

PRIVACY DISCLAIMER

pursuant to articles 13 and 14 of Regulation (EU) 2016/679

Dear Customer,

with this document ("Information"), the Municipality of **Ercolano** wishes to inform you about the purposes and methods of processing your personal data and about the rights that are recognized to you by the Regulation (EU) 2016/679 ("GDPR") concerning the protection of personal data.

1) Data controller

Data controller, pursuant to Art. 4 paragraph 7 of the GDPR, is the Municipality of **Ercolano** based in Corso Resina, 39 80056 Ercolano (NA) - Tel. 0817881111, PEC protocollo.ercolano@legalmail.it.

2) Data Protection Officer (DPO)

The Data Controller has appointed a Data Protection Officer (DPO), who you can contact to exercise your rights, as well as to request any information concerning privacy, at the following contacts: Tel.0817881111 - PEC protocollo.ercolano@legalmail.it.

3) The data collected

For the purposes indicated in this Notice, the Data Controller will process the common personal data, which are, for example, personal data (name, surname, address, ID number, telephone number, e-mail address and other contact details, identification number) as well as the information on accommodation at the accommodation facility.

The Data Controller may also treat special categories of your personal data, such as personal data that can detect your state of health or the presence of a disability (for example, data from the medical certificate presented by you).

In the case of a minor guest, the Data Controller will process the data of the minor on the basis of the statements made by the parent / carer, whose data will also be acquired.

For the collection of the aforementioned personal data, the Data Controller has appointed the accommodation structure that hosts it, also through the PayTourist platform.

4) Treatments

4.1. Common data

Purpose of the processing: The processing of personal data is necessary to identify the taxable person of the tourist tax, to register and verify the existence of an exemption hypothesis and to calculate the tax due. The contact details will be used to contact you in case of need and to send you the payment receipt.

Nature of the contribution: Mandatory.

Consequences refusal to provide data: Failure to provide the data will prevent the Data Controller from being able to regularly carry out the tax activity or to give effect to the request for exemption of the tourist tax.

Legal basis of the processing: execution of a task of public interest or connected to the exercise of public authority pursuant to art. 6 lett. e) of the GDPR.

Period of storage of personal data: Your personal data will be processed for the time necessary to carry out the purposes of the treatment described above and in any case not beyond 6 years; without prejudice to any conservation obligations for longer periods of time, prescribed by the legal system.

4.2. Particular category of data

Purpose of the processing: The processing of special categories of personal data, such as personal data that can reveal the state of health, is necessary in order to guarantee the (total or partial) exemption of the tourist tax, based on how much established by the sector legislation.

Nature of the contribution: Mandatory.

Consequences refusal to provide data: Failure to provide data will make it impossible for the Data Controller to comply with the request for exemption (total or partial) of the tourist tax.

Legal basis of the processing: reasons of significant public interest, pursuant to art. 9, second paragraph lett. g) of the GDPR, based on the provisions of art. 2-sexies, second paragraph lett. i) of Legislative Decree no. 196/2003.

Period of storage of personal data: Your personal data will be processed for the time necessary to carry out the purposes of the treatment described above and in any case not beyond 6 years; without prejudice to any conservation obligations for longer periods of time, prescribed by the legal system.

5) Data processing methods

The treatment will be carried out both with paper and IT tools in compliance with the regulations in force and the principles of correctness, lawfulness, transparency, relevance, completeness and not excess, accuracy and with organization and processing logics strictly related to the aims pursued and in any case in a way to guarantee the security, integrity and confidentiality of the data processed, in compliance with organizational, physical and logical measures in compliance with the provisions of Art. 32 of the GDPR 2016/679 as well as any regulations that may impact on data processing.

The treatment is carried out by the Data Controller, by the Data Processors and by the subjects authorized to treat. The owner and the managers put in place adequate technical and organizational measures to guarantee an adequate level of security to the risk.

6) Data communication

The personal data provided may be communicated to recipients who will process the data as data supervisors, natural persons acting under the authority of the Data Controller and the Data Processor or autonomous Data Controllers in order to comply with contracts or related purposes.

Personal data may be communicated to the following categories of recipients:

- employees, assimilated personnel, collaborators of the Owner;
- external accounting, tax, legal, labor consultants, or other subject (both natural and legal person who is associated or otherwise) appointed for the purposes indicated here, for the obligations arising from laws, contracts, regulations, including related communications to the Public Administrations, to the social security and social security Bodies and to the financial administration for the performance of the institutional functions;
- to third party service providers for the issue, sharing and storage of electronic documents (eg invoices, receipts, etc.);
- to third party IT service providers;
- external parties that manage / support / assist, even occasionally, the Data Controller in the administration of the information system and telecommunications networks (including web platforms);
- the PayTourist platform, owned by Kitesun S.r.l.;
- competent authorities for the fulfillment of legal obligations and / or provisions dictated by public bodies.

7) Data transfer abroad

Your data will not be transferred to countries outside the EU.

8) Data dissemination

Your information will not be disseminated.

9) Rights of the interested party

Articles 15, 16, 17, 18, 20, 21 of the GDPR confer to the interested party the exercise of specific rights that may be exercised against the Data Controller.

In particular, as an interested party, you may, under the conditions established by the GDPR, exercise the following rights:

right of access: the right to obtain confirmation that your personal data is being processed or not, and in this case, to gain access to your personal data, including a copy of the same;

right of rectification: right to obtain the rectification of inaccurate personal data concerning you and / or the integration of incomplete personal data;

right to cancellation (right to be forgotten): the right to obtain the cancellation of personal data concerning you, if they are no longer necessary for the purposes pursued by the Owner, in the event of revocation of consent (and there is no other legal basis for the processing) or Your opposition to processing, in the event of unlawful processing, or if there is a legal obligation to cancel.

The right to cancellation does not apply to the extent that the processing is necessary for the fulfillment of a legal obligation or for the performance of a task performed in the public interest or for the verification, exercise or defense of a right in court;

right to limitation of treatment: the right to obtain the limitation of the processing, when: a) the data subject disputes the accuracy of the personal data; b) the processing is unlawful and the data subject opposes the deletion of personal data and requests instead that its use be limited; c) personal data are necessary for the interested party to ascertain, exercise or defend a right in court;

right to data portability: the right to receive, in a structured format, commonly used and readable by an automatic device, the personal data concerning you provided to the Owner and the right to transmit them to another owner without impediment, if the processing takes place consent basis and is carried out by automated means;

right of objection: the right to object, at any time, to processing if personal data is processed for purposes other than those for which it has consented to processing.

According to the art. 77 of the Regulation, you have the right to lodge a complaint with a supervisory authority, in particular in the Member State in which you habitually reside, work or in the place where the alleged violation occurred.

Furthermore, the GDPR grants you the right to revoke the consent given at any time and with the same ease with which it was granted.

The exercise of your rights as an interested party is free of charge pursuant to article 12 GDPR. However, in the case of manifestly unfounded or excessive requests, also due to their repetitiveness, the Owner may charge a reasonable fee, in light of the administrative costs incurred to manage your request, or deny the satisfaction of your request.

The Data Controller

Municipality of Ercolano