**INFORMATION NOTICE ON THE PROCESSING OF PERSONAL DATA PURSUANT TO ARTICLES 13 AND 14 OF EU REGULATION 679/2016 (“GDPR”) AND TO SINGAPORE PERSONAL DATA PROTECTION ACT (No. 26 of 2012) (“PDPA”)**

Your privacy is extremely important to us, please read this information notice carefully.

We wish to obtain your consent and inform you in a complete and transparent manner about the personal data processing that the companies listed in paragraph 1 below will carry out on your personal data provided by you and/or collected in the context of the contacts you will possibly have with us, including for example the following:

* visiting our stores
* contacting our Customer Service.

**1. WHO COLLECT YOUR PERSONAL DATA**

 The companies collecting and processing personal data as autonomous data controllers (hereinafter the “**Data Controllers**” or the “**Companies**”) or as joint controllers are:

* OTB S.p.A. (“OTB”), with registered office in Italy, Breganze (Vi), Via dell’Industria 2, 36042, telephone +390445306555, email [privacy@otb.net](mailto:privacy@otb.net); OTB’s Data Protection Officer (“DPO”) can be contacted at [dpo@otb.net](mailto:dpo@otb.net);
* Diesel S.p.A. (“Diesel”), with registered office in Italy, Breganze (Vi), Via dell’Industria 4-6, 36042, telephone +390424477555, email [privacy@diesel.com](mailto:privacy@diesel.com); the Diesel Data Protection Officer (“DPO”) can be contacted at [dpo@otb.net](mailto:dpo@otb.net);
* Diesel Pacific Ltd Singapore Branch (“Diesel Affiliate”), with registered office in 190 Middle Road, #12-07, Fortune Centre, Singapore 188979;

OTB and Diesel carry out some activities as joint controllers, taking jointly the decisions regarding the purposes and means of personal data processing. Hereafter, the term “**Joint Controllers**” means Diesel and OTB jointly considered when they process data as Joint Controllers.

To facilitate your understanding of the processing activities carried out by the above mentioned subjects as Controllers or Joint Controllers, we have prepared this document explaining which processing activities are carried out autonomously by each company.

Please consider that said processing activities are not intended for minors and the Data Controllers do not knowingly collect or solicit personal data from anyone under the age of 16. If you are less than 16 years old, please refrain from providing any personal data. This does not affect the applicable contract law such as the rules on the validity, formation or effect of a contract in relation to a child.

**2. WHAT PERSONAL DATA WE PROCESS**

Each Company collects different categories of personal data according to the purpose for which it processes them.

Herein below we specify which categories of personal data are collected; in the following paragraph we will explain for what purposes each category of data is processed by each Data Controller or by the Joint Controllers as appropriate (hereinafter also “**Personal Data**” if processed jointly).

* Biographical Data: name, middle name, surname, date of birth, gender;
* Contact Data: address of residence (street, city, province, state, zip code), domicile, email address, telephone number, mobile number;
* Sales Data: shipping and billing address, method of delivery and payment, name of the credit card holder and expiry date of the card, information requested by the customer service, VAT number and/or tax code, passport and other identification numbers (such numbers will be used only for purposes where required or permitted by applicable laws), Global Blue card number;
* Data collected in the shop: birthday, presumed age group, in some countries the social network ID, gender, method and date of registration, store and sales assistant preferences, language, product categories of interest, methods of use services, preferences on services possibly noted in the shop, redemption campaign, events attendance, other brands purchased, products tried in the dressing room but not purchased;
* Purchase Data: detail of the purchased products (e.g. size, price, discount, model, collection, calculated spending level, abandoned cart, etc.).

**3. FOR WHAT PURPOSES WE PROCESS YOUR PERSONAL DATA**

In this paragraph we explain for what purposes each category of data is processed by each Data Controller or Joint Controller.

**3.1 PURPOSES OF DIESEL S.P.A.**

Diesel is the company that designs, sells and promotes the Brand’s products. It is the company maintaining the contacts with you if you decide to participate in initiatives promoted by Diesel as prize competitions or other promotional initiatives; Diesel is also the company managing the loyalty program that you can sign in. You consent to Diesel collecting, using, disclosing or otherwise processing Personal Data for the following purposes.

**a. Loyalty program Registration**

The Biographical Data and Contact Data will also be collected by Diesel to manage your request to join the loyalty program (D:Code). These data will be processed both to complete your membership and for all purposes strictly connected to it, instrumental or connected, including - firstly - all the activities provided for in the loyalty program. Registration could take place in the shop, by completing the application form present in electronic (tablet or other smart tool) or paper (form) format.

