





	FORM Global Projects Services AG		Doc. no. FORM-GPS-PRV-009-E	
	INFORMATION NOTICE REGARDING THE PROCESSING OF VENDORS' PERSONAL DATA FOR THE STIPULATION AND EXECUTION OF CONTRACTS		Rev. 03	Date 04/11/2024
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Global Projects Services AG  
Uetlibergstrasse 134a  
8045 Zurich  
Switzerland


**INFORMATION NOTICE REGARDING THE PROCESSING OF VENDORS' PERSONAL DATA  
FOR THE STIPULATION AND EXECUTION OF CONTRACTS**  
in accordance with the Swiss Federal Data Protection Act (FDPA)  
and the Regulation (UE) 2016/679 (GDPR), if applicable

<div data-bbox="159 723 272 837">  </div> <p><b>Data Controller</b></p> <p>The personal data covered by this Information Notice are processed by Global Projects Services AG, Uetlibergstrasse 134a, 8045 Zurich, e-mail address: <a href="mailto:privacygps@saipem.com">privacygps@saipem.com</a> ("GPS" or "Company") and the persons who process these data on GPS' behalf as its data processors.</p>	<div data-bbox="805 723 906 837">  </div> <p><b>Contact Point</b></p> <p>If your data subjects want to exercise their rights under the Federal Data Protection Act (FDPA) and any other data protection laws that may be applicable, in particular the European General Data Protection Regulation (GDPR), they, the Federal Data Protection and Information Commissioner (FDPIC) and any other data protection authorities concerned by the data processing by the Company, can contact GPS under <a href="mailto:privacygps@saipem.com">privacygps@saipem.com</a>.</p>
<div data-bbox="167 1193 300 1323">  </div> <p><b>Personal Data Processed</b></p> <p>All of the personal data of your data subjects will be processed in accordance with the FDPA, as amended, and any ordinance, guidelines, and information sheets issued thereunder by the Federal Data Protection and Information Commissioner (FDPIC) or any other competent public authority, and any other data protection laws that may be applicable, in particular the GDPR. The Company undertakes to process personal data relating to your data subjects in accordance with the principles of fairness, lawfulness and transparency, in compliance with the purposes set out below and in the specific contract between you and GPS, and only insofar as necessary and helpful for these specified purposes. Only authorised and properly trained personnel will be allowed to process said data.</p> <p>In particular, the Company will collect, record, consult and generally process personal data of your legal representatives, directors, employees and associates and their family members (<b>your data subjects</b>), only insofar as necessary in order to take steps prior to entering into or for the execution of a contract with you, where justified by applicable laws or by the legitimate interests of GPS. The personal data processed by the Company will be personal data that you or your data subjects have provided to us (e.g., name, surname, address, telephone, e-mail), that are collected from publicly accessible sources (e.g., commercial data bases, administrative information lists or credit rating organisations) either directly or indirectly through third party information providers specialised in gathering such data, information from internal data bases of GPS and other members of the Saipem Group or personal data collected from you or your data subjects.</p>	


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**CONTRACTS**

 <b>Purposes of the processing</b>	 <b>Legal basis of the processing</b>	 <b>Retention period of data</b>
1. Evaluation, negotiation the terms of and due diligence activities in view of the establishment of a contractual relationship with you (for example, carrying out preliminary assessments, adding, updating or verifying the internal data bases of GPS and its affiliates).	The processing of the data is lawful because it is necessary in order to take steps at the request of the Data Subject prior to entering into a contract (art. 6 para. 1 lit. (b) GDPR).	Personal data will generally be kept for 10 years after the decision whether or not to enter into the contract and completion of the due diligence process with you.
2. Entering into the contractual relationship with you and execution of the rights and obligations thereunder, including warranty and maintenance operations, tests and inspections.	The processing of the data is lawful because it is necessary for the performance of a contract to which the Data Subject is a party (art. 6 para. 1 lit. (b) <b>GDPR</b> ) and for the purposes of the legitimate interests pursued by GPS (art. 6 para. 1 lit. (f) <b>GDPR</b> ).	Personal data will be kept and processed for 10 years after entering into the contract and completion of the mutual obligations under the contract, including any warranty claims and legal remedies.
3. Compliance with statutory provisions (i.e. anti-money laundering, anti-corruption, safety and health in the workplace).	The processing of personal data, is lawful because it is necessary to comply with the legal obligations to which the Company is subject (art. 6 para. 1 lit. (c) <b>GDPR</b> ); the processing of special categories of sensitive personal data (including connections with public officials and other relevant persons, disclosed by the Vendor, its data subjects or retrieved from public sources is lawful because is necessary for the purposes of anti-discrimination, anti-bribery and anti-corruption, and anti-money laundering measures, for the establishment, exercise or defence of legal claims court actions, or is necessary for reasons of substantial public interests on the basis of applicable state law (art. 9 para. 2 lit. (e), (f) and (g) <b>GDPR</b> ); or the processing of data relating to criminal convictions and offences is lawful because it is permitted by applicable state law respecting the appropriate safeguards for the rights and freedoms of data	Personal data will be kept and processed until expiry of the term during which the Company may be held liable or otherwise suffer negative consequences unless it can prove compliance with these statutory provisions.

