

**INFORMATION NOTICE PURSUANT TO ARTICLE 13 OF EU REGULATION 2016/679**  
**- RELATIONSHIP WITH PROFESSIONAL -**

**ASSOCIAZIONE MUSICALE E CULTURALE ARS AETERNA**, (Tax code and VAT no.: 03702890132) (hereinafter "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), informs, pursuant to Article 13 of the GDPR, that the personal information, described in Art. 1, will be processed, by ASSOCIATION, for the performance of the processing purposes described in Art. 2.

**1. Category of personal data being processed**

**1.1.** ASSOCIATION collects and processes, in order to pursue the processing purposes described in Article 2, the following personal information: personal data pursuant to Article 4 no. 1) of the GDPR (e.g. first name; surname; date and place of birth; address of residence/domicile/dormitory; e-mail address; tax code; VAT number) (hereinafter "**personal data**").

**2. Purpose of processing and legal basis.**

**2.1.** Personal data are processed by ASSOCIATION for the following purpose:

- a. Execution of a pre-contractual measure and/or a contractual relationship, including related and consequent regulatory and administrative requirements.

In compliance with Art. 13 paragraph 2) letter e) of the GDPR, ASSOCIATION specifies that failure to provide the personal data requested may result in the impossibility to fully and correctly execute the processing purpose described in Art. 2.1. letter a). ASSOCIATION specifies that the legal basis for the processing purpose described in Art. 2.1. letter a) is found in Art. 6 paragraph 1) letters b) c) of the GDPR.

**2.2.** Personal data are processed by ASSOCIATION for the following purpose:

- b. Where necessary, exercise/defence of a right/interest (including credit), including in court.

In compliance with Article 13 paragraph 1) letter d) of the GDPR, ASSOCIATION specifies that the legitimate interest, pursued by means of the processing purpose referred to in Article 2.2. letter b), consists in the protection/defence/assertion of rights/interests (including credit), also in court: in this regard, ASSOCIATION specifies, in compliance with paragraph 1.3) of Provision no. 146 of 5.6.2019 signed by the Privacy Guarantor, that, for this purpose, it must be an ongoing litigation or a pre-litigation situation. ASSOCIATION specifies that the legal basis of the processing purpose referred to in Article 2.2. letter b) is found in Article 6 paragraph 1) letter f) of the GDPR.

**3. Retention period.**

**3.1.** In compliance with Art. 13 paragraph 2) letter a) of the GDPR, ASSOCIATION communicates the following retention periods/criteria, at the end of which the personal data may be deleted, destroyed or anonymised, unless further retention is necessary in order to comply with a legal/regulatory obligation, including those which have arisen or in order to protect/establish a right/interest, including in court: **(i)** for performance of the processing purpose referred to in Art. 2.1. letter a): n. 1 year, starting from the final conclusion of a pre-contractual measure, in case it has not turned into a contractual relationship: where the latter case occurs, personal data will be kept until the term of n. 10 years ex art. 2220 and 2946 civil code, starting from the final termination of the relevant contractual relationship; **(ii)** for the performance of the processing purpose referred to in Article 2.2. letter b): for the time necessary to protect one's right/interests also in court, a time criterion that may be extended for 10 years starting from the final termination of the litigation (see, by analogy, the document "National archiving system - guidelines for the selection and discarding of documents", signed by the Revenue Agency).

**4. Target audience.**

**4.1.** In compliance with Art. 13 paragraph 1) letter e) of the GDPR, the ASSOCIATION specifies that personal data may be subject to communication, where necessary and appropriate, to one or more recipients pursuant to Art. 4 no. 9) of the GDPR, generally identified as follows: **(i)** for the performance of the processing purpose referred to in Art. 2.1. letter a): subjects authorised to process by the ASSOCIATION; companies/companies/professionals who provide services connected, directly or indirectly, to the performance of the processing purpose in question (e.g. tax consultant); **(ii)** for the performance of the processing purpose referred to in Art. 2.2. letter b): subjects authorised to process by the ASSOCIATION; companies/companies/professionals who provide services connected, directly or indirectly, to the performance of the processing purpose in question (e.g. legal consultant).

**5. Transfer.**

**5.1.** Personal data are/may be stored in automated/partially automated/non-automated files belonging to, or in any event traceable, even indirectly, to the ASSOCIATION and located within the European Economic Area (EEA).

**6. Rights of the data subject.**

**6.1.** In relation to personal data, ASSOCIATION informs you of your right to exercise the following rights, which may be subject to the further limitations provided for by Articles 2 undecies and 2 duodecies of the Privacy Code: right of access pursuant to Article 15 of the GDPR: right to obtain confirmation as to whether or not personal data is being processed, as well as the information referred to in Article 15 of the GDPR (e.g. purpose of processing, storage period); right to rectification pursuant to Article 16 of the GDPR: the right to correct, update or supplement personal data; the right to erasure under Art. 17 of the GDPR: the right to obtain the deletion or destruction or anonymisation of personal data, where the conditions listed in that article are met; the right to restriction of

processing under Art. 18 of the GDPR: the right to obtain the restriction of processing where the conditions laid down in Art. 18 are met; the right to data portability under Art. 17 of the GDPR: the right to obtain the deletion or destruction or anonymisation of personal data where the conditions laid down in Art. 18 are met. 18; right to data portability ex art. 20 of the GDPR: right to obtain 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 by the same article exist (e.g. legal basis of consent and/or performance of a contract; personal data provided by the data subject); right to object ex art. 21 of the GDPR: the right to obtain the cessation, on a permanent basis, of a given processing of personal data; right to lodge a complaint with the Supervisory Authority (i.e., the Italian Privacy Guarantor) pursuant to Art. 77 of the GDPR: the right to lodge a complaint where it is considered that the processing under analysis violates national and EU legislation on the protection of personal data.

**6.2.** In addition to the rights described in Article 6.1. above, ASSOCIATION points out that there is, where possible and conferrable, the option of exercising, on the one hand, the (sub)right provided for in Article 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 Articles 16, 17(1) and 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 regulated in Articles 16, 17 and 18 of the GDPR; on the other hand, ASSOCIATION specifies that there is, where possible and conferrable, the option of exercising the right provided for in 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.

**6.3.** In compliance with Article 12 paragraph 1) of the GDPR, the ASSOCIATION undertakes to provide 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 request of the interested party, will be provided orally provided that the identity of the latter is proven by other means.

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

**6.5.** The rights described above (with the exception of the right pursuant to Art. 77 of the GDPR) may be exercised by means of the contact details set out in Art. 7 below.

## **7. Contact details.**

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

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

Tramezzina (CO), there 7.4.2025 (date of last update).

**ASSOCIAZIONE MUSICALE E CULTURALE ARS AETERNA**

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