

PROCESSING OF PERSONAL DATA

Information pursuant to Art. 13 of EU Reg. 2016/679

This information is provided pursuant to Art. 13 and 14 of EU Regulation 2016/679 (General Data Protection Regulation, hereinafter EU Regulation), in relation to the personal data that the Institute of Atmospheric Sciences and Climate of the National Research Council (hereinafter CNR-ISAC), as Data Processor, comes into possession to perform activities for tender procedures, stipulation and execution of contracts between CNR-ISAC and third parties, including activities of storage of administrative and technical documentation and other related fulfilments.

Processing of personal data shall be based on the principles of fairness, lawfulness, transparency and protection of confidentiality and of all the rights of the parties concerned, as specified in the following information.

1. Identification details of the Data Controller, Data Processor and persons performing the processing:

The Data Controller is the National Research Council - Piazzale Aldo Moro 7 - 00185 Rome.

The Data Protection Officer (DPO) is Raffaele Conte at the National Research Council - Piazzale Aldo Moro - 00185 Rome, contact email: rpd@cnr.it.

The Data Processing Officer is the Director of the Institute of Atmospheric Sciences and Climate, with headquarters in Bologna (BO) via Pietro Gobetti 101, who can be contacted at the following certified email address: protocollo.isac@pec.cnr.it.

The Data Protection Officer of the Institute of Atmospheric Sciences and Climate is Paola De Nuntiis, contact email: p.denuntiis@isac.cnr.it.

The Data Protection Authority can be reached at www.garanteprivacy.it.

2. Data sources and types

The following are the personal data that may be processed by the data controller and the officer for the purposes indicated in point 3.

- a) Personal data provided directly by the data subject belonging to the data subject himself/herself and to his/her employees and collaborators (including, by way of example, legal representatives, partners, proxies, employees, representatives and connected persons). Common data, such as personal details, tax identification code (of employees or customers), identity documents (driving licence/Identity Card/Passport number), contact data (PEC, email, telephone contacts), credentials, personal identification code (Customer ID), economic/financial data, bank details, credit card and transactions.

- b) Personal data, including special and judicial data, acquired from public administrations and judicial authorities. Judicial data contained in judicial records, in the register of administrative sanctions dependent on crime and related pending charges, or the status of defendant or suspect, conditional release, prohibition or obligation to reside, alternative detention measures. Judicial data, i.e. personal data relating to criminal convictions and offences or related security measures, pursuant to Art. 10 GDPR and Art. 2-octies of Legislative Decree no. 196 of 30 June 2003 (the "Privacy Code"), shall be processed exclusively for the purpose of assessing the possession of the requirements and qualities laid down by current legislation on the acquisition of goods and services.

3. Purpose of data processing

The personal, special and judicial data of suppliers and economic operators who hold relations with CNR-ISAC shall be processed by specifically authorised persons, in compliance with the provisions of Regulation (EU) 2016/679 - General Data Protection Regulation and Legislative Decree 196/2003 - Personal Data Protection Code.

The purpose of the processing is to manage and monitor the procedures for the acquisition of goods, works and services, in compliance with CNR Regulations and current legislation. By way of example, personal data may be processed to allow the verification of judicial, economic, tax and social security status of economic operators within the scope of the procedures for the acquisition of goods and services, the drafting of technical, administrative and contractual documentation and, finally, the management of the procedure and all related activities (stipulation and execution of the contract).

Finally, the data may be processed by CNR-ISAC for the management of legal disputes or in the context of debt collection management.

Such data shall be stored on electronic means and in hard copy, access to which shall be permitted only to authorised personnel.

4. Data processing methods

Data processing shall be carried out in such a way as to guarantee the utmost security and confidentiality and may be carried out by means of manual, computer and electronic tools suitable for storing, managing and transmitting the data.

The data shall be processed lawfully and fairly; collected and recorded for the purpose referred to in paragraph 3; accurate and, if necessary, updated; relevant, complete and not excessive in relation to the purposes for which they are collected or subsequently processed; stored in a form which permits identification of the data subject for a period of time not exceeding that necessary for the purposes for which they were collected or subsequently processed.

