











SPECIAL PRIVACY INFORMATION ON "SMART CARD" RELATED PERSONAL DATA PROCESSING
pursuant to Art. 13 of GDPR 2016/679
"EUROPEAN REGULATION ON THE PROTECTION OF PERSONAL DATA AND THE FREE MOVEMENT OF SUCH DATA"

Dear User,

In accordance with the obligations imposed by Regulation (EU) 679/2016 (General Data Protection Regulation (hereinafter "GDPR"), SMART SPA Unipersonale (hereinafter, the "COMPANY") wishes to inform you how your personal data - collected when issuing the "SMART CARD" - is processed, in accordance and consistent with the general privacy information on the website www.smartmoda.com.

	<p>Identity and contact details of the data controller The Data Controller is SMART SPA Unipersonale with registered office in via Europa at no. 29 in GALLIERA VENETA (PD), Tax and Vat Number 00334120284, and can be contacted at privacy@smartmoda.com.</p>
 	<p>Purposes, types of data processed, legal bases for processing and sources of data collection Following your request as a user to register for a loyalty card known as the "SMART CARD" at the COMPANY's points of sale, the COMPANY will process your personal data (e.g. personal details, address, date and place of birth, telephone numbers, e-mail addresses, etc.) with the purpose to a) enable you to take advantage of particular benefits, such as discounts on the products 'prices, promotions, participation in events, related prizes or perks, priority, ancillary services, payment facilities, and b) sending informative, commercial and promotional (direct marketing) communications about its products following your specific request; c) carry out profiling based on the number of purchases and the related economic value in order to be able to create a purchase profile to which special promotions and/or benefits will be linked. The COMPANY collects such personal data directly from you when you register at the multimedia totems/workstations in the COMPANY's points of sale. For the purpose under a), the data processing is necessary for the performance of a contract in which the data subject is a party or for the performance of pre-contractual measures taken at the data subject's request (Art. 6(1)(b) of the GDPR) as actually happens through the acceptance of the SMART CARD Contractual terms (to which we refer in full); for the purposes under b) and c), your specific consent is required (art. 6(1)(a) of the GDPR).</p>
	<p>Data processing methods and logic Your personal data are processed both manually in paper format, and by means of electronic and computerised tools, with logic strictly related to the purposes indicated and, in any case, the processing will be carried out using instruments that guarantee security and confidentiality through the adoption of the appropriate security measures prescribed by law. For further details, please refer to the general privacy information indicated above.</p>
	<p>Withdrawal of consent If you have given your consent to personal data processing for purposes under b) and/or c), as already specified in our general privacy information, we remind you that you may withdraw your consent at any time, even for a single purpose, by contacting the Data Controller in the manner indicated in the paragraph below entitled "Rights of the Data Subject". The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal. If consent is withdrawn, personal data may still be processed further for other purposes if there is a different legal basis justifying the processing.</p>
	<p>Provision of data and consequences in the event of refusal The provision of personal data for the purposes set out under a) is necessary and mandatory to enable the COMPANY to issue the SMART CARD and consequently to enable users to take advantage of the benefits associated with it. However, the provision of your personal data for the purposes under b) and c) is absolutely free and optional, and failure to provide such data will have no consequences for you; the SMART CARD will still be issued and the associated benefits and advantages for users will be granted, but this will make it impossible for the COMPANY to carry out the information, communication, promotion and profiling activities as indicated above.</p>
	<p>Access to personal data, communication, data transfer to non-EU countries Your personal data are processed by persons specifically authorised or designated by the Data Controller within its structure, or, if they do not belong to the organisational structure of the COMPANY, they will be appropriately appointed as external data processors, in accordance with Article 28 of the GDPR. We would like to point out that your personal data are not passed on to third parties, are not subject to dissemination and are not subject to automatic decision-making processes. The COMPANY mainly processes data in its possession within the EU. For further information, please refer to the general information indicated above.</p>
	<p>Duration of processing and data retention period In compliance with current legislation, as well as in line with our general information, your data will be stored and used for purposes under a) as long as the SMART CARD is valid, and will only be deleted following cancellation of the loyalty card as set out in the Loyalty Card Contractual terms (please, read in full). For the purposes under b), the data will be processed as long as you do not withdraw your consent, as per your right and as stated above. For the purposes under c), the data on your purchases will be used for a period of 36 months at most and then anonymised and/or deleted for this purpose only. Once you indicate that you do not wish to continue to receive general information and/or promotional and/or commercial communications, or if your SMART CARD ownership ceases, or when you indicate that you do not wish to continue to be profiled in relation to your purchases, your data will be deleted and/or anonymised.</p>
	<p>Rights of the data subject We would like to remind you that, as a 'data subject', you may at any time exercise your rights under Articles 15-22, where and insofar as applicable, as already specified in our general information notice. To exercise the above rights, please write to us at privacy@smartmoda.com. We remind you that you have the right to request cancellation from the service of forwarding occasional and/or periodic communications of informative and/or commercial nature to the contact details you have provided at any time. We remind you that, where technically possible, the COMPANY will in fact allow you to exercise this right directly without the need to send specific communications, for example, by clicking the link at the bottom of the text ("Unsubscribe" or other equivalent form) in messages sent by e-mail. You may also request at any time that we cease profiling activities related to the number and value of purchases made at our stores.</p>
	<p>Changes and updates * The COMPANY undertakes to notify you of any changes or updates to this privacy policy through the same channels used to contact you. We trust that you will appreciate our commitment to transparency and our willingness to make you fully aware of what we do with your personal data.</p>

