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| Ref.dlgs196/03 | Ref.GDPR |  | BIAUTO GROUP SPA | |
|  |  |  |  | Information for https://www.123buycars.com/  Articles 13-14 of EU Reg. 2016/679  The information notice is a general obligation that must be fulfilled before or at the latest at the time of initiating the direct collection of personal data. In the case of personal data not collected directly from the data subject, the information must be provided within a reasonable period of time, or at the time of the communication (not the recording) of the data (to third parties or to the data subject).  Pursuant to the General Regulation for the Protection of Personal Data of Natural Persons (GDPR – Reg.(EU)2016/679), the undersigned organisation, the data controller, informs you of the following: |
| **13 co.4** | **14(2)(f)**  **14(1)(d)** |  |  | The personal data held by the undersigned organisation are collected directly from the data subjects. |
|  |  |  | Navigation data | The computer systems and software procedures used to operate the website acquire, during their normal operation, some personal data whose transmission is implicit in the use of Internet communication protocols. This information is not collected in order to be associated with identified interested parties, but by its very nature could, through processing and association with data held by third parties, allow users to be identified. This category of data includes the IP addresses or domain names of the computers used by users connecting to the site, the URI (Uniform Resource Identifier) notation addresses of the resources requested, the time of the request, the method used to submit the request to the server, the size of the file obtained in response, the numerical code indicating the status of the response given by the server (successful, error, etc.) and other parameters relating to the user’s operating system and IT environment. This data is used for the sole purpose of obtaining anonymous statistical information on the use of the site and to check its correct operation, and is deleted immediately after processing. The data could be used to ascertain responsibility in the event of hypothetical computer crimes to the detriment of the site. |
|  |  |  | Profiling data | Profiling data relating to the habits or consumption choices of the person concerned are acquired by means of cookies with this functionality, which are only collected following explicit consent given by the user. It is possible that through links or by incorporating third-party elements, such information may be acquired by independent or separate parties. See the section on third-party cookies in this regard. |
|  |  |  | Cookies | Like others, this website saves cookies on the browser used by the user concerned to transmit information of a personal nature and to enhance the user experience. Cookies are small text strings that the sites visited by the user send to his/her terminal (usually to the browser), where they are stored, sometimes even with wide temporal persistence, to be then re-transmitted to the same sites on the next visit.  As explained below, you can choose whether and which cookies to accept, bearing in mind that refusing their use may affect your ability to carry out certain transactions on the site or the accuracy and appropriateness of certain customisable content offered or the ability to recognise you from one visit to the next. If no choice is made in this respect, the default settings will apply and all cookies will be activated: however, at any time, you may communicate or change your decisions in this respect. |
|  |  |  | Technical cookies | In particular, we use so-called session cookies, which are not stored persistently on the user’s computer and disappear when the browser is closed, and whose use is strictly limited to the transmission of session identifiers (consisting of random numbers generated by the server) necessary to enable the safe and efficient exploration of the site and which avoid the use of other IT techniques potentially prejudicial to the confidentiality of users’ browsing and do not allow the acquisition of personal data identifying the user. For technical cookies, since it is not necessary to give consent, the opt-out mechanism applies. Technical cookies are not disclosed to third parties insofar as they are necessary or useful for the operation of the site; therefore, they are processed only by persons qualified as data processors, data controllers or system administrators. |
|  |  |  | Third-party cookies | Lastly, the site incorporates cookies and other elements (tags, pixels, etc.) of third parties (autonomous and for which the Owner has no responsibility) that also carry out profiling activities and for which please refer to their respective sites:  • Facebook  • Google Adwords  • Google Analitycs GA4 |
