

PRIVACY NOTICE ON THE PROCESSING OF PERSONAL DATA

pursuant to Article 13 of EU Regulation No. 679/2016

Preliminary Information

This notice is issued by L'ARCATA S.A.S. di Elena Gaboreanu (VAT number 06485660721), with registered office in Rimini (RN), Via Porto Palos 38, 47922 (hereinafter the "Data Controller"), owner of the restaurant "La Nave", taking into account Legislative Decree 196/2003 (Italian Privacy Code) as amended by Legislative Decree No. 101 of 10 August 2018 to align national legislation with the provisions of EU Regulation 2016/679 (GDPR).

It is provided to Customers, as data subjects (individually, the "User"), in connection with the processing of personal data carried out by the Data Controller for the management of its business, bookings, the services offered and commercial contacts with its clientele.

This notice is provided by means of paper forms and/or electronic tools, including via any links that the User may consult on the Data Controller's website when requesting the services offered, namely:

- a. to Users who use the Data Controller's website to request information or book a table;
- b. to Users who voluntarily provide their own data, via their mobile device, in order to make use of services such as the free Wi-Fi connection inside the venue;
- c. to Users who, when physically present at the venue, spontaneously provide their own data, including in order to receive newsletters, commercial communications and/or advertising material about products or services offered by the Data Controller.

Provisions

1. Data Controller

The Data Controller is L'ARCATA S.A.S. di Elena Gaboreanu (VAT number 06485660721), which can be contacted as follows:

postal address: Via Porto Palos 38, 47922 Rimini (RN)

email address: info@lanaverimini.it

2. Collection of data

The personal data processed are collected by the Data Controller for the management of bookings and/or to allow the User to make use of other services offered, for example to make use of the free Wi-Fi service inside the venue.

3. Data subject to processing

Without prejudice to the fact that the expression "common data" means any information concerning an identified or identifiable natural person, such as name, surname, contact details, residence, etc., and that the expression "sensitive/special data" means any information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, as well as genetic data, biometric data intended to uniquely identify a natural person, data concerning health or a person's sex life or sexual orientation;

the personal data that will be processed are the User's common identification and contact data, as well as other data instrumental to the requested service. In relation to specific needs expressed by the User at the time of booking (for example in the Notes field), the Data Controller may also collect and process the User's sensitive/special data, such as health data or data relating to the User's state of health (for example, any food allergies or intolerances). In any case, outside the cases of derogation, such data may only be processed with the written or equivalent consent of the User ("equivalent consent" also means the expression of will online through procedures such as clicking on web page buttons of the type "I accept", "Submit", etc., or ticking boxes next to the wording "I consent to the processing") and in compliance with the applicable regulations on the processing of personal data.

The purposes of the processing of sensitive data/special categories are connected solely to the management of the booking (processing of data likely to reveal racial or ethnic origin in the case of the name of a foreign User booking the table, processing of data likely to reveal religious, philosophical or health-related beliefs in the case of information provided in the Notes field by the User booking via the website, and the like). In any case, the Data Controller will process — where applicable — only the data essential for the purposes for which processing is permitted and which cannot be fulfilled, case by case, by processing anonymous data or personal data of a different nature.

4. Browsing data

Where the User's data is collected digitally, via computer devices such as PCs or smartphones, i.e. in the cases referred to in points a) and b) of the Preliminary Information above, the Data Controller will also collect and process the User's browsing data, the transmission of which is implicit in the use of Internet communication protocols.

The use of cookies and other digital tools with a similar function is described in more detail in the dedicated cookie policy, available online on the Data Controller's website, in the relevant section.

5. Primary purposes of the processing

The primary purpose of the processing is to allow the User to book a table or to make use of the free Wi-Fi service inside the venue.

