

## COOKIE POLICY

ASSOCIAZIONE MUSICALE E CULTURALE ARS AETERNA, (Tax code and VAT no.: 03702890132) (hereinafter the "ASSOCIATION"), in the person of its legal representative pro tempore, with registered office in Tramezzina (CO), via Stazione, 11, in its capacity as Data Controller pursuant to Articles 4 no. 7) and 24 of EU Regulation no. 2016/679 (GDPR), illustrates below the cookie policy ("Policy") referring only to this website (Site).

### 1. Legal framework

1.1. The Policy is based on the following EU and/or national (first and/or second level) regulatory provisions: (i) Directive no. 2002/58/EC of 12.7.2012 (the "ePrivacy Directive"), as amended by Directive no. 2009/136/EC; (ii) Art. 122 of the new Legislative Decree no. 196/2003 (Privacy Code), which transposed the ePrivacy Directive into the national legal system; (iii) GDPR: Articles 4 no. 11), 7, 12, 13, 25 and 95 (as well as, in particular, Recitals no. 30, 32 and 173); (iv) Guidelines no. 5/2020 adopted on 4.5.2020 by the EDPB, replacing the Guidelines of 10.4.2018 signed by WP Art. 29; (v) Measure No. 231 of 10.6.2021 [web doc. no. 9677876] signed by the Italian Data Protection Authority (Garante Privacy); (vi) Recommendation No. 2/2001 of WP Art. 29; (vii) Opinion No. 2/2010 of WP Art. 29; (viii) Opinion No. 4/2012 of the WP Art. 29; (ix) Guideline No. 8/2020 of the EDPB; (x) Measures No. 224 of 9.6.2022 [web doc. No. 9782890], No. 243 of 7.7.2022 [web doc. No. 9806053] and No. 254 of 21.7.2022 [web doc. No. 9808698] signed by the Garante Privacy; Guideline No. 2/2023 of the EDPB adopted on 7.10.2024.

### 2. Cookies and other tracking tools: definition and classification.

2.1. The "cookies"<sup>1</sup> are, as a rule, strings of text that a website ("publisher" or "first party") visited by the user or a different website ("third party") places and stores, directly (in the case of the first party website) or indirectly (through the latter, in the case of the third party website), in a terminal device available to the user. 4 no. 1) of the GDPR (e.g. IP address; user name; email address; unique identifier) as well as non-personal data ex art. 3 no. 1) of EU Regulation no. 1807/2018 (e.g. language; type of device used).

Alongside (or in addition to) them, 'other tracking tools' may exist (and therefore be used), which can be subdivided into 'active' (which have almost the same characteristics as cookies) and 'passive' (e.g. finger printing).

2.2. Beyond the described intrinsic characteristics, cookies (and other tracking tools) may have different characteristics in terms of time (and, therefore, be considered "session"<sup>2</sup> or "permanent"<sup>3</sup>, depending on their duration), from a subjective point of view (depending on whether the publisher acts autonomously or on behalf of a "third party") and, finally (but in particular), depending on the purpose of the processing pursued, so that they can be divided into two different (macro) categories:

- ✓ **'technical'**, used for the sole purpose of 'carrying out the transmission of a communication over an electronic communications network, or to the extent strictly necessary for the provider of an information society service explicitly requested by the contracting party or user to provide such service' (Art. 122(1) of the Privacy Code).

In this regard, the Privacy Guarantor highlighted, within Provision no. 231 of 10.6.2021 (in continuity with the previous Measure on the subject of 2014), that the "analytics cookies"<sup>4</sup> may well be included within the scope of cookies (or other tracking tools) of a "technical" nature (and, therefore, may be used in the absence of the prior acquisition of consent by the data subject), provided that certain conditions are met, aimed at precluding the possibility that, through their use, the direct identification of the data subject (single out) is achieved.<sup>5</sup>

---

<sup>1</sup> See Recital 30) of the GDPR ("Natural persons may be associated with online identifiers produced by the devices, applications, tools and protocols used, such as IP addresses, temporary markers (cookies) or other identifiers such as radio frequency identification tags. Such identifiers may leave traces which, in particular when combined with unique identifiers and other information received from the servers, can be used to create profiles of natural persons and identify them"), and Article 122(1) and (2) of the Privacy Code ("1. The storage of information in the terminal equipment of a contractor or user or access to information already stored is permitted only on condition that the contractor or user has given his consent after being informed in a simplified manner. This shall not prohibit any technical storage of or access to information already stored if this is for the sole purpose of carrying out the transmission of a communication over an electronic communications network, or to the extent strictly necessary for the provider of an information society service explicitly requested by the contracting party or user to provide such a service. For the purposes of determining the simplified modalities referred to in the first sentence, the Garante shall also take into account the proposals formulated by the most representative associations at national level of the consumers and economic categories involved, also with a view to ensuring the use of methodologies guaranteeing the effective awareness of the contracting party or user. For the purpose of expressing the consent referred to in paragraph 1, specific configurations of computer programmes or devices that are easy and clear for the contracting party or user to use may be used..."); cf. also, p. 15) of Provision no. 231 of 10.6.2021 signed by the Privacy Guarantor: "...there is not yet, to date, a universally accepted system of semantic coding of cookies and other tracking tools that allows to objectively distinguish, for example, the technical ones from the analytics or from those of profiling, if not based on the indications made by the owner himself in the privacy policy [...] the hope that a general coding will be reached quickly".

