

## PRIVACY POLICY FOR APPLICANTS

This privacy policy (“**Privacy Policy**”) of Bending Spoons S.p.A., based in Corso Como 15, Milan (Italy) (“**Data Controller**” or “**Company**”) sets out the procedures followed by us to collect, store and use your personal data through the application for the competition “First Ascent Italy 2024” (the “**Competition**”) in accordance with the Regulation (EU) 2016/679 (“**GDPR**”) and any other applicable privacy provisions laid down by the European Union, or the member States (collectively, “**Applicable Privacy Laws**”). Capitalized terms shall have the same meaning as defined in the Competition’s Rules.

### I. Data Controller and Data Protection Officer’s contact details

The Data Controller is Bending Spoons S.p.A., with registered office in Corso Como 15, Milan (Italy), VAT 08931860962. For any requests regarding the processing of personal data, please email us at [privacy@bendingspoons.com](mailto:privacy@bendingspoons.com).

Our Data Protection Officer (“**DPO**”) can be contacted by sending an email at [dpo@bendingspoons.com](mailto:dpo@bendingspoons.com) for any requests relating to the processing of your personal data or this Privacy Policy.

### II. Categories of the processed personal data, purposes and legal bases for the processing

The Company processes the following categories of personal data, for the purposes and on the legal bases indicated below.

Purpose	Legal basis	Categories of data
a. Your personal data is processed for the purpose of assessing your profile, qualifications, and skills, within the framework of our Rules.	Processing is necessary for the performance of a contract to which you are party or in order to take steps at your request prior to entering into a contract (art. 6(1)(b) of the GDPR).  You have consented to the processing of your personal data for one or more specific purposes (art. 9(1)(a) of the GDPR).	Common data and special categories of personal data: name, surname, email, information relating to your qualifications, skills, academic and professional career, gender identity.
b. If you are among the Winners your personal data will be processed for the purpose of the organization of the Trip.	Processing is necessary for the performance of a contract to which you are party or in order to take steps at your request prior to entering into a contract (art. 6(1)(b) of the GDPR).  You have consented to the processing of your personal data for one or more specific purposes (art. 9(1)(a) of the GDPR).	Common data: name, surname, email, ID card or passport number.  Special categories of personal data, only if spontaneously shared by you: data revealing food intolerances or religious or philosophical beliefs.
c. Your personal data may be processed for the purpose of complying with our legal obligations or other obligations arising out of the instructions received from the competent authorities.	Processing is necessary for compliance with a legal obligation to which the data controller is subject (art. 6(1)(c) of the GDPR).	Common data: name, surname, email, data relating to your qualifications, skills, academic and professional career, assessments and tests, competences, ID card or passport number.

<p>d. For the establishment, exercise, or defense of the rights of the Company and/or its own employees, including in court or before an authority.</p>	<p>The pursuit of the legitimate interest of the Data Controller and/or its own employees in the protection of their own rights (Article 6(1)(f) GDPR).</p>	<p>Any personal data that may become necessary in order to establish, exercise, or defend the rights of the Company and/or employees.</p>
<p>e. To use the recording of the Competition and create audio and/or visual materials and recordings, and to make them available to the public in any media, for commercial and non-commercial purposes, including advertising, promotion, marketing, and commercialization of the Data Controller, its affiliates, and any of their respective products and services, and for any other similar purpose.</p>	<p>Processing is based on the legitimate interest of the Data Controller to spread information about the Competition and promote the Company (art. 6(1)(f) of the GDPR).</p>	<p>Any personal data related to you in the recording, which could include common data such as your name, contact information, personal image, appearance, likeness, voice, and other biographical and identification information.</p>
<p>f. Your personal data may be processed for the purpose of inviting you to apply for a job position with us if we are interested in your profile.</p>	<p>The pursuit of the legitimate interest of the Data Controller to promote its workplace towards promising potential candidates (Article 6(1)(f) GDPR).</p>	<p>Common data: name, surname, email, data relating to your qualifications, skills, academic and professional career, assessments and tests, competences.</p>

**III. Data retention**

The Data Controller adopts technical and organizational measures for preventing the loss, improper use and alteration of personal data, and, in some cases, may adopt data encryption measures too.

For the purposes referred to in Sections 2.a), 2.b) and 2.f), your personal data will be processed and retained for the time necessary to carry out the purposes mentioned above and in any case for up to 12 months.

For the purposes referred to in Section 2.c) and 2.d) your personal data will be processed and retained for the period required by specific legal obligations or applicable legislation.

For the purpose referred to in Section 2.e) your personal data will be retained up to 5 years.