The User will become part of the Diesel Loyalty Program.

Purpose: this processing is based on the performance of a contract for joining the loyalty program to which you are a party; the provision of the Personal Data listed above is necessary for this purpose, since otherwise Diesel will not be able to process your request.

**b. Participation in prize contests**

Diesel will be able to process your Biographical Data to allow you to participate in prize contest that Diesel could organize. In certain situations, for example to proceed with the delivery of the prize, your Contact Data could also be processed. If participation in the contest requires further information, these will be requested to you upon release of a specific privacy policy.

Purpose: this processing is based on the performance of a contract for attending the relevant prize contest to which you are a party; the provision of the Personal Data listed above is necessary for this purpose, since otherwise Diesel will not be able to process your request.

**c. Marketing**

Only with your consent, Diesel will process the Biographical Data, Contact Data and Purchase Data for marketing purposes, that is for advertising on social networks to which you are registered or sending advertising or direct sales material, carrying out market research, commercial communication with automated contact methods (e-mail, newsletter, SMS, MMS, online messaging platforms, etc.) and traditional contact methods (mail).

this processing is based on the consent you have given. In the event that you are registered in the loyalty program and decide to withdraw your consent to marketing, you will continue to receive communications relating to benefits (such as the Birthday or Anniversary Gift or preview access to the new collections and promotions only reserved to members). If, in addition to the withdrawal of consent, you do not want to receive this kind of communication anymore, you will be asked to specify it..

You can at any time withdraw your consent to receive the above-mentioned communications by clicking on the appropriate option in each marketing email received, as well as by writing to the address [privacy@diesel.com](mailto:privacy@diesel.com), or otherwise by contacting the Diesel at the addresses indicated in paragraph 1. The withdraw of consent relates to only marketing emails and not benefit emails.

**3.2 PURPOSES OF THE JOINT CONTROLLERS (DIESEL AND OTB)**

Diesel and OTB operate as joint controllers on the basis of a specific agreement for the purpose indicated below.

**a. Customer profiling**

With your consent, the Joint Controllers will be entitled to process Biographical Data, Contact Data, Sales Data, the Data collected in the shop and the Purchase Data, for profiling purposes and for business analysis, that is for analysis on your purchase preferences consisting of automated processing of the above mentioned Personal Data. This processing is aimed at analytically knowing or predicting your purchasing preferences also in order to create customer profiles and customize the commercial offer so that it is more in line with your preferences.

Legal basis: this processing is based on the consent you have given.

You will be entitled at any time to withdraw your consent be subject to profiling by writing to [privacy@diesel.com](mailto:privacy@diesel.com) or otherwise by contacting the Joint Controllers at the addresses indicated in paragraph 1.

**3.3 PURPOSES OF DIESEL AFFILIATE**

Diesel Affiliate is the company that manages the shop where you purchased a product and to which you have requested assistance services. In some cases, it may be necessary for Diesel Affiliate to become aware of some information concerning you, to process specific requests you may have. You consent to Diesel Affiliate collecting, using, disclosing or otherwise processing Personal Data for the following purposes.

**a. Sales activities and response to other requests made by customers**

If you purchase Diesel products in the shops, or through other methods provided for by Diesel Affiliate, Diesel Affiliate will process your Biographical Data, Contact Data and Purchase Data to conclude the sale, as well as for all activities strictly connected and related to it, such as delivery or other administrative and accounting obligations.

Similarly, Diesel Affiliate may need to verify the requirements for participating to special discount programs (*e.g.* verifying if the purchase made is a first purchase or other requirements of the regulation) and to process your Biographical Data or Contact Data to respond to any further requests that you may formulate through the Customer Service, through telephone or chat, such as information or assistance requests.

Purpose: this processing is based on the performance of a purchase contract to which you are a party; the provision of the Personal Data listed above is necessary for this purpose, since otherwise Diesel Affiliate will not be able to process your request.

**b. After-sales services**

Diesel Affiliate may collect your Biographical Data and Contact Data to process specific requests that you may formulate in the shop, during post-sales; for example, to arrange a repair, a customization, a home delivery or to manage a return.

Purpose: this processing is based on the performance of a contract of which you are a part; the provision of the Personal Data listed above is necessary for this purpose, since otherwise Diesel Affiliate will not be able to process your request.