<sup>2</sup> Cookies designed to collect and store data while a user accesses a website, and disappear once the user has closed the relevant browsing session.

<sup>3</sup> Cookies designed to last for a set period of time (e.g. minute; month; year).

<sup>4</sup> Analytical cookies are usually used to assess the effectiveness of an information society service provided by a publisher, for the design of a website or, finally, to help measure traffic (i.e. the number of visitors, also possibly broken down by geographic area, time of connection).

<sup>5</sup> Cf. Provision No. 231 of 10.6.2021 signed by the Privacy Guarantor, p. 13/14: The structure of the analytics cookie must then provide for the possibility that it is referable not only to one, but to several devices, so as to create reasonable uncertainty as to the computer identity of the person receiving it. As a rule, this effect is achieved by masking appropriate portions of the IP address within the cookie. Taking into account the 32-bit representation of IP version 4 (IPv4) addresses, which are usually represented and used as

- ✓ "profiling"/"marketing" (so-called non-technical), used to link specific actions or behavioural patterns recurring in the use of the offered functionalities (patterns) to specific identified or identifiable subjects, in order to group the different profiles within homogeneous clusters of different sizes, so that the Data Controller can, among other things, also modulate the provision of the service in an increasingly personalised manner beyond what is strictly necessary for the provision of the service, as well as send targeted advertising messages (i.e., in line with the preferences expressed by the user when surfing the web).

### 3. Cookies installed on the Site.

3.1. Within the Site, the following types of cookies have been installed:

Name	Type	Function	First/third part	Duration
VISITOR_INFO1_LIVE VISITOR_PRIVACY_METADATA	Analytical	Tracks user behaviour on youtube videos.	Part three (youtube) Part three (youtube)	1½ years 1½ years
YSC	Analytical	Tracks user behaviour on youtube videos.	Part three (youtube)	Session
_GA	Analytical	Analyses user behaviour on the website.	Part One	1 year
_GA_ECW3X6RZ3D	Marketing		Part One	1 year
_IUB_CS-S4001716 _IUB_CS-S4001716-GRANULAR _IUB_PREVIOUS_PREFERING_ID	Technician	It manages user choice via the cookie tool on the website.	Part One	1 year
			Part One	1 year
			Part One	1 year
PLL_LANGUAGE	Technician	It manages the choice of language.	Part One	1 year
GOOGLE MAPS WIDGET	Analytical	Displays the user's location.	Part One	1 year
GOOGLE TAG MANAGER	Analytical Marketing	Marketing Tag Management	Part One	1 year

### 4. Browser settings.

4.1. ASSOCIATION highlights the user's possibility of cancelling and blocking the operation of the cookies described in Article 3 above at any time by using the specific setting functions in the browser used: in this regard, ASSOCIATION adds that, where the user decides to deactivate the technical cookies referred to in Article 2.2. point i), the quality and speed of the services and functions offered and made available on the Site may deteriorate.

You can find information on how to manage cookies with some of the most popular browsers by visiting the following web pages:

<https://support.google.com/chrome/answer/95647?hl=it>

<https://support.mozilla.org/it/kb/Gestione%20dei%20cookie?redirectlocale=enUS&redirectslug=Cookies>

<https://support.microsoft.com/it-it/help/17442>

<https://support.microsoft.com/it-it/help/4468242/microsoft-edge-browsing-data-and-privacy-microsoft-privacy>

<https://support.apple.com/it-it/guide/safari/sfri11471/mac>

<https://support.apple.com/it-it/HT201265>

<https://help.opera.com/en/latest/security-and-privacy/#clearBrowsingData>

### 5. Rights of the data subject.

5.1. In relation to the user's personal data, ASSOCIATION informs that the relevant data subject pursuant to art. 4 no. 1) of the GDPR has the right to exercise the following rights that may be subject to the limitations provided for by articles 2 undecies and 2 duodecies of the Privacy Code: right of access pursuant to art. 15 of the GDPR: right to obtain confirmation as to whether or not personal data concerning the data subject is being processed, as well as the information pursuant to art. 15 of the GDPR (e.g. purpose of processing, storage period); right to rectification ex art. 16 of the GDPR: right to correct, update or supplement personal data; right to erasure ex art. 17 of the GDPR: right to obtain the erasure or destruction or anonymisation of personal data, where the

