



Date of update: 3 October 2024

PRIVACY POLICY NOTICE PURSUANT TO ARTICLE 13 OF EU REGULATION 2016/679 For Club Members

PRIVACY POLICY NOTICE PURSUANT TO ARTICLE 13 OF EU REGULATION 2016/679 For Club members

Data protection is a very serious matter for us, so we would like to inform you about the way in which your data is processed and the rights you can exercise under current data protection legislation, in particular EU Regulation 2016/679 (hereinafter also: "GDPR").

1. Joint data controllers *

First Joint Controller

The Wilde Collection UK
4th Floor Elsley Court, 20-22 Great Titchfield Street,
London (UK)
E-mail: ach@thewilde.com

Second Joint Controller

The Wilde S.r.l.
Via Alessandro Manzoni n. 38, 20121, Milano (MI)
E-mail: privacy.milan@thewilde.com

Third Joint Controller

Milano Club S.p.A.
Via dell'Annunciata n. 21, 20121, Milano (MI)
E-mail: privacy.milan@milanoclub.it

** The essential content of the Joint Controllership Agreement, pursuant to Article 26 of the GDPR, is made available to the data subject.*

2. Categories of processed personal data

The categories of 'personal data' (ex. Art. 4.1 of the GDPR) processed by the Joint Data Controllers may be, by way of example but certainly not limited to:

- Biographic and identification data (e.g., name and surname, date of birth, place of birth, nationality, tax code, VAT number, etc.);
- Contact data (e.g., address, e-mail address, telephone number, etc.);
- Image data of the data subject;
- Data concerning the professional role or the profession performed by the data subject;
- Personal data required for invoicing (e.g., credit card number, etc.);
- Data relating to the data subject's preferences with respect to the services provided by the contractors (e.g., concerts, shows, cultural events, culinary preferences, etc.).

3. Lawfulness and purpose of processing

Personal data is processed in accordance with the provisions of the General Data Protection Regulation (GDPR) and any other applicable data protection legislation. Details are provided below:

3.1 Purposes aimed at fulfilling a legal obligation (ex-Art. 6(1)(c) GDPR)

- a. Fulfilment of obligations provided for by Laws, Regulations and Community Legislation, or by provisions issued by Authorities or by Supervisory and Control Bodies in relation to or in any case connected to the acquisition, maintenance and possible termination of membership and to the use of the services and experiences proposed.

The retention period of personal data for the purposes of this section is:

For the purpose: a, 10 years after termination of membership.

These times may be extended in the event of litigation or legal provisions.

3.2 Purposes of the performance of a contract or pre-contractual measures (ex-Art. 6(1)(b) GDPR)

- a. Management of administrative, accounting and tax processes related to the acquisition, maintenance and termination of membership;
- b. Fulfilment of contractual obligations and legal transactions, and in particular, services requested (such as, for example, seat or table reservations for Club events);
- c. Protection of contractual rights or in any case arising from the relationship between the parties. It should be noted that, if the protection of rights is not directly connected with the fulfilment of the contract entered into, the related

processing has as its **legal basis the legitimate interest, (ex-art. 6 paragraph 1 (f) of the GDPR), of a compulsory nature and arising from the contractual relationship established between the parties .**

The retention period of personal data for the purposes of this section is :

For purposes: a, c, 10 years after termination of membership;

For the purpose: b, until the termination of membership.

These times may be longer in the event of litigation.

3.3 Purposes in pursuit of a legitimate interest (ex-Art. 6(1)(f) GDPR)

- a. Notification, by e-mail and by App notifications, of activities and events proposed by the Club in which the person concerned may participate as a member;
- b. Transmission of data within the business group to which the Joint Controllers belong for internal administrative purposes;
- c. Protection of the interests and/or rights of the Joint Controllers and/or other group companies in the context of non-contractual liability;
- d. Use of a close-up photo for member recognition when entering the Clubs.

The retention period of personal data for the purposes of this section is:

For the purpose a, 12 months from the last acquisition or renewal of membership, unless the data subject objects. In this regard, it is specified that any denial or revocation of consent for marketing purposes other than the aforementioned purpose, does not amount to opposition to the same and will not result in the cessation of this purpose and related activities;

For the purpose: b, 10 years after termination of membership;

For the purpose: c, 5 years from the event giving rise to the need for protection;

For the purpose: d, until the termination of the membership.