**c. Loyalty program Registration**

The Biographical Data and Contact Data will also be collected by Diesel Affiliate to manage your request to join the loyalty program. These Data will be processed both to complete your membership and for all purposes strictly connected to it, instrumental or connected, including - firstly - all the activities provided for in the loyalty program. Registration could take place in the shop, by completing the application form present in electronic (tablet or other smart tool) or paper (form) format.

The User will become part of the Diesel Loyalty Program

Purpose: this processing is based on the performance of a contract for joining the loyalty program to which you are a party; the provision of the Personal Data listed above is necessary for this purpose, since otherwise Diesel Affiliate will not be able to process your request.

**d. Participation in prize contests**

Diesel Affiliate will be able to process your Biographical Data to allow you to participate in prize contest that Diesel Affiliate could organize. In certain situations, for example to proceed with the delivery of the prize, your Contact Data could also be processed. If participation in the contest requires further information, these will be requested to you upon release of a specific privacy policy.

Purpose: this processing is based on the performance of a contract for attending the relevant prize contest to which you are a party; the provision of the Personal Data listed above is necessary for this purpose, since otherwise Diesel will not be able to process your request.

**e. Marketing**

Only with your consent, Diesel Affiliate will process the Biographical Data, Contact Data and Data Collected in the Shop for marketing purposes, that is for advertising on social networks to which you are registered or sending advertising or direct sales material, carrying out market research, commercial communication with automated contact methods (e-mail, newsletter, SMS, MMS, online messaging platforms, etc.) and traditional contact methods (mail).

Purpose: this processing is based on the consent you have given.

You can at any time withdraw your consent to receive the above-mentioned communications by clicking on the appropriate option in each marketing email received, as well as by writing to the address [privacy@diesel.com](mailto:PRIVACY@diesel.com) or otherwise by contacting the company at the addresses indicated in paragraph 1

**3.4 PURPOSES OF ALL DATA CONTROLLERS OR JOINT CONTROLLERS**

Finally, each Data Controller or Join Controller may need to comply with a specific legal provision to which it is subject or to defend its own right in court.

**a. Purposes related to the obligations established by laws or regulations, by decisions/requests of competent authorities or by supervisory and control bodies**

You consent to each Data Controller’s or Joint Controller’s collection, use, disclosure or processing of your Personal Data to comply with such legal obligation to which it is subject.

Purpose: compliance with such legal obligation.

The provision of data for this purpose is mandatory because in the absence of data the Data Controller or the Joint Controller will not be in a position to comply with their legal obligations.

**b. Defense of rights during judicial, administrative or extra-judicial proceedings and in disputes arising in connection with the services offered**

You consent to your Personal Data being collected, use, disclosed or processed by each Data Controller or Joint Controller to defend their rights or take legal action or make claims against you or third parties, including the prevention of fraud.

Purpose: this processing is based on the legitimate interest pursued by the Data Controller or Joint Controller to protect their rights.

**5. WHAT HAPPENS IF YOU DO NOT PROVIDE PERSONAL DATA**

Some Personal Data that we will indicate to you from time to time during the registration or purchase process are necessary for the completion of the purchase contract and for administrative and accounting purposes.

In the description of the purposes in paragraph 3, we specified when it is necessary to provide Personal Data. Where not expressly indicated as mandatory, therefore, the provision of Personal Data is optional, if not for the impossibility for the Data Controllers or Joint Controllers to act as described (for example, the impossibility to carry out marketing activities).

**6. HOW AND HOW LONG WE WILL PROCESS PERSONAL DATA**

The Personal Data provided to and/or collected by the Data Controllers or the Joint Controllers are processed and stored with automated tools and, in some cases, may be processed and stored on a paper backing. In particular, the Personal Data processed for purposes of marketing and of marketing in line with your preferences will be entered and stored in the CRM systems that allow the processing of Personal Data for these purposes.

The Personal Data will be stored for the time necessary to achieve the purposes for which they were collected. In particular, the following rules will apply:

* Data collected to enter into and perform purchase contracts, including payments: up to the conclusion of administrative and accounting obligations. The billing data will be kept according to the local law ;
* Data of the registered user for joining the loyalty program: the Data will be kept as long as the costumer will be a member of the Loyalty Program. We will retain the data if this will be necessary to comply with legal obligations, to protect our rights or to prevent fraud;
* Data related to data subjects’ requests: the data will be stored until the request is satisfied;
* if you have provided your consent, the Data processed for purposes of marketing and profiling will be stored for a period of 7 years (also according to an *ad hoc* provision provided for by the Italian Supervisory Authority, upon Diesel S.p.A. request) unless you revoke your consent. In this case, upon withdrawal of consent, we will delete your data.