The further purposes for which the Data Controller collects the data are:

- a. fulfilment of legal, accounting, tax, administrative and contractual obligations connected to existing or future relationships, or to the provision of the requested services;
- b. implementation of measures for the protection of staff against any unlawful or fraudulent acts committed by Users, or otherwise in breach of the service offered or of legal rules or principles of proper conduct in commercial relations, including activities and processing aimed at identifying the person responsible for such acts and at retaining the relevant information for subsequent legal or other protective action by the Data Controller;
- c. collection, storage and processing of the data provided by the User in order to carry out statistical analyses in anonymous and/or aggregated form, without the possibility of identification, aimed at verifying the quality of the services offered;
- d. to communicate with Users by email or telephone regarding the booking made.

5.1 Mandatory or optional nature of consent for pursuing the primary purposes of the processing of personal data

The provision of data, although not obligatory, is necessary and essential in order to manage and finalise the booking, as well as to make use of the other services described above. The Data Controller is therefore not required to obtain the User's specific consent to the processing, since it responds to specific requests made by the data subject.

Where the User does not wish to provide the personal data requested and necessary for the booking, this will result in the impossibility of proceeding with their request.

6. Secondary purposes of the processing of personal data for promotional, advertising and marketing purposes

The personal data collected may also be processed, both in paper form (e.g. completion of forms and similar paper documents at the Data Controller's premises and subsequent electronic use) and in automated/computerised form, for the following purposes, as provided for by the applicable regulations on commercial promotion, advertising communication, solicitation of purchasing behaviour, market research, surveys (including by telephone, online or by questionnaire), statistical processing (in identifiable form) and marketing in the broad sense, of products and/or services attributable to the Data Controller (hereinafter, collectively, "Marketing Processing"). By providing consent to the Marketing Processing — according to the procedures made available from time to time on the Data Controller's website or directly at its business premises, where it will be possible to collect specific informed marketing consent — the User specifically acknowledges such promotional, commercial and marketing purposes of the processing and expressly authorises the Data Controller.

Pursuant to the applicable regulations on "Consent to the processing of personal data for direct marketing purposes through traditional and automated contact tools", Users' attention is specifically drawn to the fact that:

- a. any consent given to the sending of commercial and promotional communications, by means of email, SMS, automated systems without operator intervention and the like, will entail the receipt of such communications not only through such automated contact methods, but also through traditional methods, such as communications by post or calls made by an operator;
- b. the User's right to object to the processing of their personal data for "direct marketing" purposes through the above-mentioned automated contact methods will in any case extend to traditional methods as well, and, even in that case, the right to exercise such objection remains in part, both with respect to certain means and with respect to certain processing;
- c. the User who does not wish to give consent on the terms indicated above nonetheless retains the possibility of expressing a wish to receive communications for the above marketing purposes exclusively through traditional contact methods, where provided: such wish may be exercised free of charge by sending a simple email to the Data Controller's address;
- d. the specific consent formula will be single and comprehensive and will refer to all possible means of marketing processing and to all the different marketing purposes set out here, without prejudice to the User's ability to notify the Data Controller at any time of a different, selective wish as regards consent to or refusal of consent for individual marketing purposes.

In order to proceed with Marketing Processing, it is mandatory to obtain specific, separate, express, documented, prior, informed, free and entirely optional consent. Consequently, where the User decides to give such specific consent, they must be informed in advance and aware that the purposes of the processing pursued are of a specifically commercial, advertising, promotional and marketing nature in the broad sense. In the interest of transparency, we inform you that the data will be collected and processed on the basis of specific consent given:

1. to send to those who have given informed consent advertising and informational material of a promotional nature or otherwise constituting commercial solicitation;
2. to carry out direct sales or placement activities for products or services of the Data Controller;
3. to send commercial information; to carry out interactive commercial communications by email;
4. to develop studies, research, market statistics and to carry out surveys, inquiries and studies, whether by telephone or by electronic means of communication.

With reference to the sending of newsletters by email, to which the User may consent, we also inform you that the electronic content of such promotional communications may be supported by software (such as cookies or web beacons) capable of making certain parameters known to the Data Controller, such as, by way of example: the time the newsletter was opened, pages viewed, links clicked, links to the Data Controller's websites accessed directly from the newsletter. Such parameters, which will not constitute profiling of the recipient, are intended to make certain statistical data known to the Data Controller regarding bookings for services generated from different sources.

