

**NOTICE ON THE PROTECTION OF NATURAL PERSONS
WITH REGARD TO THE PROCESSING OF PERSONAL DATA
(GDPR EU 2016/679, Art. 13)**

Pursuant to Art. 13 of EU Regulation 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (hereinafter the EU Regulation or GDPR), the contracting authority provides the following information on the processing of personal data.

Purposes of processing

- The data provided by tenderers is collected and processed by the Administration in order to verify compliance with the legal requirements for participation in the tender and, in particular, to evaluate the administrative, technical and economic capacity of the tenderers;
- All data acquired by the Administration may also be processed for research and statistical purposes in accordance with the provisions of the EU Regulation.

Legal basis and requirements

Tenderers are required to provide the data to the Administration pursuant to legislation regarding public procurement and the awarding of public contracts. Failure to provide the data requested by the Administration may, depending on the circumstances, result in the tenderer being excluded or removed from the tender procedure, deprived of the award or prevented from entering into the subsequent contract.

Nature of data to be processed

The data to be processed for the purposes specified above are of the following types: i) common personal data (e.g. personal details and contact details); ii) data relating to criminal convictions and offences (legal records), as referred to in Art. 10 of the EU Regulation, solely for the purpose of verifying compliance with the requirements and qualifications laid down in the applicable legislation for participation in the tender procedure and the award of the contract. Data falling within 'special categories of personal data' ('sensitive' data) are not requested, pursuant to Art. 9 of the EU Regulation.

Methods of data processing

Data will be processed by the Administration in a manner that ensures the necessary security and confidentiality. Processing may be carried out using appropriate manual, paper-based, IT and electronic tools in accordance with the security measures laid down in the EU Regulation.

Scope of communication and disclosure of data

Data may be:

- processed by the staff of the Administration responsible for managing the tender procedure and the execution of the Contract, by the staff of other departments within the Administration carrying out related activities, as well as by departments responsible for research and statistical activities;
- disclosed to self-employed collaborators, professionals or consultants providing advice or assistance to the Administration regarding the tender process and the execution of the Contract, as well as for legal defence purposes, sector studies or statistical purposes;
- disclosed to external members of the committees responsible for evaluating applications and tenders;

- disclosed to other tenderers who submit requests for access to tender documents within the limits established by Italian Law No. 241 of 7 August 1990;
- disclosed to the National Anti-Corruption Authority, in accordance with the provisions of AVCP Decision No. 1 of 10/01/2008;
- disclosed to other supervisory bodies of the Italian Ministry of Foreign Affairs and International Cooperation.

The name of the successful tenderer and the contract award price will be published in the Official Journal of the European Union and the Official Gazette of the Italian Republic. Furthermore, in compliance with the statutory obligations concerning administrative transparency (Art. 1(16)(b) and (32) of Italian Law 190/2012; Art. 35 of Italian Legislative Decree No. 33/2013; as well as Art. 29 of Italian Legislative Decree No. 50/2016), the tenderer/contractor hereby acknowledges and consents to the publication and disclosure, where required by law, of data and documentation, subject to the necessary conditions, on the 'Transparency' section of the website www.esteri.it and on the website of the contracting authority: <https://www.ambatene.esteri.it>

Data may be transferred to an international organisation in order to comply with certain legal obligations, in which case the transfer shall be carried out in accordance with the requirements of the EU Regulation.

Data retention period

Data shall be retained for a maximum period of 5 years from the date of conclusion or, where applicable, cancellation of the contract, pursuant to Articles 157, 317 and 161 of the Italian Criminal Code. This time limit shall be suspended in the event of ongoing legal proceedings. Furthermore, data may be stored, including in aggregate form, for research or statistical purposes in compliance with Art. 89 of the EU Regulation and Art. 97-110 bis of Italian Legislative Decree 196/2003 as amended.

Rights of the tenderer / interested party

"Data subject" refers to any natural person whose data is disclosed to the Administration by the tenderer.

Data subjects are granted the rights set out in Articles 15 to 23 of the EU Regulation. In particular, data subjects have the right to: i) obtain, at any time, confirmation as to whether or not their personal data is being processed; ii) access their personal data in order to know the purpose of the processing, the category of data processed, the recipients or categories of recipients to whom the data is or will be communicated, and the data retention period or the criteria used to determine this period; iii) request the rectification of inaccurate data, under the conditions provided for by law iv) request erasure of their data or restriction of processing, within the limits established by law and without prejudice to any consequences for participation in the tender procedure or award of the contract, or object to the processing of their personal data; v) data portability, to the extent applicable within the limits of Art. 20 of the EU Regulation.

If, in exercising the right of access or other related rights, a response to the initial request is not received within the statutory time limits or is deemed unsatisfactory, the data subject may assert their rights by lodging a complaint with the Italian Data Protection Authority or other competent judicial authority.

If the data subject believes that their rights have been violated, they may lodge a complaint with the Data Protection Officer at the Italian Ministry of Foreign Affairs and International Cooperation. Alternatively, they may contact the Italian Data Protection Authority (Piazza di Monte Citorio 121, 00186 Roma, Tel. +39 06 696771 (switchboard), E-mail: garante@gpdp.it, Certified E-mail: protocollo@pec.gpdp.it or the competent judicial authority.

Data controller

The data controller is the Italian Ministry of Foreign Affairs and International Cooperation.

Any request relating to the processing of personal data provided and the exercise of rights should be addressed to the Data Protection Officer (DPO), who can be contacted at the following address: Ministero degli Affari Esteri e della Cooperazione internazionale, Piazzale della Farnesina 1, 00135 ROMA, Tel.: +39 06 36911 (switchboard), E-mail: rpd@esteri.it; Certified E-mail: rpd@cert.esteri.it.

Consent for personal data processing

Having received the above information, by submitting their application/tender and, where applicable, signing the contract, the tenderer's legal representative hereby acknowledges and expressly consents to the processing of their personal data, including judicial data, as defined above.

The tenderer hereby agrees to comply with all obligations concerning information and consent, where necessary, towards natural persons (data subjects) whose personal data is disclosed within the framework of the award procedure, as regards the processing of their personal data, including judicial data, by the Administration for the purposes described above.

Place and Date

Data subject's signature for confirmation of acknowledgement and acceptance

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