natural persons who, on their own capacity or representing legal entities, associations and bodies in general, take part in the prequalification and qualification processes, which are preparatory stages in respect of the participation in tenders and the signing of agreements with the Joint Controllers.

**Categories of Personal Data processed**

The following Personal Data, by way of example, will be processed: name, surname, place and date of birth, address, résumés, role covered in the company, e-mail address and telephone number, tax code and/or VAT number, data that can be obtained from the identity document of

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<sup>1</sup> “**Applicable Privacy Law**” means the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and the free movement of such data as subsequently amended and integrated (hereinafter, the “**GDPR**”), the European and Italian legislation that integrates it and the provisions of the Italian Data Protection Authorities, where applicable.



the subject signing the supplier's self-certification requested during the pre-qualification, qualification and tender procedures.

According to Article 46 of the Italian Presidential Decree No. 445/2000 Personal Data relating to criminal convictions and offences could be directly collected by asking the Data Subjects to provide a self-certification.

Personal Data relating to criminal convictions and offences could be further collected and processed by Joint Controllers (*i*) in relation to the participation of Leonardo Group in tender procedures regulated by the Italian Legislative Decree No. 50/2016 (hereinafter, the "**Italian Public Procurement Code**"), and (*ii*) in order to gather information that Leonardo Group is obliged to provide to the contracting authority. Within this context, Leonardo Group could be obliged to demonstrate that there is no reason for excluding itself and possible subcontractors from the tender according to Article 80 of the Italian Public Procurement Code. Such need could justify the collection of Personal Data relating to criminal convictions and offences.

Finally, Joint Controllers could process also information relating to the Data Subjects' financial and economic reliability gathered from public sources or publically available (e.g. archives, press), as well as information gathered from operators providing commercial information on the basis of a valid and effective authorisation or licence.

Personal Data relating to criminal convictions and offences will be processed only if there is an explicit provision of the Applicable Privacy Law and/or other laws.

If Joint Controllers process Personal Data according to Article 9 GDPR gathered from you or other sources, the processing will take place according to your specific consent and/or according to hypothesis prescribed by the Applicable Privacy Law.

### **Purposes and legal basis of the Processing**

LDO and LGS, belonging to the Leonardo Group, set up the Database called SUPPLIERS' REGISTER OF LEONARDO in which respect, together with Operating Companies which are parties to the Joint Controllers Agreement, are Joint Controllers of the Processing of the data contained therein, due to the purposes of unitary management of the purchase process.

The procurement activities of the Leonardo Group companies are managed by LGS and the *Acquisti* Units of every single divisions/Operating Companies subsidiaries and/or affiliated of LDO, each for its area of competence.

Your Personal Data will be processed by the Joint Controllers, within the relevant activities, for the purposes of prequalification and qualification processes, which are preparatory stages in respect to the participation in tenders and the signing of agreements with the same Joint Controllers, and for the purposes indicated in this information notice:

- a) on the basis of the specific prior consent pursuant to Articles 6, letter a) and 7 of the GDPR for the following purposes: to manage i) the stage concerning the registration on the web portal "Suppliers' register of Leonardo" and the spontaneous application, ii) the pre-qualification, qualification and tender procedures and iii) any further actions which are preliminary in respect to the participation in tenders and the signing of agreements with LDO or its subsidiaries or affiliates companies. The consent to the processing of Personal Data for the aforementioned purposes is not mandatory, but, in case it is not provided, the Suppliers cannot register on the web portal "Suppliers' register of Leonardo" and participate in any suppliers' selection procedure;
- b) on the basis of contractual obligations, without the explicit consent of the Data Subjects, pursuant to and for the purposes prescribed by Article 6, letter b), of the GDPR:
  - (i) for purposes strictly related to the performance and management of the contractual relationship with the Joint Controllers, in case a contract is awarded or directly assigned, from which the Data Subjects acquire rights and obligations, or at the fulfillment of all preparatory evaluations to the conclusion of an agreement with and/or on behalf of the Data Subjects;



- (ii) in compliance with pre-contractual obligations arising from the contractual documentation;
- c) on the basis of obligations deriving from national laws and regulations, EU legislation, provisions issued by authorities legitimated by law or other supervisory and control bodies, for example in anti-corruption matters and administrative responsibility of the entities, without the express consent of the Data Subjects pursuant to and for the purposes of Article 6, letter c), of the GDPR, with the purpose of fulfilling the mandatory communications and any further obligation.

### **Modalities of the Processing**

The Processing will be carried out in compliance with the Applicable Privacy Law according to the principles of correctness, necessity, lawfulness, transparency and protection of your confidentiality.

In relation to the aforementioned purposes, the Processing will be carried out by means of operations or set of operations set forth by the Applicable Privacy Law, in particular by Article 4, paragraph 1, number 2) of the GDPR - according to the principle of necessity as per Article 5 of the GDPR – and it will ensure the security and confidentiality of the Data.

