



PRIVACY POLICY – PROTECTED DIAGNOSIS SERVICES

The Protected Diagnosis system (hereinafter “**System**” or “**Service**”) is a security service intended to protect software-controlled vehicle functions from abuse and unauthorized modifications.

For this purpose TEXA is required to guarantee to each subject responsible for all aspects of vehicle homologation (hereinafter the “**Manufacturer**”) that access to the protected diagnostic functions is carried out by a natural person User (hereinafter the “**User**”), identified and authorized, as better specified in the Terms of Use of the Service, and that the access operations are recorded and stored for a suitable period of time in order to be able to demonstrate any abuse or unauthorized use, in accordance with EU Regulation 2018/858, annex X, requirement 6.7.

With this privacy notice, pursuant to art. 13 of EU Reg. 2016/679, on the protection of personal data (hereinafter “**GDPR**”), TEXA provides the Customer (auto repairer, workshop, etc.) who purchases the Service and/or User (hereinafter “**Data Subject**”) some information on some information about the processing of your personal data (hereinafter referred to as “**Personal Data**”).

The terms used in this notice will have the meaning ascribed to them in the Terms of Use of the Service and must be interpreted accordingly.

1. DATA CONTROLLER

The Data controller is TEXA S.p.A. with registered office in via 1 Maggio 9, 31050 Monastier di Treviso (Italy), VAT No. 02413550266, (hereinafter “TEXA” or the “Controller”). To exercise their rights and for any other matter relating to Data processing, the Data Subjects can refer to the Controller by sending a specific written request to the e-mail address: privacy@texa.com.

The Data Subject is informed that for some treatments relating to the Protected Diagnosis System, TEXA operates as Data Processor pursuant to art. 28 of the GDPR (hereinafter “**Processor**”) on behalf of the Data Controller Manufacturer. The complete privacy policy for each owner is available in the section of the website <https://www.texa.com/privacy/>.

2. DATA PROTECTION OFFICER

The Controller has appointed a Data Protection Officer, who can be contacted at the e-mail address: dpo@texa.com

3. CATEGORY OF PROCESSED DATA, PURPOSES AND METHODS OF DATA PROCESSING

Access to the Protected Diagnosis Service is subject to the unique identification of the User. The procedure for obtaining access rights may vary depending on the diagnostic system used. The data collected by TEXA and the purposes of the processing are indicated below.

Category of personal data	Purposes of data processing
Common personal data (art. 4, n. 1 of the GDPR) <ul style="list-style-type: none"> Company name, address, e-mail, phone number Name, surname, date of birth * Identity document, image (photo/video) Pseudonymised user ID Pseudonymised customer ID VIN 	a) Guarantee the identification of the Customer, Customer Manager and/or Legal Representative and of the Service User b) Document the access operations to the protected diagnostic functions in case of abuse or suspicion of improper use of the systems

* If the procedure requires the digital identification of the User to access the protected functions, the identity will be verified through the certified provider Onfido SAS (hereinafter “**Onfido**”) which, limited to this activity, will operate as

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Tax no.- Company Register of Treviso no. – VAT registration no.: 02413550266
Share capital 1.000.000 € i.v. - R.E.A. N. 208102
Single-member company subject to management and coordination by Opera Holding S.p.A.
Legal Representative: Bruno Vianello
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Data Processor. Depending on the identification method chosen by the User, additional data contained in an identification document (e.g., identity document, passport, etc.), image (photos and/or videos) may be processed by TEXA. Further information on the methods of treatment by Onfido can be consulted on the page <https://onfido.com/privacy/>.

The provision of data is necessary to access the protected diagnosis functions. Failure to provide it will result in TEXA being unable to provide the Service. Data processing may be carried out with the aid of both analogue and electronic means, with methods and procedures strictly necessary for the pursuit of the purposes described above. In the processing, all technical, IT, organisational, logistic and procedural security measures will be adopted, so that adequate data protection is guaranteed.

4. LEGAL BASIS FOR PROCESSING

The data will be processed by TEXA for the execution of the Contract relating to the services purchased or requested by the Customer and on the basis of a legitimate interest (article 6 letter f of the GDPR). The legitimate interest arises from the obligation to document access to the protected control units and to give evidence of the operations carried out in the event of abuse or improper use, also in compliance with the contractual obligations undertaken by TEXA with each Manufacturer.

5. DATA RETENTION PERIOD

The User's Data will be kept by TEXA for the time necessary for the provision of the Services, and for a maximum period of 2 years from the last access operation carried out by the user, except in cases where conservation for a longer period is imposed by laws, regulations or provisions issued by the Authority. When the purposes of the treatment no longer exist, they will be definitively cancelled.

The Data Subject is informed that the data may be kept for a longer period if this is requested of TEXA on behalf of each Manufacturer as better specified in the information of each Owner.

6. DATA DISCLOSURE TO THIRD PARTIES – RECIPIENTS OF THE DATA

The Data will be processed by Data Processor's employees and/or collaborators who received adequate operating instructions and were expressly authorised to the processing. For the purposes referred to in this information, the data will be communicated to:

- Manufacturer and competent authorities in case of suspected or ascertained improper or unauthorized use of the diagnostic system as well as for the fulfilment of obligations established by law or regulations;
- third party companies/subjects who will carry out tasks of a technical, organizational and operational nature on behalf of TEXA and will in turn be designated as data processors or will operate in total autonomy as separate data controllers.

The complete and updated list is always available from the Controller.

7. TRANSFER OF PERSONAL DATA TO THIRD COUNTRIES OR INTERNATIONAL ORGANISATIONS

Personal data will not be transferred to third countries (non-EU) or international organizations. If necessary for providing the requested services, it may be transferred to entities located in Countries outside the EU, if the European Commission has acknowledged such Countries to have an adequate level of data protection or on the basis of adequate guarantees (such as standard contract terms or binding company rules for groups), or, in the absence of such conditions, if the transfer is authorised by the Customer or necessary for performing the Contract.

8. RIGHTS OF THE DATA SUBJECTS

With regard to the provided Data, the GDPR (articles 12 and 15-22) grants that every Data Subject can exercise the right to access the data concerning him or her and the information about processing; to rectify or integrate the data if inaccurate or incomplete. Moreover, where the conditions set forth by the regulation are met, the Data Subject can exercise the right to erasure of the Data; to restriction of processing; to Data portability intended as the right to obtain the data by the Data Controller in a structured, commonly used and machine-readable format to transmit those data

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to another controller without hindrance; to object to processing; not to be subject to a decision based solely on automated processing. The Data Subject is informed that in the event that he requests the cancellation of his personal data, this will make it impossible for the interested party to access the authenticated diagnosis service and the Customer will not be entitled to a refund of any amount already paid.

If the Personal Data processing is based on consent, the Data Subjects have the right to withdraw their consent, without prejudice to the lawfulness of processing performed before the withdrawal. Furthermore, if you believe your rights have been harmed, you can lodge a complaint to the Guarantor for the Protection of Personal Data.

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