These times may be longer in the event of litigation.

3.4 Purposes covered by the data subject's consent (ex-Art. 6(1)(a) GDPR)

- a. Personalization of the experience within the Club by analyzing and profiling the interests, preferences and tastes of the data subject, including the receipt of offers, within the Club, in line with the data subject's profile;
- b. Communication of the data to other companies of the group to which the Joint Controllers belong, operating in the hospitality and entertainment sector, in order to receive communications, via e-mail, of the activities and events proposed by the respective Clubs in which the interested party may participate as a member.

The retention period of personal data for the purposes of this section is:

For the purposes: a, b, 12 months after consent is given, unless revoked.

4. Recipients or categories of recipients of personal data (pursuant to Article 13(1)(e) of the GDPR) *

Within the scope of the above-mentioned purposes, the Data Controllers may communicate your data to

- Offices and internal functions of the Joint Controllers;
- Accounting and book-keeping consultants;
- Companies and professionals providing IT services, including electronic data processing, software and cloud management, website management and IT consulting, hosting and mailing providers;
- Control and supervisory bodies;
- Law firms, professionals and compliance consultants;
- Companies, agencies and professionals in the field of communication and advertising;
- Other companies that are part of the business group to which the Joint Controllers belong, performing in the restaurant and entertainment industries;
- Public Administrations, Competent Authorities, Public Bodies and Agencies in the performance of their institutional tasks.

** More information on the Recipients (ex-art. 4.9 of the GDPR) is available from the Data Controllers at the above-mentioned addresses.*

5. Recipients or categories of recipients of personal data (ex-art. 13 paragraph 1 (f) GDPR) * and transfer of data to non-EU countries

The Data Controllers inform you that they intend to transfer your data to countries outside the EU and the EEA. Such countries may not be considered by the European **Commission**** as providing an adequate level of protection for personal data. Therefore, when we transfer your Personal Data outside the EU, we will take appropriate safeguards in accordance with our obligations under applicable EU and Italian law to ensure that your Personal Data is adequately protected.

In particular, your data may be disclosed in the United Kingdom, in accordance with **Article 45 of the GDPR**, as a third country deemed appropriate by the European Commission with EU Implementing Decision 2021/1773, to companies belonging to the business group to which the Joint Controllers belong and to Companies and professional operators that

provide IT services, for the purposes set out above in point 3.2 lett. a, b, c, point 3.3 lett. a, b, c, d and finally point 3.4 lett. a, b.

In relation to personal data subject to the above-mentioned transfers to non-EU territories, the data subject may obtain information by making a request to the Data Controllers by sending a communication to the following e-mail address privacy.milan@thewilde.com.

** More information on the Recipients (ex-art. 4.9 of the GDPR) is available from the Data Controllers at the above-mentioned addresses.*

*** The updated list of non-EEA countries deemed adequate by the European Commission can be obtained at: https://commission.europa.eu/law/law-topic/data-protection/international-dimension-data-protection/adequacy-decisions_en*

6. Rights of the Data Subject (pursuant to Art. 13(2)(b) of the GDPR)

The data subject may assert the following rights:

- the data subject's right of access [Art. 15 of the EU Regulation] (the possibility to be informed about the processing carried out on one's Personal Data and, if necessary, to receive a copy of it);
- Right to rectification of one's Personal Data [Art. 16 of the EU Regulation] (the data subject has the right to rectification of inaccurate personal data concerning him/her);
- right to the deletion of one's own Personal Data without undue delay ('right to be forgotten') [Art. 17 of the EU Regulation] (the data subject has, as well as will have, the right to the deletion of his or her own data);
- the right to limitation of the processing of one's Personal Data in the cases provided for by Article 18 of the EU Regulation, including in the case of unlawful processing or contestation of the accuracy of Personal Data by the data subject [Article 18 of the EU Regulation];
- right to data portability [Art. 20 of the EU Regulation], the data subject may request his or her Personal Data in a structured format in order to transmit it to another data controller, in the cases provided for in that Article;
- the right to object to the processing of one's own Personal Data [Art. 21 of the EU Regulation] (the data subject has, as he or she will have, the right to object to the processing of his or her own Personal Data);
- right not to be subject to automated decision-making processes, [Art. 22 of the EU Regulation] (the data subject has, as will have, the right not to be subject to a decision based solely on automated processing).

