

## Privacy notice for the processing of personal data of the witness

(updated on July 16<sup>th</sup>, 2020)

**The Milan Chamber of Arbitration S.r.l.**, with registered office in Milan, Via Meravigli n. 9/b – 20123, fiscal code and VAT number 05121020969, and in its capacity of data controller (hereinafter the “Controller”), informs you that, your personal data will be treated in accordance with the EU Regulation 2016/679 (“GDPR”) and with the current national legislation on the protection of personal data. Your data will be processed in the following ways and for the following purposes:

### **1. The subject-matter of data processing**

The Controller processes the personal data collected from the parties, during the arbitral procedure, and from you during your testimony (hereinafter “Data” or “Personal Data”) such as:

- name, last name, address, email address, telephone number, profession, billing data, etc., which refer to the witnesses.

### **2. The scope and the legal basis of data processing**

Your personal data is processed without your previous consent for the following purposes and legal basis:

- **the performance of a task carried out in the public interest**, and especially for:
  - the correct execution of the various phases of the arbitration procedure.
- **the compliance with legal obligations of the Controller**, derived from national and EU regulations, as well as those resulting from legal dispositions specified by authorities empowered to do so by law, with specific references to arbitration regulations.
- **the pursuit of a legitimate interest of the Controller**, especially to:
  - exercise the Controller’s rights before a court and for the management of the dispute, as well as for the prevention and the repression of illegal acts: the interest of the Controller corresponds to the right of action, guaranteed by the Italian Constitution (art. 24 of the Const.) and as such, it is socially recognized as prevailing on the interests of a single data subject.

### **3. Data retention period**

The Controller processes your personal data for the time necessary to fulfil the above-mentioned purposes and in any case for no longer than 10 years from the termination of the arbitral procedure.

### **4. Conferral of data**

The conferral of personal data is necessary to testify during the arbitration proceedings.

### **5. Access to data**

Your data will be accessible for, the above-mentioned purposes, to:

- employees and/or collaborators of The Controller, in their capacity of authorized subjects to data processing and/or data processors and/or system administrators;
- companies affiliated to the Chamber of Commerce of Milan Monza Brianza Lodi and other third parties (for example: suppliers, IT, etc.) who carry out activities of outsourcing on behalf of the Controller and who will process data in their capacity of data processors.

#### **6. Data communication**

For the above-mentioned purposes, your data will be communicated to the arbitrators or to the nominated arbitration panel and anonymously published on the occasion of the publication of arbitral awards. Your personal data may also be communicated, without your prior consent, for the above-mentioned purposes to Public Administrations or competent authorities, who will process the data at their request, in their capacity of independent data controllers, as well as to third parties such as, for example, experts who will process data in their capacity of independent data controllers.

#### **7. Data transfer**

Your data could be transferred outside the EU, in the event that one of the parties to the arbitration proceeding resides outside the EU. In such circumstances, the transfer of the data is made on the basis of the exception provided for in Article 49(1)(c) and (d) of the GDPR.

#### **8. Rights of data subject**

The Controller informs you that, as a data subject, if the limitations provided for by the law do not apply, you have the rights provided for by art. 15 et seq. GDPR (access, rectification, cancellation, restriction of processing, data portability and objection) that can be exercised by sending a registered mail, with return receipt, to the address of the Controller or a certified email to [camera.arbitrale@legalmail.it](mailto:camera.arbitrale@legalmail.it). You also have the right to lodge a complaint with the Italian Data Protection Authority.

#### **9. Responsibility for data protection**

The Controller has designated a Data Protection Officer available at the following e-mail address [dpo.camarb@mi.camcom.it](mailto:dpo.camarb@mi.camcom.it).