

POLICY STATEMENT ON THE PROCESSING OF PERSONAL DATA

Pursuant to and in accordance with legislation on the protection of personal data, with particular reference to Regulation (EU) 2016/679 (the “**GDPR**”) and Legislative Decree 196/2003, as amended (the “**Privacy Code**” and, together with the GDPR, the “**Privacy Legislation**”), Design Management S.r.l., in its capacity as data controller (“**DeMa**” or the “**Data Controller**”), wishes to inform you of the purposes of, and methods used, for the processing of your personal data in relation to “The Mall Club” Loyalty Scheme (the “**Scheme**”), the customer retention initiative promoted and managed by DeMa. Furthermore, please note that the Data Controller applies a personalized approach to privacy and the protection of personal data (so-called tailored privacy approach). Therefore, as also clarified in the privacy policy available on the website themall.it, the legal bases deemed most appropriate in their country of residence will be applied to the interested parties.

1. Personal data processed

For obligations related to the Scheme, the Data Controller will process the data provided by you at the time of your registration for the Scheme (which may take place through online channels, at the Data Controller’s Welcome Lounges, or through devices provided by the Data Controller) together with data provided by you at the time of the creation of your account on the themall.it website or on the relevant application (“the **APP**”) and data on purchases you make (together with data on your gaming on the APP), without which we would not be able to offer you the benefits and involve you in initiatives related to the Scheme.

In addition to the data, provided directly by you or deriving from your use of the virtual identification code assigned to you (“**QR Code**”), DeMa, only with your specific consent (unless you have indicated a country of residence other than Italy, as specified below), will be able to generate and therefore also process profiling data, i.e. information relating to your habits, tastes and purchasing propensities, obtained in an automated manner through the observation of your spending trends and consequent inclusion in groups (so-called specific “clusters”), thanks to which the Data Controller can always offer you services and products which are more responsive to your preferences and needs, also adapting them over time. In no case the profiling operations carried out by DeMa will determine discriminatory decisions, or in any case be capable of negatively affecting you.

2. Purpose and legal basis of the processing:

The Data Controller will process the data identified above for the purposes listed below.

Customer retention

The Data Controller may process your personal data for purposes related to your participation in the Scheme, for the provision of services and the award of the associated rewards and benefits (Article 6.1 (b) of the GDPR). Failure to provide the personal data in question will result in the Data Controller being unable to allow your participation in the Scheme.

Marketing

Only with your explicit and optional consent (Article 6.1 (a) of the GDPR), the Data Controller may process your personal data in order to send you information and promotional material, for market research, or commercial communications. These commercial and promotional communications may be sent to you either by automated contact methods (email, SMS, MMS, App, etc.) or by traditional methods (paper mail and telephone calls).

Profiling

The Data Controller may process your personal data for the purpose of profiling your habits and consumption choices once they have obtained your explicit and optional consent (Article 6.1, a) of the GDPR), as described

above.

It is understood that if you do not intend to grant your consent to the processing of your personal data for the purposes of marketing and/or profiling by the Data Controller, this will not prevent you from accessing or in any way limit your use of the services of the Program and its advantages and benefits.

You can also and at any time revoke the consent you have given, by contacting the Data Controller in the ways indicated below, without this in any way affecting the lawfulness of the treatments carried out by the Data Controller until then. However please note that, in the event that you have indicated a country of residence other than Italy, we will base the profiling activity on the legitimate interest of the Data Controller to improve the knowledge of its customers in depth and to offer a personalized experience in the world of luxury (Article 6.1, f) of the GDPR).

The Data Controller may also process your data:

- to perform statistical and aggregated analyses of an anonymous nature by virtue of its legitimate interest in improving its knowledge of its customers (Article 6.1, f) of the GDPR);
- to fulfill and implement the provisions of the law or orders, decisions and measures of the competent authorities (Article 6.1 c) of the GDPR), including the Italian Data Protection Authority (the “**Data Protection Authority**”);
- to ascertain, exercise or defend a right in legal proceedings by virtue of its legitimate interest (Article 6.1 f) of the GDPR).

The purposes for which DeMa may process your personal data are summarized in the following table with the relevant legal bases.

Purpose of processing	Legal basis
Customer retention	Fulfillment of contractual obligations and pre-contractual measures (Article 6.1b) of the GDPR)
Marketing	Consent (Article 6.1a) of the GDPR)
Profiling	Depending on the case, as indicated above, Consent Article 6.1, letter a) of the GDPR) or Legitimate interest of the Data Controller (Article 6.1, letter f) of the GDPR)
Statistical and aggregate analyses of an anonymous nature	The legitimate interest of the Data Controller (Article 6.1(f) of the GDPR)
Fulfillment and execution of laws or the orders, decisions and measures of authorities	Fulfillment of a legal obligation of the Data Controller (Article 6.1(c) of the GDPR)
Establishment, exercise or defense a right in legal proceedings	The legitimate interest of the Data Controller (Article 6.1(f) of the GDPR)

3. Methods of processing personal data

Your personal data will be processed mainly by electronic means and computerized procedures, but also by traditional tools and manual procedures, controlled by appropriate security measures to counter the risk of accidental or unlawful destruction, loss or alteration, and also of unauthorized, accidental or unlawful disclosure of your personal data.