By giving optional consent, the data subject specifically acknowledges and authorises such further, possible secondary processing.

In any case, even where the User has given consent authorising the Data Controller to pursue all the purposes referred to in points 1 to 4 above, they will remain free at any time to withdraw it, by sending, without any formality, a clear communication to that effect to the Data Controller's contact details. Upon receipt of such request, the Data Controller will promptly remove and delete the data from the databases used for Marketing Processing and will inform, for the same purposes of deletion, any third parties to whom the data may have been disclosed. The mere receipt of the deletion request will automatically serve as confirmation that deletion has taken place.

6.1 Mandatory or optional nature of consent for marketing purposes

The provision of personal data to the Data Controller and the giving of consent to Marketing Processing, for the purposes and in the manner described above, are entirely optional and voluntary (and may be withdrawn without formality even after having been given, by sending a communication to the Data Controller's contact details). Failure to provide such data will not prejudice the pursuit of the primary purposes of the processing referred to in paragraph 5, but will result solely in the Data Controller's inability to carry out the marketing processing referred to above.

7. Recipients of the data

The personal data collected will be processed within the Data Controller's business by staff who are strictly authorised and duly instructed in relation to their respective duties.

Outside the business, the data may instead be disclosed to and processed by natural and/or legal persons engaged to carry out, on behalf of the Data Controller, activities necessary and/or instrumental to ensuring its operation (e.g. IT service providers, website hosting and management). The updated list of Data Processors appointed and authorised to process personal data is kept at the Data Controller's premises and may be consulted upon request.

The personal data processed will not be disseminated but may be disclosed to inspection bodies responsible for checks and controls relating to compliance with legal obligations.

8. Processing of data subjects' personal data for commercial profiling purposes

It is possible that, for marketing purposes and in order to improve its services, the Data Controller may carry out processing of so-called "profiling" data. In accordance with the applicable regulations on the protection of personal data, profiling activity may concern "individual" personal data or "aggregated" personal data derived from detailed individual personal data of the User.

To clarify what "profiling" consists of, reference may be made, by way of example, to the following parameters:

- the data are structured and coordinated on the basis of predefined parameters identified from time to time, depending on business needs (regardless of marketing, contractual, administrative purposes, etc.);
- the source data, considered individually, may include personal information of a varied nature, but it is only following profiling (i.e. structuring according to predetermined parameters) that it is possible to derive further indications attributable to each User (i.e. the "profile": for example, frequency of visits, preferred services, commercial attitude) that would not derive from the mere informational nature of the data considered individually;
- furthermore, profiling in the strict sense provides added value deriving from the multiple correlations that can be established between the individual data collected, in order to derive further useful information. The elements underlying profiling processing are therefore: 1) the predetermination of the parameters for structuring the individually considered data; 2) the comparison, cross-referencing and correlation of such data with one another and the comparative analysis carried out on the basis of predefined parameters; 3) the obtaining of a profile that makes it possible to identify Users and additional analytical indications compared with the individual data relating to their personal sphere (tastes, preferences, habits, consumption choices) and enables a mapping/segmentation into homogeneous behavioural groups to be generated.

The processing described above will hereinafter be collectively referred to as "Profiling Processing".

In order to proceed with Profiling Processing, it is mandatory to obtain specific consent, separate (including from the marketing consent referred to in paragraph 6), express, documented, prior and entirely optional. The Data Controller may carry out the following Profiling Processing, such as in the case of detection of:

- number and type of bookings made within a predetermined time frame;
- frequency of use of the services;
- other indices likely to highlight consumption tastes and habits.