Further information on the rights of the data subject may be obtained by requesting the full extracts of the above-mentioned articles from the Joint Data Controllers.

With regard to the purposes for which consent is required, the data subject may revoke his or her consent at any time and the effects shall run from the time of revocation, subject to the time limits provided for by law. In general terms, revocation of consent has effect only for the future.

The above-mentioned rights may be exercised in accordance with the Regulation by sending an e-mail to privacy.milan@thewilde.com.

In accordance with Article 19 of the EU Regulation, the Joint Data Controllers shall inform the recipients to whom the personal data have been disclosed of any rectification, erasure or restriction of processing required, where possible.

In order to allow for a quicker response to your requests made in the exercise of the aforementioned rights, the same may be addressed to the Joint Data Controllers by addressing them to the addresses indicated in point 1.

7. Right to lodge a complaint (ex-Art. 13(2)(d) GDPR)

If the data subject considers that his or her rights have been compromised, he or she has the right to lodge a complaint with the Italian Data Protection Authority, in accordance with the procedures indicated by the Authority itself at the following address: <http://www.garanteprivacy.it/web/guest/home/docweb/-/docweb-display/docweb/4535524> or by sending written notice to the Italian Data Protection Authority.

8. Possible consequence of non-disclosure of data and nature of the provision of data (pursuant to Article 13(2)(e) of the GDPR)

8.1 In case of fulfilment of legal or contractual obligations

Please note that if the processing purposes have a legal or contractual (or even pre-contractual) obligation as a legal basis, the data subject must necessarily provide the requested data.

Failure to do so will make it impossible for the Joint Data Controllers to pursue the specific processing purposes.

8.2 In case of pursuit of legitimate interest

Similarly, with regard to purposes based on a legitimate interest and which do not require consent, the objection of the data subject entails or will entail the impossibility of proceeding with the fulfilment of the respective purposes and any related services, for which the data subject respectively objected, without prejudice to compelling legitimate reasons of the Joint Data Controllers or for the protection of rights in court.

8.3 In case of consent of the data subject

For other purposes, for which consent is required, the Data Subject may revoke his or her consent at any time and the effects shall run from the time of revocation, subject to the time limits provided for by law. In general terms, revocation of consent has effect only for the future. Therefore, processing that was carried out before the revocation of consent will not be affected and will retain its legitimacy.

Failure to give consent (or withdrawal of consent) may not guarantee the full provision of services or activities,

with reference to the individual purposes for which consent is withheld and **shall not prejudice or impede other purposes (and activities related thereto) not expressly involved or affected by the withholding of consent or not based on that legal basis.**

When the data are no longer needed, they are routinely deleted; if deletion is impossible or only possible with disproportionate effort due to a particular storage method, the data may not be processed and must be stored in inaccessible areas.

9. Existence of automated decision-making (including profiling)

The use of purely automated decision-making processes as detailed in Article 22 of the GDPR is currently excluded. Should it be decided in the future to establish such processes for individual cases, the data subject will be notified separately if this is required by law or updated in this policy.

10. Processing Methods

Personal data shall be processed in hard copy, computerized and telematic form and entered in the relevant databases that may be accessed, and therefore come to the knowledge of, the employees expressly designated by the Joint Controllers as Data Processors and authorized to process personal data, who may carry out consultation, use, processing, comparison and any other appropriate operation, including automated operations, in compliance with the provisions of the law necessary to guarantee, among other things, the confidentiality and security of the data as well as their accuracy, updating and relevance to the stated purposes.

CONSENT PURSUANT TO ARTICLE 7 OF EU REGULATION 2016/679

The undersigned _____ declares that he/she has fully understood the information provided by The Wilde Collection Ltd., The Wilde S.r.l. and Milano Club S.p.A. as Joint Data Controllers and, in accordance with the provisions of art. 7 of the EU Regulation:

in relation to section 3.4 lett. a: "Personalization of the experience within the Club by analyzing and profiling the interests, preferences and tastes of the data subject, including the receipt of offers, within the Club, in line with the data subject's profile".

Consents to processing Does not consent to processing

in relation to section 3.4 lett. b: "Communication of data to other companies of the group to which the Joint Data Controllers belong, operating in the hospitality and entertainment sector, in order to receive communications, by e-mail, of the activities and events proposed by the respective Clubs in which the data subject may participate as a member".

Consents to processing Does not consent to processing

(Place and date)

(signature of the data subject)