



Date last update: 12/12/2023

**PRIVACY STATEMENT PURSUANT TO ARTICLE 13 OF EU REGULATION 2016/679**  
**For "reporting persons" and possible "facilitators" within the meaning of Legislative Decree**  
**no. 24 of 2023 (implementing the so-called "Whistleblowing Directive")**  
*'on the protection of persons who report breaches of Union law and on provisions concerning*  
*the protection of persons who report breaches of national laws'*

Data protection is a very serious matter for us, so we would like to inform you about the way in which your data is processed and the rights you can exercise under current data protection legislation, in particular EU Regulation 2016/679 (hereinafter also: "GDPR").

**1. Data Controllers \* and DPO**

**Kia Italia S.r.l.**

Office:  
Via Gallarate, n. 184  
20151 – Milano (MI)  
Telephone number: +39 02 334821  
E-mail contact: infokia@kia.it

**Data Protection Officer (DPO)**

E-mail contact: dpo@kia.it

**Kia Europe GmbH**

Office:  
Theodor-Heuss-Allee 11  
60486 – Frankfurt am Main (Germany)  
E-mail contact: info@kia-europe.com

**Data Protection Officer (DPO)**

E-mail contact: dpo@kia-europe.com

*\* The essential content of the co-ownership agreement, pursuant to Article 26 of the GDPR, is made available to the data subject*

**2. The categories of data that are processed**

The categories of 'personal data' (ex. Art. 4.1 of the GDPR) processed by the Joint Data Controllers may be, by way of example but certainly not limited to:

- personal and identifying data (name, date of birth, place of birth, nationality, tax code, VAT number, occupation/occupation, etc.);
- contact details (address, e-mail address, telephone number and similar data);
- audio-related data resulting from the way the alert was made;
- information acquired as a result of the report, including, by way of example but not limited to, information on the work and/or professional activity carried out, work or professional relations, including indirect ones, with the reported person or the persons involved, circumstances and reasons why the Data Subject has become aware of the suspected breaches of regulatory obligations;
- any special data relating to the reporting of certain types of offences or violations, if the Data Subject suffers such offences or is an offended party in this respect (by way of example but not limited to: data relating to health in the case of reporting of crimes and other offences related to accidents at work, if the subject is the same victim of the accident);

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- with reference to the 'facilitator', the processing will concern exclusively identification, personal and contact data, as well as data relating to the relations with the reporter, with reference to working relations, and data relating to the assistance provided to the latter.

### 3. Lawfulness and purpose of processing

Personal data is processed in accordance with the provisions of the General Data Protection Regulation (GDPR) and any other applicable data protection legislation. Details are provided below:

#### 3.1 Purposes aimed at fulfilling a legal obligation (ex Art. 6(1)(c) GDPR)

- a. fulfilment of obligations provided for by Laws, Regulations and Community Legislation, with particular reference to those provided for by Legislative Decree no. 24 of 2023 and, more generally, on the protection of persons, who report violations of Union law and national regulations (so-called "Whistleblowing" legislation).

The retention period of personal data for the purposes of this section is:

For the purpose: a., for as long as necessary to process the alert and in any case no longer than 5 years from the date of the communication of the final outcome of the alert procedure.

These time periods may be extended in the event of litigation, investigations by public or judicial authorities, and any special legal provisions.

### 4. Recipients or categories of recipients of personal data (pursuant to Article 13(1)(e) of the GDPR) \*

Within the scope of the above-mentioned purposes, the Data Controllers may communicate your data to:

- the offices and internal functions of each Data Subject, specifically entrusted with the management of the report, as well as, in relation to and limited to the Whistleblower, the offices that may be involved for the purposes of taking appropriate disciplinary measures against the reported person, subject to the specific and free consent of the Whistleblower;
- external parties entrusted with the management of the reporting channel;
- companies and professionals providing IT services, including, for instance, software and cloud management;
- control and supervisory bodies of each Co-owner, where necessary for the performance of its control activities;
- in relation to the Whistleblower, any law firms, if the follow-up to the report involves legal proceedings, in the context of which it would be necessary to disclose the identity of the Whistleblower;
- with regard to the reporter, the persons involved in the proceedings disciplinary or reporting, if indispensable, respectively, for the defence of the accused or the person involved, subject, in the latter case, to the express and free consent of the person concerned;
- judicial authorities and/or public supervisory authorities;



- other public administrations and public authorities.