Consequently, where the User decides to give such specific consent, they must be informed in advance and aware that the purposes of the processing pursued are of a specifically commercial, advertising, promotional and marketing nature in the broad sense, based on Profiling Processing. The data collected on the basis of specific consent may be subject to Profiling Processing for the same purposes referred to in paragraphs 6 and 8 of this notice, while the scope of disclosure will where applicable be the same as already set out for Marketing Processing in paragraph 6.1.

8.1 Mandatory or optional nature of consent for profiling purposes

The provision of the User's personal data to the Data Controller and the giving of consent to Profiling Processing are entirely optional and voluntary (and may in any case be withdrawn without formality even after having been given, by sending a communication to the Data Controller), and failure to provide such data will not prejudice the pursuit of the primary purposes of the processing referred to in paragraph 5, but will result solely in the Data Controller's inability to carry out the profiling processing referred to above.

9. Any indication by the User of personal data of third parties (other data subjects)

The User acknowledges that any indication (for example, when filling in the booking form on the website) of personal and contact data of any third party other than the User constitutes a processing of personal data in respect of which the User acts as an independent Data Controller, assuming all the obligations and responsibilities provided for by the applicable regulations. In this respect, the User guarantees to the Data Controller that any data of third parties so indicated (and which will consequently be processed as if the third party had personally given informed consent to the processing) has been obtained by the User in full compliance with the applicable regulations. On this point, the User grants the broadest indemnity in respect of any dispute, claim or request for compensation for damages arising from processing, etc., that may be made to the Data Controller by any third party concerned as a result of the provision of the data indicated by the User in breach of the applicable rules on the protection of personal data.

10. Transfer of data to a third country

The User's personal data is processed and stored on servers located within the European Union. The Data Controller does not routinely transfer the personal data collected to third countries outside the EU.

Should the Data Controller, in the future, make use of service providers with a registered office or infrastructure outside the European Union, the transfer will take place in compliance with the applicable regulations on the protection of personal data and through the adoption of the safeguards provided for by the GDPR, including, where necessary, the Standard Contractual Clauses (SCC) approved by the European Commission or other legal instruments suitable for guaranteeing an adequate level of protection of personal data.

The Data Controller adopts appropriate technical and organisational measures to ensure the security, integrity and confidentiality of the personal data processed.

11. Data retention and security measures

The data will be stored for the periods established by the applicable regulations, on servers located in European Union countries that guarantee adequate security measures. In any case, the retention period for the User's data will be exclusively represented by the time necessary to pursue the primary purposes indicated above in paragraph 5, except in the case of express and specific consent also in relation to the operations referred to in paragraphs 6 and 8 (marketing, profiling), in which case the data will be processed until subsequent withdrawal of consent and in any case in compliance with legal time limits. As soon as the aforementioned obligations have been fulfilled, the User's data will in any case be deleted, except for retention in accordance with different legal time limits applicable to the deed and/or document containing the data.

12. Exercise of rights by the User/data subject

At any time, the User may — without any formality — exercise their rights under the applicable regulations, as set out below. The exercise of such rights is not subject to any formal requirement. It will be sufficient to make a request to the Data Controller's contact details set out in paragraph 1.

Rights of the data subject

The data subject/User may exercise the right to:

- a. request confirmation of the existence or otherwise of their own personal data and, if so, obtain access to such data and to all information relating to the processing itself;
- b. obtain rectification of the data and erasure of the data;
- c. obtain restriction of processing;
- d. obtain data portability, that is, to receive the data from the Data Controller in a structured, commonly used and machine-readable format, and to transmit it to another data controller without hindrance;
- e. object to the processing at any time, including in the case of processing for direct marketing purposes;
- f. withdraw consent at any time without prejudice to the lawfulness of processing based on consent given before its withdrawal;
- g. lodge a complaint with a supervisory authority.

13. Changes

In compliance with the applicable regulations on the protection of personal data, the Data Controller reserves the right to make changes to this notice at any time, giving appropriate notice to Users and in any case guaranteeing adequate and equivalent protection of personal data. In order to view any changes, the User is invited to regularly consult this notice, which in any case indicates the date of the last update.