SmartCard Contractual terms

1. Promoter, recipients, scope and exclusions of the promotion

The promoter of the SmartCard initiative is **SMART S.p.A.. Unipersonale** with head office in Viale Europa no. 29, 35015, Galliera Veneta (PD), hereinafter referred to as 'Company'.

The SmartCard is the loyalty card of SMARTMODA that grants customers access to a promotional programme rewarding their purchases. The customer accumulates points and gains access to increasing and special benefits and offers.

The programme is reserved for SMARTMODA customers who have subscribed to the SmartCard via digital or paper forms and are at least 16 years old. Joining the programme is free of charge and takes place automatically upon completion of the subscription process. The Company acknowledges the data provided by the customer when subscribing to the programme and believes it to be true disclaiming all liability for incomplete or erroneous data. Online purchases on the site smartmoda.com do not allow the accumulation of points and access to SmartCard benefits.

2. Validity and duration

Once activated, the SmartCard and its promotional programme are valid as long as the customer continues to make purchases with the same card in SMARTMODA physical stores. The SmartCard does not expire until five calendar years after the last purchase. After that time, the SmartCard will no longer be valid. Should the customer wish to take advantage of the promotional benefits mentioned in the point below, he/she shall have to obtain a new card by means of a new subscription. In the event of an emergency or force majeure, the Company reserves the right to request amendment or termination of the card.

3. Advantages of the programme

The SmartCard grants its user access to various promotions and benefits:

- **Exclusive promotions:** Access to promotions.
- **Reserved discounts:** Right to discounts on certain items, identifiable by the 'Red Band' on the tag.
- **Points campaign:** Earning and redeeming points (see full Contractual terms at info.smartmoda.com)
- **Birthday discount** (see full Contractual terms at info.smartmoda.com)
- **Returns and exchanges:** Benefit of customer identification via SmartCard
- **Invitations to exclusive events and/or promotions**

Any promotion may be activated, changed or cancelled at any time at the Company's discretion subject to prior notification by e-mail or telephone number.

4. SmartCard and personal data management

- **Data storage:** Referring to [the special privacy information](#), please note that cardholder data will be stored for the duration of the card (see point 2. Validity and duration) and will be deleted within 30 working days following the end of this period (time required).
- **Theft or loss:** In the event of theft or loss of the SmartCard, the holder must report this by email to privacy@smartmoda.com or go to a SMARTMODA point of sale to apply for a new SmartCard while keeping the earned points. SMARTMODA is not liable for unauthorised use of the SmartCard before the theft/loss is reported; any points that have been redeemed will not be recoverable.
- **Transfer and use:** The SmartCard is a personal card and may not be transferred to third parties.
- **Editing/deleting data/SmartCard deactivating-waiving:** You can request a change/update of your personal data at any time as specified in the special privacy information, or you can request deactivation of your SmartCard. Such request can be made directly at the checkout counters of SMARTMODA shops or by sending an email to privacy@smartmoda.com. Deactivation of the Smartcard results in the loss of all accumulated and unredeemed points and benefits.