







	<b>Privacy notice GDPR EU 2016/679</b>		
	<b>EDITION November 2022</b>	<b>REVISION 3</b>	<b>Page 1/3</b>
	<b>Parties concerned</b> Hera Group Suppliers undergoing qualification, contract development and vendor rating.		


Protocol no..... date .....







 <b>Concerned parties</b>	Hera Group Suppliers receive this information		
 <b>Data controller</b>	HERA S.p.A. with registered office in Bologna, Viale Berti Pichat 2/4, Tel. 051.287111		
 <b>Data protection officer</b>	The DPO is the Head of the Privacy, Information Security Compliance and Regulatory QSA department of Hera S.p.A., who may be contacted at Hera S.p.A., Viale Carlo Berti Pichat no. 2/4, 40127 Bologna or by email at: <a href="mailto:dataprotectionofficer@gruppohera.it">dataprotectionofficer@gruppohera.it</a>		
<b>Personal data processed</b>	<p>The subject of this Privacy notice is the processing of the following personal data, indicatively and not limited to:</p> <p> <b>Common personal data:</b></p> <ul style="list-style-type: none"> <li>- surname, first name and place of birth</li> <li>- tax code and/or VAT number</li> <li>- company name</li> <li>- telephone number/email address and fax number if applicable</li> <li>- address of supplier's premises</li> </ul> <p>and any other data required for the fulfilment of the relationship between the Parties (e.g. data deriving from the technical and economic offer as well as from the declarations of commitment, including with regard to the subcontracting reserve made within the framework of the procedure for identifying the contractor prior to the establishment of the contractual relationship). After the establishment of the contractual relationship, further personal data will be requested, consistent with the purposes set out below and the related legal provisions.</p> <p> <b>Personal data relating to criminal convictions and offences:</b></p> <ul style="list-style-type: none"> <li>- anti-mafia certifications and white list registrations</li> <li>- criminal record certification</li> <li>- certification of pending charges</li> <li>- certification of administrative penalties dependent on crime</li> </ul>		
 <b>Personal data obtained from third-party sources</b>	<p>Data obtained from third-party sources is collected by querying special databases, The list below meets the requirements of the regulations currently in force:</p> <ul style="list-style-type: none"> <li>▪ judicial data, requested from a court and contained in: criminal records; pending charges; administrative penalties dependent on crime;</li> <li>▪ anti-mafia prevention measures, verified by querying: national anti-mafia database; public white lists at prefectures;</li> <li>▪ data on fiscal compliance, requested from the national tax authority;</li> <li>▪ data on the compliance with Law 68/99 (employment of disabled persons), requested from the appropriate Provincial Labour Directorate;</li> <li>▪ data on professional offences, verified by querying the Register of confidential records of Companies at the A.N.AC;</li> <li>▪ data on the SOA certificates held by companies, by querying the public database at the A.N.AC;</li> <li>▪ data on the registration of companies in the National Register of Environmental Managers, by querying the public database;</li> <li>▪ data on the fiscal compliance of companies (INPS, INAIL, Construction Mutual Fund), by querying the DURC database;</li> <li>▪ data on the fiscal compliance of companies (with compulsory membership of private-law social security funds), requested from the respective social security funds;</li> <li>▪ other data may be collected from databases and systems (e.g. Cribis, Cerved, etc.) for the purpose of gathering information on the economic operator (Chamber of Commerce company registration, bankruptcy proceedings, etc.).</li> </ul>		
 <b>Legal basis</b>	<u><b>Legal basis</b></u>	<u><b>Purpose</b></u>	<u><b>Nature of conferral</b></u>

The icons included in this Privacy notice were elaborated by Atlantic S.r.l. within the framework of the "Clear notices" contest launched by the Privacy Authority (<https://www.garanteprivacy.it/temi/informativechiare>). The icons may be used by anyone, according to the terms of the CCBY licence found at the following link: <https://creativecommons.org/licenses/by/4.0/deed.it>.