5. Legal basis of processing

The legal basis of such processing is to be found in the need to fulfil legal obligations, established by national law (including Legislative Decree 50/2016 and the subsequent Legislative Decree 56/2017, as amended), as well as to perform tasks carried out in the public interest.

6. Scope of disclosure of data

The data may be:

- Processed by CNR-ISAC staff in charge of the procedure or by the staff of other offices carrying out activities related to it;
- Disclosed to self-employed collaborators, professionals and consultants who provide CNR-ISAC with consultancy or assistance in relation to the procedure, including for possible legal protection;
- Disclosed to any external parties who are part of the selection and testing committees to be set up from time to time;
- Disclosed, where applicable, to the Ministry of Economy and Finance or other Public Administration bodies, the Agency for Digital Italy, in relation to the data provided by the successful bidder;
- Disclosed to other bidders requesting access to the procedure documents within the limits allowed under Law No. 241 of 7 August 1990;
- Disclosed to the National Anti-Corruption Authority, in compliance with the provisions of current legislation.

The name of the successful bidder in the procedure and the price at which the contract was awarded shall be disclosed through the website of the Data Controller and the Data Processor. In addition, the information and data relating to the participation of the Bidder in the procedure, within the limits and in application of the principles and provisions on public data and the re-use of public sector information (Legislative Decree 36/2006 and Articles 52 and 68, paragraph 3, of Legislative Decree 82/2005, as amended), may be made available to other public administrations, natural and legal persons, including as open data.

In addition to the above, in fulfilment of the legal obligations requiring administrative transparency (Article 1, paragraph 16, letter b, and paragraph 32 of Law 190/2012; Article 35 of Legislative Decree 33/2012; and Article 29 of Legislative Decree 50/2016), the bidder/contractor shall acknowledge and consent that the data and documentation that the law requires to be published may be published and disclosed, where appropriate, through the website of the Data Controller and the Data Processor.

7. Data supply

The Bidder is required to provide data to CNR-ISAC due to legal obligations deriving from legislation on public procurement and contracts. Refusal to provide the requested data may result, depending on the case, in the impossibility of admitting the bidder to participate in the procedure or its exclusion

from the procedure or the forfeiture of the award, as well as the impossibility of stipulating the contract.

8. Data storage

The determination of the period for which personal data is stored complies with the principle of necessity of processing. Personal data are therefore kept for the entire period necessary to carry out the purposes set out in point 3 and is directly related to the duration of the procedure and the fulfilment of all legal obligations, including those subsequent to the same, as well as the execution of the contract. After the termination of the procedure, the data shall be stored in accordance with the rules on storage of administrative documentation.

Personal data may be stored for longer, should the need arise for a legitimate purpose, such as the defence, including judicial defence, of CNR-ISAC's rights; in this case personal data shall be stored for as long as necessary to achieve such purpose.

Furthermore, the data may be stored, including in aggregate form, for study or statistical purposes in compliance with Article 89 of the EU Regulation and Article 110 bis of the Privacy Code.

9. Rights of the data subject

The data subject is entitled to the following rights:

- a) the right of access to his or her personal data (Art. 15 EU Regulation);
- b) the right to rectification or to have incomplete data completed (Art. 16 EU Regulation);
- c) the right to erasure (right to be forgotten), pursuant to Article 17 of the EU Regulation, with the exception of those data contained in documents that must be compulsorily kept by the Data Controller or the Data Processor and unless there is an overriding legitimate reason for processing;
- d) the right to restriction of processing under the conditions set out in Article 18 EU Regulation;
- e) the right to data portability, as regulated by Art. 20 EU Regulation;
- f) the right to object at any time to processing of data (Art. 21 of the EU Regulation), without prejudice to the provisions concerning the necessity and obligatory nature of processing for the purposes of establishing the relationship;
- g) to withdraw any consent given for non-compulsory data processing, without prejudice to the lawfulness of the processing based on the consent given prior to withdrawal;
- h) the right to lodge a complaint with the Data Protection Authority.

10. How to exercise your rights

In order to exercise his/her rights, the data subject may contact the Data Processor by writing to protocollo.isac@pec.cnr.it or by contacting the Personal Data Protection Officer of CNR-ISAC, referente-privacy@isac.cnr.it.

