

## **NOTICE ON THE PROCESSING OF THE CANDIDATE'S PERSONAL DATA**

**BOIES SCHILLER FLEXNER ITALY SOCIETA' TRA AVVOCATI**, with registered office in via Orefici no. 2, 20123 Milan, Italy, VAT no. 12005250969 (hereinafter "**Data Controller**"), as the Data Controller, informs you in accordance with EU Regulation 2016/679 ("**GDPR**") and the current legislation on the protection of personal data that the data will be processed in the following manner and for the following purposes:

### **1. SUBJECT MATTER OF THE PROCESSING**

The categories of "personal data" (in accordance with Art. 4 para. 1 GDPR) processed by the Data Controller may include, but are not limited to:

- Personal and identification data (such as, for example, name, date of birth, place of birth, nationality, tax code/social security number, occupation, etc.);
- Contact data (such as, for example, address, e-mail address, telephone number, etc.)
- Special data (such as, for example, those related to health conditions, including data for verifying suitability for certain jobs, data related to membership in protected categories, where necessary for the activity applied for).

### **2. PURPOSE AND LEGAL BASIS FOR PROCESSING**

Your personal data are processed without prior consent for the following purpose and legal basis:

- i. The fulfillment of contractual and pre-contractual obligations, in particular for:
  - a. the proper conduct of the recruitment process (e.g., managing applications);
  - b. the possible fulfillment of pre-contractual and contractual obligations necessary for the establishment of employment relationship.
- ii. The pursuit of legitimate interest of the Data Controller, in particular:
  - a. The prevention and repression of unlawful acts, as well as the exercise of the Data Controller's rights in judicial proceedings and the management of disputes: the Data Controller's interest corresponds to the constitutionally guaranteed right to take legal action (Art. 24 of the Constitution) and, as such, has socially recognized prevalence over the interests of the individual concerned.

### **3. MANNER OF PROCESSING**

The processing of your data is carried out, both in paper and computerized form, by means of data collection, recording, organization, storage, consultation, editing, modification, selection, extraction, comparison, use, interconnection, blocking, communication, cancellation and destruction.

### **4. RETENTION OF DATA**

The Data Controller processes personal data for the duration necessary to fulfill the purposes outlined above and will retain the data no further than 10 years following the termination of the employment relationship.

### **5. PROVISION OF DATA**

The provision of personal data for the purposes stated under art. 2 a and b is mandatory and any refusal to provide such data will result in the impossibility of establishing the employment relationship.

### **6. COMMUNICATION OF DATA**

As part of the aforementioned purposes, the Data Controller may disclose your data to:

- Employees and/or Lawyers of the Data Controller, appointed as data processors pursuant to Art. 28 GDPR and authorized persons pursuant to Art. 29 GDPR and *2-quaterdecies* of the Privacy Code;

- Third parties (e.g. accountants, payroll and labor consultants, health organizations, pension and healthcare funds, including corporate ones, banking institutions, brokerage agencies and administrative offices, employers' associations, freelance professionals, etc.) who carry out outsourcing activities on behalf of the Data Controller and who will process the data in their capacity as external data processors.

## **7. DATA TRANSFER**

The personal data will be transferred to a third country or international organization for the above-mentioned purposes on the basis of an adequacy decision pursuant to article 45 of the GDPR and in compliance with the appropriate safeguards set forth in article 46 of the GDPR.

## **8. RIGHT OF THE DATA SUBJECT**

The Data Controller informs you that, as a data subject, if the limitations provided for by law do not apply, you have the right to:

- obtain confirmation as to the existence or non-existence of your personal data, even if not yet registered, and to have such data made available to you in an intelligible form;
- obtain an indication and, where appropriate, a copy: a) of the origin and category of the personal data; b) of the logic applied in case of processing carried out with the aid of electronic means; c) of the purposes and methods of processing; d) of the details of the Data Controller and of the data processors; e) of the persons or categories of persons to whom the personal data may be communicated or who may become aware of them, in particular if located in third countries or international organizations; f) when possible, the data retention period or the criteria used to determine this period; g) the existence of an automated decision-making process, and, if so, the logic used, its importance and the expected consequences for the data subject; h) the existence of adequate safeguards in case of transfer of data to a non-EU country or to an international organization;
- obtain, without undue delay, the updating and rectification of inaccurate data or, if of interest, the integration of incomplete data;
- revoke at any time, with ease, without hindrance, the consents given, using, if possible, the same channels used to provide them;
- obtain the deletion, transformation into anonymous form or blocking of data: a) unlawfully processed; b) no longer necessary in relation to the purposes for which they were collected or subsequently processed; c) in case of revocation of the consent on which the processing is based and if there is no other legal basis for their processing; d) if you have objected to the processing and there is not any overriding legitimate reason to continue the processing; e) in case of fulfillment of a legal obligation; f) in the case of data referring to minors. The Data Controller may refuse deletion only in the case of: a) exercise of the right to freedom of expression and information; b) fulfillment of a legal obligation, performance of a task carried out in the public interest or exercise of public authority; c) reasons of public health interest; d) archiving in the public interest, scientific or historical research or for statistical purposes; e) exercise of a right in court;
- obtain the restriction of processing in the case of a) challenge as to the accuracy of the personal data; b) unlawful processing by the Data Controller to prevent its deletion; c) exercise of your rights in court; d) verification of whether the Data Controller's legitimate reasons prevail over those of the data subject;
- receive, if the processing is carried out by automatic means, without hindrance and in a structured, commonly used and readable format, your personal data in order to transmit them to another data controller or - if technically feasible - to obtain direct transmission by the Data Controller to another data controller;
- oppose, in whole or in part, for legitimate reasons related to your particular situation, to the processing of your personal data;
- lodge a complaint with the Data Protection Authority.

In the above cases, where necessary, the Data Controller will bring to the attention of the third parties to whom your personal data are communicated of any exercise of rights by you, except in specific cases (e.g. when such fulfillment proves to be impossible or involves a manifestly disproportionate use of means compared to the safeguarded right).

If the interested person believes that his/her rights have been compromised, he/she has the right to lodge a complaint.

For any further information, we invite you to consult the website of the Italian Data Protection Authority - [www.garanteprivacy.it](http://www.garanteprivacy.it) - where you will find a section dedicated to these rights.

## **9. MANNER OF EXERCISING RIGHTS**

You may, at any time, exercise your rights:

- by sending a registered letter with return receipt to the Data Controller's address;
- by sending an e-mail to [privacy@bsfilp.com](mailto:privacy@bsfilp.com).

## **10. DATA CONTROLLER**

The data controller is **BOIES SCHILLER FLEXNER ITALY SOCIETA' TRA AVVOCATI**, with registered office in via Orefici no. 2, 20123 Milano, Italia, VAT no. 12005250969.

The updated list of data processors is kept at the Data Controller's registered office.

This notice may be subject to updates and changes, in relation to which the Data Controller will inform the interested party.