Your Personal Data will also be kept in such a way as to minimize the risk of destruction, loss, alteration, unauthorized access, Processing activities not allowed and not in accordance with the purpose of the collection.

### **Categories of subjects to whom Data can be communicated and transfer of Personal Data to third countries**

Your Personal Data will not be disseminated (*i.e.*, disclosure of Personal Data to not identified subjects, in any form, including by making them available or through consultation), without prejudice to the case of disclosure requested, in accordance with the law, by any police body, judicial authority, security organization or other public entity for the purposes of defense or security of the State or prevention, assessment or suppression of criminal offenses.

In pursuing the purposes described above or if required by law, your Personal Data may be communicated or shared with third parties, including public and/or private organizations in order to fulfill obligations provided by law, as well as in the context of the supply by such third parties of IT or storage services instrumental to the activities of the Controller.

Each Joint Controller will process your Personal Data through its duly authorized personnel, only to the extent necessary and on the basis of specific instructions of each Joint Controller, with confidentiality guarantee.

In particular, your Personal Data will be processed by the Joint Controllers also through other subjects who will act as Data Processors or in the capacity of Persons in Charge of the Processing. In such context and for the purposes described herein, your Personal Data may be transferred to non-EU countries, in which case the Joint Controllers undertake to comply with the Applicable Privacy Law and to ensure that the recipient meets the same standards provided by the European Union legislation.

In particular, the employees or collaborators of the business units involved in the pre-contractual and contractual relationships between the supplier and the Leonardo Group (*e.g.* Purchases, Administration, Help Desk, etc.) may have knowledge of the Data.

### **Data Processors**

The Joint Controllers, each for their own area of competence, appointed several Processors for the Processing of Personal Data. The complete list of designated Processors can be found at the specific Help Desk at the e-mail address [moc@leonardocompany.com](mailto:moc@leonardocompany.com) or by calling the free-phone number 800591122 or for calls from abroad +390650264588, as well as contacting the DPO at the e-mail address [dpo.leonardo@leonardocompany.com](mailto:dpo.leonardo@leonardocompany.com) or by writing to the following address: Data Protection Officer (DPO) c/o Leonardo S.p.A. - Piazza Monte Grappa, 4 - 00135 - Roma.



## **Rights of the Data Subject**

Pursuant to Article 26 of the GDPR, you may exercise your rights under the Applicable Privacy Law, in respect of each Joint Controller. In particular, pursuant to Article 15 ff. of the GDPR, you may:

1. ask each of the Joint Controllers to confirm the existence of your Personal Data, the origin of such Data, the ground and the purposes of their Processing, the categories of subjects to whom the Data may be communicated, as well as the identification details of the Joint Controllers and of the relevant Processors;
2. request access to your Personal Data, transformation into anonymous form, blocking, correction, updating, integration, of such data or the limitation of their Processing;
3. oppose to the Processing of your Personal Data, for any reason connected to your particular situation, within the limits set forth by the Applicable Privacy Law and, in particular, object, at any time, to the sending of communications and/or informative material by the Controller (opt-out right) pursuant to Article 17 of the GDPR, through the “Delete” function contained in the lower part of each electronic communication received from the Joint Controllers or by sending an explicit request to the email [moc@leonardocompany.com](mailto:moc@leonardocompany.com);
4. exercise the right to portability, within the limits set forth by Article 20 of the GDPR;
5. withdraw your consent at any time (where this is the legal basis of the Processing), without prejudice to the lawfulness of the Processing based on consent before revocation;
6. lodge a complaint with the Italian Data Protection Authority, following the procedures and instructions published on the official website [www.garanteprivacy.it](http://www.garanteprivacy.it).

Any modification or cancellation or limitation to the Processing carried out upon your request - unless this is not impossible or involves a disproportionate effort - will be communicated by the Joint Controllers to each of the recipients to whom your Personal Data have been communicated. The Joint Controllers may notify you of these recipients upon your request.

You may exercise your rights as indicated above, as well as ask for any information regarding our privacy policy, by contacting the Help Desk at [moc@leonardocompany.com](mailto:moc@leonardocompany.com) or by calling the free-phone number 800591122 or for calls from abroad +390650264588 or the DPO (at the e-mail address [dpo.leonardo@leonardocompany.com](mailto:dpo.leonardo@leonardocompany.com)).

## **Nature of the provision of Data and consequences of any refusal to respond**

The provision of your Personal Data is necessary for the achievement of the purposes indicated herein and, therefore, failure to provide the Personal Data indicated as mandatory will make it impossible the prequalification and qualification activities which are preliminary stages in respect of the participation in tenders and the signing of agreements.

## **Personal Data retention period**

Your Personal Data will be stored by the Joint Controllers for the time strictly necessary for the purposes according to which they were collected and will be deleted after 10 years from their collection in the Database called SUPPLIERS' REGISTER OF LEONARDO of the Joint Controllers. If your Personal Data are collected when LDO and/or LGS are entering a contract with you, such Data will be erased after years starting from the expiring date of the aforementioned contract.