

INFORMATION PROVIDED TO THE DATA SUBJECT, PURSUANT TO ARTICLE 13 OF REGULATION (EU) 2016/679 (GDPR)

The Italian Society of Authors and Publishers (SIAE), pursuant to article 13 of Regulation (EU) 2016/679 (GDPR), provides the following information with reference to Personal Data processing, which will be lawful, fairly, transparent, accurate and conducted with integrity and confidentiality.

- 1) The Data Controller is SIAE (Società Italiana degli Autori ed Editori) with registered office in Rome, Viale della Letteratura 30, 00144 Rome.
- 2) The Data Protection Officer of SIAE can be contacted by email to the address SiaeUfficioDataProtection@siae.it for any clarifications regarding Personal Data protection as well as to exercise the rights referred to articles from 15 to 22 of the GDPR.

Lawfulness of Processing

- 3) The purposes of the Personal Data processing are related to the institutional activity of SIAE, required by law, consisting of the provision of services to its Members and Users (Clients / Licensees) and other tasks recognized by law, as specified below.

a. Purposes in connection with legal obligations or contracts with public and/or private bodies

- i. Data processing related to the institutional activity of SIAE, pursuant to art. 180 of the Italian Copyright Law no. 633/1941 ("The Copyright Law") for the protection, in general, of intellectual works and related rights (for examples please refer to the appendix);
- ii. Data processing to join SIAE as a member. SIAE can operate the diffusion of some Personal Data by its Social Bulletin, that is periodically published and disseminated;
- iii. Data processing related to VAT and other tax obligations;
- iv. Data processing related to Personal Data of Licensees, according to the mandate received from the Ministry of Finance (convention approved by D.M. 7.6.2000). This mandate requires SIAE to cooperate with the Tax Office (Agenzia delle Entrate) by operating activities of surveillance and control on Tax and VAT related to entertainments, as well as to law No 398 of 1991.

b. Purposes related to contractual obligations

- i. Data processing necessary for the performance of the contract of mandate. For instance, personal data shall be treated in order to manage authors' rights (i.e. licensing; collection and distribution of copyright fees);
- ii. Data processing necessary to issue Licenses;
- iii. Data processing of Members accessing to the Solidarity Fund, in the context of which the processing of sensitive data could be necessary;
- iv. Data processing aimed at drafting of publications by SIAE, concerning some data, mostly in aggregate and anonymous form, related to entertainment activities;
- v. Data processing related to some information (scheduled or occurred events, artists and performers, theatre companies etc.), published to business operators and/or the public in general. The purpose of Data processing is to detect, investigate and disseminate the

real problems and the entertainment phenomena relating to copyright and neighboring rights, as well as similar forms of cultural entertainment, also pursuant the art. 2 of SIAE Articles of Association.

- 4) SIAE, for the sake of Personal Data processing, may also use other subjects, natural or legal persons established in the European Union, designated as Data Processor, pursuant to Article 28 of the GDPR. The complete list of SIAE's Data Processors is available at the Company's headquarters.
- 5) By appropriate means and after checking the existence of an adequate level of protection required by the GDPR (art 45), SIAE may share data of Members and information related to the deposited works, with other foreign Collecting Companies, Licensees or Service Providers operating outside the national territory (even non-EU territory). The purpose of this Data processing consist of enabling, also at international level, the intermediation and protection of works entrusted to SIAE.

The complete list of foreign Collecting Companies, with which SIAE has signed reciprocity agreements, can be read on web site: <https://www.siae.it/it/chi-siamo/la-siae/siae-allestero>. Whenever a data transfer to a third Country is necessary, according to the aforementioned purposes and in the absence of a decision pursuant to the art. 45 of GDPR, SIAE will provide appropriate safeguards (such as the subscription of standard data protection clauses adopted by the UE Commission). With respect to the transfer of data to the foreign Collecting Company, such clauses guarantee a level of data protection corresponding to what is enshrined in European legislation in compliance with and by effect of art. 46 of GDPR.

- 6) SIAE can share data about shows and entertainment activity with artists, interpreters and performers, theatre companies, music associations that make these kind of requests because of contracts among them and the event organizer, or purposes defined the Ministry for Cultural Heritage and Activities.
- 7) Personal data of members, collected for the abovementioned purposes, will be stored for the whole period of the membership, and, in case of withdrawal or of other kind of termination, within the limitation period provided for in art. 19 of Legislative Decree no. 35/2017.
In case of accounting transactions and/or reimbursement of expenses, data related to the payment will be stored for a further 10 year- period, pursuant to the art. 2220 Civil Code.
Personal data relating to data subjects different from members, will be stored as long as necessary to fulfill the contract and/or the required services and, anyway, for the ordinary statute of limitations period.
At the expiry of the above-mentioned periods, the data will be automatically erased or made anonymous in a permanent way. Therefore, at the expiry of the storage term, the right to access, erasure, rectification, as well as the right to data portability, can no longer be exercised.

Rights of the data subject

- 8) Pursuant to article 12 of the GDPR, it is always guaranteed to the data subject, the possibility to exercise the right:
- a. To access to personal data (Article 15);
 - b. To request and obtain the rectification (Article 16) or the erasure of their Personal Data (Article 17) or the restriction of the related processing (Article 18);
 - c. To request data portability (Article 20);
 - d. To object to processing (Article 21);
 - e. To lodge a complaint with the supervisory authority (Article 13.2 letter d).
Italian Supervisory Authority – Piazza di Monte Citorio n. 121, 00186 Roma – Email garante@gpdp.it – Certified mail: protocollo@pec.gpdp.it

The exercise of the rights can be done by sending a request by email to the address of the SIAE Data Protection Officer: SiaeUfficioDataProtection@siae.it

- 9) Taking into account the purposes of data processing as explained above, the provision of data is a contractual obligation and the absent, partial, or incorrect provision of data could have as consequence, the impossibility for SIAE to carry out its duties as required by law.
- 10) In case of a Data Subject, younger than 16 years, joining SIAE as a member (Art.108 of law 633/41), the Data processing for the indicated purposes is lawful only if the consent is given or authorized by a holder of parental responsibility, upon acquisition of his/her identifying data and a copy of the relevant documentation.
- 11) SIAE is entitled to process the provided Personal Data as a Data Processor of the following Data Controllers:
1. S.C.F. Consorzio Fonografici on behalf of which SIAE collects the fees for the public disclosure of phonograms pursuant to art. 73 of the Copyright Law;
 2. Trade associations on behalf of which SIAE operates the collection of membership dues, insurance, and financial reporting.
 3. Certification Bodies.

The entire list of Trade associations and Certification Bodies is available at the Company Headquarters.

THE DATA CONTROLLER

Società Italiana Autori ed Editori (SIAE)

Appendix

With reference to point 3 lett. a), some detailed cases, in relation to which the Data Processing is required by law, are here after listed:

1. Personal data processing provided for by art. 71 septies and subsequent of the Copyright Law and by D.M. 20.6.2014, aimed at collecting private copy levies;
2. Personal data processing provided for by art. 144-155 of the Copyright Law aimed at collecting the resale right for the sale of art works and manuscripts;
3. Personal data processing provided for by art. 68 and 181 ter of the Copyright Law aimed to the distribution of reprography levies.

This Policy may be subject to changes and updates. Any change will guarantee, in any case, the full protection of the rights of data subjects. In case of changes that could limit the protection of Personal Data, the data subjects will be promptly informed, through the contacts provided to SIAE, before data processing starts according to the new modalities, so that the data subjects will be guaranteed the right to modify the consent.

In any case, the data subjects are suggested to periodically consult this Policy on the website www.siae.it.