---

a sequence of four decimal numbers between 0 and 255 separated by a dot, one of the measures that could be implemented in order to benefit from the exemption consists in masking at least the fourth component of the address, an option that introduces an uncertainty in the attribution of the cookie to a specific data subject equal to 1/256 (about 0.4%). Similar procedures should be adopted with regard to IP version 6 (IPv6) addresses, which have a different structure and a much larger address space (being made up of binary numbers represented with 128 bits). The Garante also emphasises the need for the use of analytics cookies to be limited solely to the production of aggregate statistics, and for them to be used in relation to a single site or a single mobile application, so as not to allow the tracking of a person's browsing using different applications or surfing different websites. It is therefore understood that the third parties that provide the publisher with the web measurement service shall not combine the data, even if minimised in this way, with other processing (customer files or statistics on visits to other websites, for example) or pass them on to other third parties, otherwise the risk of user identification would be unacceptably increased, unless the production of statistics by them using the minimised data involves several domains, websites or apps that can be traced back to the same publisher or business group. It is, however, possible to consider lawful, even in the absence of the adoption of the prescribed minimisation measures, the recourse to statistical analyses relating to several domains, websites or apps referable to the same data controller, provided that the latter carries out the statistical processing itself, without such analyses resulting in an activity which, going beyond the boundaries of a mere statistical count, actually takes on the characteristics of a processing aimed at making decisions of a commercial nature".

conditions listed in the same article apply; right to restriction of processing ex art. 18 of the GDPR: the right to obtain the limitation of processing where the cases governed by Article 18 exist; the right to data portability pursuant to Article 20 of the GDPR: the right to obtain the personal data provided to ASSOCIATION in a structured, commonly used and machine-readable format (and, where required, to transmit them directly to another Data Controller), where the specific conditions indicated in the same article exist (e.g. legal basis for consent and/or execution of a contractual agreement and/or execution of a contractual agreement). legal basis of consent and/or performance of a contract; personal data provided by the data subject); right of objection under Art. 21 of the GDPR: right to obtain the cessation, on a permanent basis, of a certain processing of personal data; right to lodge a complaint with the Supervisory Authority (i.e. the Italian Privacy Guarantor) under Art. 77 of the GDPR: right to lodge a complaint where it is considered that the processing under analysis violates national and EU legislation on personal data protection.

**5.2.** In addition to the rights described in Art. 5.1. above, ASSOCIATION points out that, in relation to the personal data of the data subject, there is, where possible and conferrable, the right to exercise, on the one hand, the (sub) right provided for in Art. 19 of the GDPR ("The controller shall communicate to each of the recipients to whom the personal data have been transmitted any rectification or erasure or restriction of processing carried out pursuant to Article 16, Article 17(1) and Article 18, unless this proves impossible or involves a disproportionate effort. The data controller shall inform the data subject of such recipients if the data subject so requests"), to be considered connected and related to the exercise of one or more of the rights governed by Articles 16, 17 and 18 of the GDPR; on the other hand, ASSOCIATION specifies that, in relation to the personal data of the data subject, there is, where possible and conferring, the right to exercise the right provided for by Art. 22 paragraph 1) of the GDPR ("The data subject shall have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or significantly affects him or her in a similar way"), subject to the exceptions provided for in paragraph 2) below.

**5.3.** In compliance with Article 12 paragraph 1) of the GDPR, ASSOCIATION undertakes to provide the user with the communications referred to in Articles 15 to 22 and 34 of the GDPR in a concise, transparent, intelligible, easily accessible form and in simple and clear language: this information will be provided in writing or by other possibly electronic means or, at the user's request, will be provided orally provided that the user's identity is proven by other means.

**5.4.** In compliance with Article 12 paragraph 3) of the GDPR, ASSOCIATION hereby informs you that it undertakes to provide you with information regarding the action taken in respect of a request pursuant to Articles 15 to 22 of the GDPR without undue delay and, in any event, no later than one month from receipt of the request; this period may be extended by no. 2 months if necessary, taking into account the complexity and number of requests (in which case, the Controller undertakes to inform the user of such extension and the reasons for the delay, within one month of receipt of the request).

**5.5.** The user may exercise, at any time, the rights described above (with the exception of the right pursuant to Art. 77 of the GDPR) by using the contact details set out in Art. 6.

## **6. Contact details.**

**6.1.** ASSOCIATION can be contacted at the following address: [arsaeterna2017@gmail.com](mailto:arsaeterna2017@gmail.com)

**6.2.** The Data Protection Officer (DPO) pursuant to Article 37 of the GDPR, appointed by the ASSOCIATION, is Gabriele Borghi, lawyer, who can be contacted at the following address: [gabriele.borghi@baldiandpartners.it](mailto:gabriele.borghi@baldiandpartners.it)

Tramezzina (CO), there 22.4.2025 (date of last update).

**ASSOCIAZIONE MUSICALE E CULTURALE ARS AETERNA**

(in the person of its legal representative pro tempore).