Under no circumstances will your personal data be subject to fully automated decision-making processes.

4. Period of retention of personal data

Your personal data will be processed and kept by the Data Controller only for the time necessary to achieve the objectives identified above. Specifically:

- the data you provided at the time of joining the Program will be kept until you decide to terminate your participation;
- the data you provided when creating your account on the themall.it site or on the APP will be kept until you decide to delete your account;
- information relating to the details of your purchases will be stored:
 - for 24 months, when processed for loyalty purposes, therefore allowing you to enjoy the advantages and benefits associated with your participation in the Program;
 - for 24 months, when processed for marketing purposes;
 - for 24 months, when processed for profiling purposes.

At the end of your participation in the Scheme and after the closure of your position, the Data Controller will only keep your contact details for 5 years from your last interaction, unless there are additional requirements for which the retention of your personal data for a longer period is granted and/or required by specific legal provisions.

5. Scope of communication and disclosure of personal data

The processing operations described above will be performed:

- by employees and contractors of the Data Controller as persons authorized to process data, who are specifically appointed and instructed in writing pursuant to Article 29 of the GDPR and bound by confidentiality;
- by suppliers and outsourcers of the Data Controller acting in the role of data processors by virtue of agreements concluded pursuant to Article 28 of the GDPR.

Your personal data may also be processed by data processors located outside the European Economic Area. In such cases, in order to ensure a uniform level of protection for your personal data, we will only engage suppliers located in territories that are deemed to ensure an adequate level of data protection or that have implemented the appropriate additional safeguards imposed by Art. 46 of the GDPR (e.g. the standard contractual clauses issued by the European Commission).

6. Rights of data subjects

As a data subject, you may at any time exercise your rights under Privacy Legislation. In particular, you have the right to:

- access personal data concerning you, obtaining confirmation from the Data Controller as to whether or not your data is being processed and, if so, obtaining information on the purposes of the processing; the categories of data involved; the recipients to whom the data may be disclosed, especially if they are in third countries; retention periods; the existence of the right to lodge a complaint with a supervisory authority or the right to rectification and/or deletion of your personal data, or to restrict or object to the processing, and whether automated decision-making processes, including profiling are used;
- promptly obtain from the Data Controller the retrospective correction and completion of inaccurate or incomplete data concerning you;
- obtain from the Data Controller the deletion of your data without undue delay when: a) such data is no longer necessary in relation to the purposes for which it was collected or otherwise processed; b) if you decide to withdraw one or more of the consents on which certain processing is based, if the Data Controller cannot rely on any other legal basis under applicable legislation; c) you object to the processing of your data for Marketing and/or Profiling purposes; d) your personal data has been processed unlawfully by the

Data Controller; e) your personal data must be deleted to comply with a legal obligation to which the Data Controller is subject;

- obtain a restriction on processing when: a) you contest the accuracy of your personal data, for the period necessary for the Data Controller to carry out the necessary checks; b) the processing is unlawful and you decide to object to the deletion of your data and request instead that its use be restricted; c) although the Data Controller no longer needs it for the purposes identified above, the data is necessary for you to establish, exercise and/or defend a right of yours in court.
- Receive the personal data you have provided to the Data Controller in a structured, commonly used and machine-readable format, including by direct transmission from the Data Controller, if technically feasible, to another data controller (i.e. the right to data portability);
- oppose the processing of your data by the Data Controller by virtue of its legitimate interest for statistical or aggregate analysis purposes, for reasons related to your particular situation;
- revoke at any time one or more of the consents that you previously provided, it being understood that the processing performed up to that time by the Data Controller will remain fully lawful;
- lodge a complaint with the Italian Data Protection Authority, without prejudice to any other administrative or judicial recourse, if you consider that processing performed by the Data Controller violates applicable legislation.

7. Contact details of the Data Controller and the Data Protection Officer

The Data Controller is **Design Management S.r.l.**, with registered office at Via Pisana 336, Scandicci (FI), Italy, tax identification, VAT and Florence Companies Register No. 05063610488.

To exercise your rights and/or to request any information concerning the processing of your data as described in this policy statement, contact the Data Controller at any time by writing to privacy@themall.it.

The Data Protection Officer of the Data Controller may be contacted at: dpo@themall.it