In any case, for technical reasons, the termination of the processing and the consequent cancellation or irreversible anonymization of the related Personal Data will be definitive within thirty days from the terms indicated above.

With particular reference to the judicial protection of our rights or in case of requests from the authority, the data processed will be stored for the time necessary to process the request or to protect the right.

**7. WHERE PERSONAL DATA MAY BE TRANSFERRED**

For the purposes indicated above, we may also transfer your Personal Data to third countries, not belonging to Singapore or the European Union, which may possibly do not guarantee the same level of protection. The transfer to third countries will always take place in accordance with the provisions of the GDPR and other applicable data laws, adopting any other measures necessary to ensure the security of the Personal Data being transferred. These measures possibly include agreements incorporating the so-called “standard contractual clauses” issued by the European Commission or your consent. You can ask for information regarding these third countries and how to obtain a copy of the appropriate safeguards using the following email: [privacy@diesel.com](mailto:privacy@diesel.com) or writing to the postal address indicated above.

**8. WHO WILL PROCESS PERSONAL DATA**

Personal Data will be processed by:

* employees and collaborators of the Data Controllers or of the Joint Controllers processing data under the authority of the Data Controllers or of the Joint Controllers;
* employees and collaborators of the Data Processors designated by the Data Controllers or Joint Controllers, including (i) the companies managing the shops and the online store and who will be entitled to view, modify and update the Personal Data entered in the CRM systems through which the Data Controllers or the Joint Controllers carry out the processing activities for marketing and profiling purposes (ii) the companies managing the storage of the Personal Data of the Data Controllers or Joint Controllers based on agreements or local regulations;
* third parties established in the European Union, Singapore and also outside the European Union and Singapore, Data Processors, used by the Data Controllers or Joint Controllers in particular for services of: personal data acquisition and data entry, shipping, mailing of promotional material , after sales assistance and customer service, market research, management and maintenance of the CRM systems through which the Data Controllers or Joint Controllers carry out processing activities for marketing and profiling purposes and of the other corporate information systems of the Data Controllers or Joint Controllers of the processing. The complete list of Data Processors appointed by the Data Controllers or Joint Controllers can be requested to the following email address [privacy@diesel.com](mailto:privacy@diesel.com) or writing to the postal addresses indicated above.

Personal Data may also be disclosed to third parties, independent data controllers, in particular to freelancers or companies providing legal or tax advice and assistance and to companies managing payments made by debit or credit cards or for fraud prevention and management activities

Personal Data will not be disseminated in any way without your consent, unless provided otherwise by applicable laws.

**9. YOUR RIGHTS**

Pursuant to Chapter III of the GDPR and to Singapore Personal Data Protection Act (No. 26 of 2012) (“PDPA”), you have the right to ask each Data Controller or Joint Controller:

* to access to your Personal Data;
* to receive the copy of the Personal Data you provided us (so-called “data portability”) and to have data transmitted to another controller, if technically possible;
* the rectification of the Personal Data in our possession;
* the erasure of any Personal Data in relation to which we no longer have any legal basis for processing;
* the limitation of the way in which we process your Personal Data, within the limits set by the applicable law data protection law.

Right to object: in addition to the rights listed above, you always have the right to object at any time to the processing of your Personal Data carried out by the Data Controller or Joint Controller for the pursuit of its legitimate interest. You have the right to object to direct marketing, which includes profiling. If you prefer that the processing of your Personal Data is carried out solely through traditional contact methods, you can object to the processing of your Personal Data carried out through automated contact methods.

You also have the right to withdraw, in whole or in part, the consent to the collection, use, disclosure or processing of Personal Data, including those concerning you for the purpose of sending advertisements or direct selling or for carrying out market research or commercial communication with automated contact methods (e-mail, other remote communication systems via communication networks such as, for instance: SMS, MMS, messaging platforms, etc.) and traditional contact methods (mail).

The exercise of these rights, which can be done through the contact details indicated in paragraph 1, is not subject to formal constraints. In the event that you exercise any of the above mentioned rights, it will be the responsibility of the Data Controller or Joint Controller that you contacted to verify if you are entitled to exercise the right and to provide you with an answer, normally within a month.