|  |  |  | Data provided voluntarily by the user | The optional, explicit and voluntary sending of a request by the user through the instant communication channel on the site entails the collection and the following processing of personal data. For the chat functionality, the collection of personal data is also compulsory, as the persons concerned must be identified by means of minimum data; refusal to provide such personal data will make it impossible to activate chat communication. The relevant processing does not require the consent of the person concerned.  The collection or processing of personal data has the sole purpose of adequately fulfilling the tasks connected with the functionality of the interactive chat.  Users who identify themselves as professionals in the sector, who meet the legal requirements, including being holders of a VAT number and qualified to trade in cars, and who are interested in joining the online auction service, are also entitled to register and access the reserved area on the website. The service is managed through a B2BID platform to which the user is required to accept the terms of use contained in the ‘BUYCARS Regulations’. |
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|  |  |  |  | The information that the user uploads during registration is protected by encryption and authentication systems and is only accessible to authorised users, i.e. those directly involved and/or intermediaries. This information is not subject to dissemination operations. |
| **13(1)(a)** | **13/14 co.1(c)**  **in the case of legitimate interests: 13co.1(d) 14co.2(b)** |  | PURPOSE AND LEGAL BASIS OF PROCESSING | Personal data are processed (ref. Art. 6(b) of the GDPR):   1. to enable navigation on the site and in performance of the service or provision requested by the user (e.g. communication via chat and/or use of the online auction platform via the registration procedure)   In addition, all personal data may be processed:   1. for purposes connected with obligations laid down by law, as well as by provisions issued by authorities empowered to do so by law (ref. Articles 6(c) and 9(b,g,h) of the GDPR); 2. for the establishment, exercise or defence of a right in or out of court (legitimate interest) of the undersigned organisation (ref. Art. 6(f) and 9(f) GDPR); 3. for direct marketing purposes according to the legitimate interest of the Data Controller in particular; for cookies, advertising ids used to display advertisements and announcements; for e-mail addresses to send the newsletter; for navigation and usage logs to protect the site and the service from cyber-attacks; in these cases the data subject can always refuse consent so that the Data Controller will abstain from processing (ref. Art. 6(f) of the GDPR); 4. for purposes functional to the activity for which the data subject may or may not give consent, such as, for example, subscribing to the newsletter to receive information and promotional and sales messages on products and services, satisfaction surveys, communication of data to third parties to receive information and promotional and marketing communications (GDPR art.6(a)) 5. with the consent of the data subject, for profiling the data subject (ref. Art. 6(a) GDPR) |
| **13(1)(b/c)** | **13(2)(e)** |  | CONSEQUENCES OF REFUSAL TO PROVIDE DATA | The provision of data collected from the data subject is optional but indispensable for the purpose of processing them for the purposes set out in point a). In the event that the interested parties do not communicate their indispensable data and do not allow the processing, it will not be possible to proceed with the fulfilment and implementation of the proposed services and to follow up on the contractual obligations undertaken, with consequent prejudice to the correct fulfilment of regulatory obligations, such as accounting, tax and administrative obligations, etc.  *Apart from what is specified for navigation data, the user is free to provide personal data for cookies and specific requests via forms e.g. on products and/or services. Failure to provide them may result in the impossibility of obtaining what has been requested.* For all non-essential data, provision is optional. In the absence of consent or incomplete or erroneous provision of certain data, the fulfilment of the requested fulfilments may be so incomplete as to be prejudicial or in terms of sanctions or loss of benefits, both for the impossibility of guaranteeing the congruity of the processing itself with the obligations for which it is carried out, and for the possible mismatch of the results of the processing itself with the obligations imposed by the laws to which it is addressed, the undersigned organisation being understood to be exempt from any and all responsibility for any sanctions or afflictive measures. |