*\* More information on the Recipients (ex art. 4.9 of the GDPR) is available from the Data Controllers at the above-mentioned addresses.*

**5. Recipients or categories of recipients of personal data (ex Art. 13(1)(f) GDPR)**

The Joint Data Controllers inform you that they have no intention of transferring your data to countries outside the EU and EEA for the above-mentioned purposes.

**6. Diritti del Soggetto Interessato (ex. art. 13 paragrafo 2 (b) del GDPR)**

The person concerned may assert the following rights:

- the data subject's right of access [Art. 15 of the EU Regulation] (the possibility to be informed about the processing carried out on one's own Personal Data and to receive a copy of it), **within the limits provided for by the EU Regulation, including those set out below;**
- right to rectification of one's Personal Data [Art. 16 of the EU Regulation] (the data subject has
- right to rectification of inaccurate personal data concerning him/her);
- right to the deletion of one's own Personal Data without undue delay ('right to be forgotten') [Art. 17 of the EU Regulation] (the data subject has, as well as will have, the right to the deletion of his or her own data);
- the right to limitation of the processing of one's Personal Data in the cases provided for in Article 18 of the EU Regulation, including in the case of unlawful processing or contestation of the accuracy of Personal Data by the data subject [Article 18 of the EU Regulation];
- right to data portability [Art. 20 of the EU Regulation], the data subject may request his or her Personal Data in a structured format in order to transmit it to another data controller, in the cases provided for in that Article;
- Right to object to the processing of one's Personal Data [Art. 21 of the EU Regulation] (the data subject has, as he or she will have, the right to object to the processing of his or her Personal Data);
- right not to be subject to automated decision-making processes, [Art. 22 of the EU Regulation] (the data subject has, as will have, the right not to be subject to a decision based solely on automated processing).

Further information on the rights of the data subject may be obtained by requesting a full extract of the above-mentioned articles from one of the co-owners.

The aforementioned rights may be exercised in accordance with the Rules by sending an e-mail to the Joint Data Controllers, also individually, to the following addresses:

- Kia Italia S.r.l.: infokia@kia.it;
- Kia Europe GmbH: info@kia-europe.com.

**It should be noted that the Data Subject may exercise his or her right of access, as provided for in Article 15, limited to his or her own personal data and excluding, therefore, personal data relating to the reported persons or the persons involved,**



**without prejudice to the provisions concerning the obligation to reply to the report, pursuant to the aforementioned legislative decree, containing the communication on the follow-up to the report.**

In accordance with Article 19 of the EU Regulation, the Data Controllers shall proceed to inform the recipients to whom the personal data have been disclosed, any rectification, erasure or restriction of processing requested, where possible.

In order to enable a faster response to your requests made in the exercise of the aforementioned rights, the same may be addressed to the Joint Data Controllers, even individually, by addressing them to the addresses indicated in point 1.

**7. Right to submit a claim (ex art. 13 paragraph 2 (d) of the GDPR)**

If the person concerned believes that his or her rights have been compromised, he or she has the right to lodge a complaint with the Authority for the Protection of Personal Data, in the manner indicated by the Authority itself at the following Internet address <http://www.garanteprivacy.it/web/guest/home/docweb/-/docweb-display/docweb/4535524> or by sending written notice to the Authority for the Protection of Personal Data.

**8. Possible consequence of non-disclosure of data and nature of provision of data (ex Article 13 paragraph 2 (e) of the GDPR)**

**8.1 In case of fulfillment of legal or contractual obligations**

Please be advised that if the processing purposes have as their legal basis a legal or contractual (or even pre-contractual) obligation, the Data Subject must necessarily provide the requested data.

Failure to do so will make it impossible for the Data Controllers to proceed with the pursuit of the specific processing purposes.

When data are no longer needed these are routinely deleted, if deletion is impossible or possible only with disproportionate effort due to a particular storage mode the data cannot be processed and must be stored in inaccessible areas.

**9. Existence of automated decision making (including profiling)**

The use of purely automated decision-making processes as detailed in Article 22 of the GDPR is currently excluded. If in the future it is decided to establish such processes for individual cases, the data subject will be notified separately if this is required by law or updated in this policy.

**10. Processing method**

Personal data will be processed in hard copy, computerized and telematic form and entered in the relevant databases that can be accessed, and therefore become aware of, the employees expressly designated by the individual Owners as Data Processors and Authorized Persons for the processing of personal data, who can carry out consultation operations, use, processing, comparison and any other appropriate operation also automated in compliance with the provisions of the law necessary to ensure, among other



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things, the confidentiality and security of the data as well as the accuracy, updating and relevance of the data to the stated purposes.

This policy and subsequent updates are posted both on the Tell Me platform and at <https://www.kia.com/it/>.

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