

The Italian Society of Authors and Publishers (SIAE), according to article 13 of EU Regulation no. 2016/679 ("the GDPR"), provides the following information with reference to Personal Data processing of Associate **Members, Mandate Members, Heirs** and **Users of the administered Repertoires**. Such information will be lawful, fair, transparent, accurate and in accordance with the integrity and confidentiality principles.

1) **Data Controller**

The Data Controller is SIAE (Società Italiana degli Autori ed Editori) with registered office in Rome, Viale della Letteratura 30, 00144.

2) **DPO**

The Data Protection Officer of SIAE can be contacted at the following e-mail address: SiaeUfficioDataProtection@siae.it for any clarification regarding your Personal Data protection as well as the exercise of the rights provided by articles 15- 22 of the GDPR.

3) **Categories of Personal Data and means of processing**

The categories of personal data being processed are those necessary to carry out the institutional function of SIAE, to execute the mandates given to SIAE and to issue the licenses. The processing will concern personal data such as:

- identification data
- contact information
- data relating to identity documents
- professional data related to the works created or used
- data related to equivalent economic status indicator (ISEE)
- accounting data, related to your position, also for the purpose of fulfilling the obligations envisaged by law in respect to the social security and welfare institutions, as well as to the withholding agent and on VAT matters
- bank details (IBAN)
- management data (e.g. collection, distribution and payment of copyright royalties/revenues).

SIAE may also process, solely for the purpose of granting the services requested on your part, the data concerning your health and properties and/or those concerning your family members and the data apt to reveal your political or religious preferences.

The data are processed with or without the support of IT tools, through appropriate technical and organizational measures to ensure an adequate level of security compared to the internal risks of the process.

4) **Purposes and Lawfulness (legal basis or ground) of Personal Data Processing**

The purposes of the Personal Data processing are related to the institutional activity carried out by SIAE, set forth by law, consisting of the services provided to its Members and Users (Clients / Licensees) and to the other tasks recognized by law, as specified below.

- i. Purposes in connection with legal obligations or contracts with public and/or private entities
Personal data processing provided for by art. 180 of the Copyright Law no. 633/1941 and subsequent amendments;
- ii. Personal data processing provided for by art. 71 septies and subsequent of the Copyright Law and by Ministerial Decree June 20, 2014, aimed at collecting private copying levies;
- iii. 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;
- iv. Personal data processing provided for by art. 68 and 181 ter of the Copyright Law aimed to the distribution of reprography levies.
- v. Data processing related to VAT and other tax obligations in connection to the activities of surveillance and control on Tax and VAT related to entertainment sector, according to the mandate conferred from the Tax Office (Agenzia delle Entrate) according to Ministerial Decree. June 7, 2000.

b. Purposes related to contractual obligations

- i. Data processing necessary for the performance of the contract of mandate.
- ii. Data processing necessary for licensing activities ;
- iii. Data processing of Members having access 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, name of artists and performers, theatre companies etc.), that are object of publications addressed to the business operators and/or to the public in general. The purpose of Data processing is to detect, to study and to disseminate reports and surveys on the problems and the entertainment phenomena relating to authors' rights and to neighbouring rights, as well as similar forms of cultural entertainment, also according to art. 2 of SIAE's Articles of Association.

According to the purposes as explained at point a, the legal basis of Data processing is provided for by art. 6 (1), letter e), while for the purposes at point b, it is provided for by art. 6 (1), letter b).

5) Nature of data provision and consequences of refusal to provide the data

Taking into account the purposes explained above, the provision of the relevant data is deemed as a contractual obligation and the absent, partial, or incorrect provision of said data could have, as consequence, the impossibility for SIAE to carry out its duties as required by law.

6) Data Processors

SIAE, for the purposes related to Personal Data processing, may also use other Subjects, natural or legal persons established in the European Union, designated as Data Processor, according to article 28 of the GDPR. The list of SIAE's Data Processors is available at the SIAE registered office.

7) Data Transfer

By appropriate means and after checking the existence of an adequate level of protection required by the GDPR (art 45), SIAE may share the data pertaining to its Members and the information relating to the registered works, with other foreign CMOs (Copyright Collecting Organizations), Licensees or Service Providers operating outside the national territory (even non-EU territory). Such Data processing is aimed at ensuring also at international level, the function of intermediation and protection of works entrusted to SIAE. The list of foreign CMOs, with which SIAE has signed representation agreements, can be read on SIAE web site at the following URL: <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 according to art. 45 of the 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 CMOs, 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 the GDPR.

SIAE can share data about shows and entertainment activity with artists, interpreters and performers, theatre companies, music associations that make these kind of requests on the basis of contractual agreements between them and the event organizer, or for the purposes provided for by the Ministry for Cultural Heritage and Activities.

8) Data Retention

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 other kind of termination, within the statute limitations period provided for in art. 19 of Legislative Decree no. 35/2017.

Personal data relating to Data Subjects different from Members will be stored as long as necessary to fulfill the contract and/or to perform the required services.

In case of accounting transactions and/or reimbursement of expenses, the data related to the payment will be stored for a 10 year- period, according to art. 2220 Civil Code.

9) Rights of the data subject

It is always guaranteed to the Data Subject, except for legal limitations, the possibility to exercise the right:

- a) to access to his/her Personal Data;
- b) to request and obtain the rectification of his/her Personal Data;
- c) to request and obtain the erasure of his/her Personal Data;
- d) to request and obtain the restriction of the his/her Personal Data processing ;
- e) to object to processing;
- f) to object to processing at any time of his/her Personal Data for direct marketing purposes, including profiling to the extent related to such direct marketing, as well as in the cases referred to in article 21, par. 1, of the GDPR;
- g) To receive the Personal Data provided to the Controller, in a structured, commonly used and machine-readable format and to transmit those data to another controller ;
- h) To lodge a complaint with the supervisory authority - Italian Data Protection Authority - Email garante@gpdp.it - Certified mail: protocollo@pec.gpdp.it, pursuant article 77 of the Privacy Regulation. To this end, it may be used the web form provided by the Italian Data Protection Authority.

Said rights can be exercised by sending a request to the following e-mail address of the SIAE Data Protection Officer: SiaeUfficioDataProtection@siae.it.

SIAE reserves the right to update this Policy in case of legislative changes and to modify it in the event SIAE intends to use said data for further purposes, which will be explained in advance and, if necessary, submitted to your consent.

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

THE DATA CONTROLLER

Società Italiana degli Autori ed Editori (SIAE)