**IV. Mandatory or optional nature of the supply of personal data**

The processing of personal data referred to in Sections 2.a), 2.b) and 2.c) above is mandatory for the purposes of the contractual relationship. Refusal to supply the requested data, or the supply of inaccurate data may entail the impossibility to enter into or continue the contractual relationship.

Where we rely on your consent for the purposes referred to in Section 2.b), your provision of personal data is optional, and you have the right to withdraw your consent at any time. Please note that we take no responsibility for any event related to your refusal to provide us with information such as food intolerances, and, for example, the catering does not suit your dietary restrictions.

Where we rely on our legitimate interest for the purposes referred to in Sections 2.d), 2.e) and 2.f), your provision of personal data is still optional and you may, at any time, exercise your right to object to such processing as explained in Section 7 (Your Rights) below.

## **V. Your Choices**

Your personal data is necessary for us to process your application. If you do not provide such data, we will not be able to evaluate your candidacy and we will have to exclude you from the application process. If your application or CV contain special categories of personal data (for example, data revealing your health, your ethnic origin, sexual orientation, religious or philosophical belief, political affiliation or trade union membership), we will only process such data strictly for the purpose of enabling you to take part in the application process. With your prior consent, we may also process special categories of personal data when booking or organizing the Trip, if you spontaneously share such data because you wish to tell us about your possible food intolerances or religious or philosophical beliefs. Please note that we take no responsibility for any event related to your refusal to provide us with information such as food intolerances, and, for example, the catering does not suit your dietary restrictions.

## **VI. Recipients of Personal Data**

Personal Data may be disclosed to the following categories of recipients:

- a) administrative personnel of the Company, control bodies, and authorized individuals, exclusively for the purposes mentioned above;
- b) public, judicial or police authorities, within the limits established by applicable laws and regulations;
- c) third parties carrying out activities that are related or instrumental to the Data Controller's activities, as data processors duly appointed in writing by the Company in accordance with Applicable Privacy Laws or acting as autonomous data controllers (such as, by way of example only, suppliers providing IT maintenance and development services, IT or filing services providers).

The complete and updated list of such entities is available for consultation, upon request, at the Company's headquarters or by sending an email to [privacy@bendingspoons.com](mailto:privacy@bendingspoons.com).

The Data Controller may display to the public, through any media and technologies known now or in the future (including, but not limited to, the Data Controller's websites and social media pages), your personal data for the purpose referred to in section 2.e).

## **VII. Transfer of Personal Data outside EEA**

The Company may also transfer Personal Data of the Data Subjects to countries located outside the European Economic Area (EEA). In such cases, the Company will make sure that such transfer is based on appropriate safeguards listed in the GDPR, including (a) the standard contractual clauses developed by the European Commission; (b) the decisions of adequacy of the European Commission concerning the States in which the recipients are based; (c) binding corporate rules adopted by the Company and approved by the competent authorities or that are parties of agreements with the Company in this regard. Copies of appropriate warranties are available on request at the Company's office or by sending an email to [privacy@bendingspoons.com](mailto:privacy@bendingspoons.com).

## **VIII. Rights of the Data Subjects**

Data subjects, at any time and free of charge, can have or exercise the following rights, as specified in the GDPR:

- a) the right to be informed on the purposes and methods of the processing;
- b) the right of access;
- c) the right to ask for updating, rectification or integration of the data;
- d) the right to request the erasure of their data;
- e) the right to restrict the processing;

- f) when personal data is processed to pursue a legitimate interest of the Data Controller, the right to object to the processing, wholly or partly, on grounds related to their particular situation;
- g) the right to data portability (i.e., to receive a portable copy of their personal data), provided that personal data is processed by automated means and that the processing is based on data subjects' consent or on the basis of a contractual relationship with them;
- h) the right to withdraw the consent to the processing of the data freely and at any time (in such a case, the processing carried out before withdrawal of consent shall remain valid).

Data subjects also have the right to lodge a complaint before the competent national Data Protection Authority, in particular before the Data Protection Authority of the Member State of their habitual residence, place of work or place of the alleged infringement.

For the exercise of their rights, data subjects may contact the Data Controller by sending an email to [privacy@bendingspoons.com](mailto:privacy@bendingspoons.com). We may take reasonable steps to verify the identity of data subjects prior to responding to their requests.

#### **IX. Automated decision-making**

No entirely automated decision-making is carried out within the processing of the data subjects' personal data (including profiling under Article 22(1) and 22(4) of GDPR).

#### **X. Changes and updates of this Privacy Policy**

The Company may amend, modify, integrate and/or update, in whole or in part, this Privacy Policy. It is understood that any amendment, modification, integration or update will be communicated to the data subject in accordance with Applicable Privacy Laws.

Last amended: 13 September 2023