|  |  |  | DATA PROCESSING METHODS | Processing related to the site’s web services is carried out by automated tools for the time strictly necessary to achieve the purposes for which it was collected ; it takes place at the server in Italy or in the EU and is handled only by technical personnel in charge of processing, or by those responsible for maintenance and administration operations. Specific security measures are observed to prevent loss of data, illegal or incorrect use and unauthorised access and loss of confidentiality. The facility is equipped with anti-intrusion, firewall, log and disaster recovery devices. Specific data encryption and segregation mechanisms and user authentication and authorisation are used.  Processing of data means its collection, recording, organisation, storage, processing, modification, deletion and destruction, or the combination of two or more of these operations. In relation to the aforementioned purposes, the processing of personal data is carried out by means of manual, computerised and telematic tools, with logics strictly related to the purposes themselves and, in any case, in such a way as to guarantee security and confidentiality personal data will therefore be processed in compliance with the methods indicated in Art. 5 Reg.to EU 2016/679, which provides, inter alia, that the data shall be processed lawfully and fairly, collected and recorded for specified, explicit and legitimate purposes, accurate, and if necessary updated, relevant, complete and not excessive in relation to the purposes of processing, respecting the fundamental rights and freedoms and the dignity of the person concerned with particular reference to confidentiality and personal identity, by means of protection and security measures. The undersigned organisation has put in place and will further refine the security system for data access and storage. |
|  | **13/14 co.1(f)** |  |  | Processing will take place in Italy and the EU |
|  | **13/14 co.2(a)** |  | RETENTION PERIOD | Personal data will be retained, in general, as long as the purpose of the processing lasts, depending on the category of data processed. |
| **13(1)(d)** | **13/14 para.1(e)** |  | CATEGORIES OF RECIPIENTS | The data (only the indispensable ones) are communicated   * appointees and data processors, both internal to the writer’s organisation and external, who carry out specific tasks and operations (site administration, analysis of navigation data, traffic data, profiling, management of emails and forms sent voluntarily by the user, etc.) * in the cases and to the persons provided for by law   Data will not be disclosed unless otherwise provided for by law or after anonymisation. With the exception of what has been specified for cookies and third-party elements, without the general prior consent of the person concerned for communications to third parties, it will only be possible to carry out services that do not provide for such communications. In case of need, specific and punctual consents will be requested and the subjects receiving the data will use them as autonomous data controllers.  In some cases (not covered by the ordinary management of this site) the Authority may request news and information, for the purpose of monitoring the processing of personal data. In these cases, a reply is obligatory under penalty of administrative sanction. |
| **13(1)(e)** | **13/14 co.2 b/c)**  **13/14 para. 2 lit. d/e)** |  | RIGHTS OF THE DATA SUBJECT | You may at any time: exercise your rights (access, rectification, erasure, limitation, portability, objection, no automated decision-making processes) when provided against the data controller, pursuant to Articles 15 to 22 of the GDPR https://eur-lex.europa.eu/legal-content/IT/TXT/HTML/?uri=CELEX:32016R0679&from=IT#d1e2168-1-1); lodge a complaint with the Garante [(](http://www.garanteprivacy.it)www.garanteprivacy.it); where the processing is based on consent, revoke such consent given, bearing in mind that revocation of consent does not affect the lawfulness of the processing based on consent before revocation. |
|  |  |  | Disabling cookies | Almost all browsers offer the possibility to manage and disable cookies in order to respect users’ preferences. There is a cookie bar on the website which allows users to disable non-essential cookies at any time and/or modify previously expressed preferences. |
| **13(1)(f)** | **13/14 para.1 (a/b)** |  | CONTACT DETAILS | The Data Controller is BIAUTO GROUP S.P.A. in the person of the delegate, Dr. FILIPPO TAROCCO.  The head office is located at VIA BOLOGNA 102 - 10154 TORINO.  The Data Protection Officer D.P.O. is SPAZIOTTANTOTTO S.R.L, dpo@spazio88.com.  Our organisation can be contacted to exercise the rights recognised by the legislation on the protection of personal data by writing to [privacy@biautogroup.com](mailto:privacy@biautogroup.com) or by asking for the Data Protection Officer (R.R.I.) on 011.248.3711  The full list of data controllers is available on request. |