**Parties concerned** Hera Group Suppliers undergoing qualification, contract development and vendor rating.

 <b>Purposes</b>   <b>Nature of conferral</b>	<p><b>Fulfilment of a legal obligation to which the Data controller is subject</b></p> <p><b>Pre-contractual / Contractual</b></p>	<ul style="list-style-type: none"> <li>a) Registration and ongoing presence in the "List of Qualified Suppliers" concerning all Group Suppliers, including checking the contents of self-declarations.</li> <li>b) Verification of the application to participate in public tendering/public procurement procedures, including checking the contents of the technical requirements of self-declarations.</li> <li>c) Verification/proof of the requirement of moral suitability, in the meaning defined by the Public Contracts Code: verification of pending charges; verification of criminal record; checks on anti-mafia communications and certifications.</li> <li>d) Carrying out pre-contractual and contractual relations in compliance with the applicable regulations (e.g. Public Contracts Code, Italian Civil Code, etc.).</li> <li>e) Verification of compliance with contractual obligations in accordance with applicable regulations (e.g. Public Contracts Code, Civil Code, etc.).</li> <li>f) Supplier Evaluation;</li> <li>g) Ascertainment/evidence of the existence of any insolvency proceedings;</li> <li>h) Protection of rights in the event of disputes and management of litigation (breach of contract; warnings; settlements; debt collection; arbitration; litigation; etc.).</li> <li>i) Fulfilment of accounting, payroll and tax obligations.</li> <li>j) Compliance with the provisions contained in the Code of Ethics and the Organisation, Management and Control Model adopted for the prevention of offences pursuant to Legislative Decree No. 231/2001 et seq.</li> </ul>	<p>The conferral of data is voluntary but necessary to allow the Data controller to establish and manage legal relations with the Supplier indicated in the purposes. Failure to provide the data will prevent their entry in the List of Qualified Suppliers and/or participation in public procedures and/or establishment of the contractual relationship.</p>
 <b>Processing methods</b>	<p>The personal data collected will be processed by electronic means and on paper, using all appropriate measures for the data's security and confidentiality.</p>		

	<b>Privacy notice GDPR EU 2016/679</b>	
	<b>EDITION November 2022</b>	<b>REVISION 3</b>
	<b>Page 3/3</b>	
<b>Parties concerned Hera Group Suppliers undergoing qualification, contract development and vendor rating.</b>		

 <b>Recipients</b>	<p>The data will only be processed by persons authorised and formally entrusted with these tasks, who have been identified, instructed and made aware of the constraints required by law.</p> <p>All or part of the processing may be carried out by third party companies, belonging or not to the Hera Group, which will act as external data processors (e.g. assistance and contact centre, IT systems management, contractual documentation verification services).</p> <p>Personal data may be communicated to Hera Group companies and/or third parties contractually bound to the Group companies (such as banking and credit institutions, legal/fiscal consultants, etc.).</p> <p>In the event that a contractual relationship is established with one or more Group Companies, the data will be communicated to the staff of these companies for the purpose of fulfilling the contractual relationship (e.g. to the Contractual Referents).</p> <p>The data may be disclosed to public bodies / public administrations / authorities and supervisory and control bodies.</p>
 <b>Circulation</b>	<p>The data will not be circulated.</p>
 <b>Data transfers outside the European Union - European Economic Area</b>	<p>Personal data may be transferred to countries outside the EU/EEA, in accordance with the applicable legal provisions, if necessary by entering into agreements that guarantee an adequate level of protection and/or by adopting the standard contractual clauses provided by the European Commission, in compliance with Articles 45, 46, 47 and 49 of the GDPR.</p>
 <b>Data retention period</b>	<p>The data will be kept for the duration necessary for the fulfilment of the contractual obligations and the consequent legal obligations and in any case no longer than 40 years from the expiry of the last contract to which the Supplier is a party.</p>
 <b>Rights of the data subject</b>	<p>You have the right to obtain, in the cases provided for, access to and rectification or erasure of your personal data or restriction of their processing, or to object to their processing (<i>Art. 15 et seq. of EU REG 2016/679</i>) by contacting the Data controller directly, by email at <a href="mailto:fornitori@gruppohera.it">fornitori@gruppohera.it</a>.</p>
 <b>Right to lodge a complaint with the Control Authority</b>	<p>The data subject also has the right to lodge a complaint with the competent Supervisory Authority</p>

**Hera S.p.A. - Corporate Services - Purchasing and Procurement Department**

**Director Marco Del Giaccio**

Signature -----