As regards the Joint Controllers relationship, please note that OTB and Diesel entered into a specific agreement pursuant to article 26 of the GDPR, an extract of which is available for consultation contacting each of the Joint Controllers using the contact details indicated under paragraph 1.

If you believe that the processing of your Personal Data is carried out in breach of the provisions of the GDPR, if applicable, you have the right to lodge a complaint with the Supervisory Authority or to start the appropriate legal actions before the competent courts.

To exercise your rights, you can send a request to the Data Controllers or Joint Controllers by writing to the addresses indicated in paragraph 1. The OTB Data Protection Officer can be contacted at the email address [dpo@otb.net](mailto:dpo@otb.net). The Diesel Data Protection Officer can be contacted at the email address [dpo@otb.net](mailto:dpo@otb.net).

*LAST UPDATE FEBRUARY 2021*

***[CONSENT FORMS TO BE PLACED IN THE RELEVANT SPACES AS APPROPRIATE]***

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| **GENERAL CONSENT FORM**  Ticking “I agree” I consent to provide my Personal Data to Diesel Pacific Ltd, Diesel S.p.A, and OTB S.p.A. to allow the collection, use, disclosure and processing of said Personal Data for the purposes described in the information notice.  **I AGREE** |
| **CONSENT FORM FOR DIESEL PACIFIC LTD (DIGITAL VERSION)**  Having read the information notice, I authorize Diesel Pacific Ltd to the processing of my Personal Data for **Marketing\*** purposes as described in paragraphs 3.3.e) of the information notice:  ** YES  NO**  \* Diesel Pacific Ltd will be able to process Biographical Data, Contact Data and Purchase Data for advertising activities on the social networks to which I am subscribed or sending advertising or direct sales material, carrying out market research, sending commercial promotions and discounts reserved to customers, commercial information - possibly also customized - with automated contact methods (e-mail, newsletters, SMS, MMS, messaging platforms, etc.) and traditional contact methods (mail).  You can at any time withdraw to Diesel Pacific Ltd your consent to receive the above-mentioned communications by clicking on the appropriate option in each email received, as well as by writing to Diesel Pacific Ltd at the address privacy@diesel.comor otherwise contacting Diesel Pacific Ltd at the addresses indicated at paragraph 1 of the information notice. |
| **CONSENT FORM FOR DIESEL S.P.A.**  Having read the information notice, I authorize Diesel S.p.A. to the processing of my Personal Data for **Marketing\*** purposes as described in paragraphs 3.1.c) of the information notice:  ** YES  NO**  \*Diesel S.p.A. will be able to process Biographical Data, Contact Data and Purchase Data for advertising activities on the social networks to which I am subscribed or sending advertising or direct sales material, carrying out market research, sending commercial promotions and discounts reserved to customers, commercial information - possibly also customized - with automated contact methods (e-mail, newsletters, SMS, MMS, messaging platforms, etc.) and traditional contact methods (mail).  We remind you that by joining the D: CODE, if you do not give the marketing consent, you will not receive any promotional communications but you will receive service communications concerning benefits to which you are entitled due to your registration to the Loyalty Program.  You can at any time withdraw to Diesel S.p.A. your consent to receive the above-mentioned communications by clicking on the appropriate option in each email received, as well as by writing to Diesel S.p.A. at the address [privacy@diesel.com](mailto:privacy@diesel.com) or otherwise contacting Diesel S.p.A. at the addresses indicated at paragraph 1 of the information notice. |
| **CONSENT FORM FOR JOINT CONTROLLERS**  Having read the information notice, I authorize the Joint Controllers OTB S.p.A. and Diesel S.p.A. to process my Personal Data for the purpose of **Customer analysis to provide experiences in line with your preferences**\* as described in paragraph 3.2.a) of the information notice  ** YES  NO**  \*The Joint Controllers will be able to process the Biographical Data, the Contact Data, the Sales Data, the Data collected in the shop, the Purchase Data for profiling purposes, or for analysis on your purchasing preferences consisting of automated processing of the above mentioned data. This processing is aimed at analytically knowing or predicting your purchasing preferences also in order to create customers profiles, and customize the commercial offer so that it is more in line with your preferences.  You can at any time withdraw your consent to be subject to profiling by writing to the address [privacy@diesel.com](mailto:privacy@diesel.com), [privacy@otb.net](mailto:privacy@otb.net) or otherwise contacting the Joint Controllers at the addresses indicated at paragraph 1 of the information notice. |