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	subjects such law provides (art. 10 GDPR).	
4. IT security management, including log file management to detect illicit and malicious access and behavior with regard to GPS' IT systems.	The processing of personal data is lawful because it is necessary to comply with the legal obligations to which GPS is subject (art. 6 para. 1 lit. (c) GDPR) and for the purposes of the legitimate interests pursued by GPS (art. 6 para. 1 lit. (f) GDPR).	Personal data will be kept and processed for the time necessary to fulfil the purposes stated herein. For log management, the foreseen retention period is 6 months from their recording.
5. Entering data into and use of data as part of a data driven model of GPS or another Saipem group companies to improve and optimize operational processes and management decisions.	The processing of personal data is lawful because it is necessary for the purposes of the legitimate interest pursued by the Company (art. 6 para. 1 lit. (f) GDPR).	Personal data will be kept and processed for the time necessary to fulfil the purpose.
6. If necessary, to assert or defend a right or claim of the Company or to defend against a right or claim raised against the Company in court, arbitration and conciliation or criminal or administrative procedures.	The processing of the data is lawful because it is necessary for the purpose of the legitimate interest pursued by the Company (art. 6 para. 1 lit. (c) and (f) GDPR); the processing of special categories of sensitive personal data is lawful because its processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity (art 9 para. 2 lit. (f) GDPR); the processing of data relating to criminal convictions and offences is lawful because it is permitted by applicable state law respecting the appropriate safeguards for the rights and freedoms of data subjects such law provides (art. 10 GDPR).	Personal data will be kept and processed for the duration of any legal disputes over such claims until final and binding adjudication or settlement in full.
Once the retention period has elapsed, the personal data will be destroyed or made anonymous by GPS' standard erasure and backup procedures.		

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### Way of processing and provision of data

The processing of personal data will be carried out on digital, paper and other media, using methods and tools appropriate with regard to the state of the art, the nature and the extent of the data processing and the risk that the processing poses to the data subject's personality or fundamental rights, so that the protection regulations are respected in particular regarding security and confidentiality, by persons chosen, instructed and supervised so that they are able to guarantee compliance with this Information Notice and the applicable data protection regulations.

Where the processing of the personal data is necessary in order to take steps prior to entering into a contract, for the performance of a contract, or for the fulfilment of legal obligation, you or your data subject's refusal to have such data processed will make it impossible to conclude or to continue a contract with you.



### Recipients and data transfer

The Company may transfer the personal data of your data subjects to other parties for the purposes set out above, for example:

- Other Saipem Group companies as data processors for GPS or as independent data controller, in order to carry out contract management activities;
- Third parties (e.g., consultants, IT service providers, etc.), who carry out certain activities and thereby process personal data on behalf of GPS as its data processors or sub-processors;
- Third parties (e.g., other Saipem companies, insurance companies, brokers and other independent intermediaries) as independent data controllers, which determine the purposes and means of processing personal data of your data subjects, including special categories of particularly sensitive personal data and data on criminal convictions and offences, based on their relationship with you;
- Administrative authorities, courts and arbitral tribunals to whom disclosure of these personal data is required by law or necessary for the purposes of the legitimate interests of GPS or a third party. These subjects will process the data in their capacity as independent data controllers.

Personal data are transferred to data processors and sub-processors only under contractual or otherwise binding conditions that the data may only be used for the specific purposes for which GPS could lawfully process them and not for any purposes for which GPS could not lawfully process them, and providing sufficient guarantees to



### Data Subjects rights

Your representatives, directors, employees, associates and their family members as data subjects have the right to ask the Company, as data controller, for access to the personal data relating to them, rectification, erasure, hand-over of their personal data in a structured, commonly used and machine-readable (portable) format (art. 20 GDPR), rectification of inaccuracy and completion of incomplete personal data (art. 16 GDPR), restriction of processing in the cases provided for by art. 18 GDPR, as well as the right to object to any processing that does not comply with the applicable laws, or, where GPS' processing of personal data is based on the legitimate interests pursued by GPS as the data controller or a third party, explicitly stating which interests or fundamental rights and freedoms of your data subject requiring protection of personal data override the legitimate interests of GPS or the third party (art. 6 para. 2 lit. (f) GDPR), or restriction of disclosure to third parties where such disclosure would not be in compliance with the applicable laws and this Information Notice. In addition, only in case the data are processed on the basis of the consent of your data subjects, your data subjects may revoke their consent at any time with effect for the future.

These rights of data subjects may be exercised at any time, against GPS as the Controller by sending a specific request in writing to the e-mail addresses [privacygps@saipem.com](mailto:privacygps@saipem.com), or by writing to the Company at the address given in letterhead above. You will be informed if any of your representatives, directors, employees, associates and their family members as data subjects exercise any of the rights set forth above. You

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<p>implement appropriate technical and organisational measures in such a manner that processing will meet the legal requirements and ensure the protection of the rights of the data subject. GPS may transfer personal data to any country outside Switzerland where any other Saipem Group companies have their seat or registered office or any establishment, as per the annual report of Saipem group, or anywhere in the world also to country where no other Saipem Group Companies is present.</p> <p>Personal data will only be transferred to countries outside Switzerland and the EU if data privacy is guaranteed by adequacy decisions by the Federal Council or the European Commission, by data protection provisions of a contract between the controller or the processor and its contracting party, or by standard model clauses or on the basis of binding corporate rules.</p>	<p>are aware that a deletion, hand-over of the personal data of your data subjects in a portable format, restriction of processing or of disclosure to third parties or revocation of consent for processing of their personal data may mean that the contract GPS considers entering into or has entered into with you cannot be entered into or has to be terminated for cause that falls within your sphere of responsibility.</p> <p>Your representatives, directors, employees, associates and their family members as your data subjects also have the right to lodge a report or complaint with the FDPIC or any other supervisory authority concerned with such data processing and to use other means of protection provided by the FDPA and other applicable laws.</p> <p>If you exercise any of the rights of or perform any acts pertaining to your data subjects, GPS is entitled to assume that you are duly authorised to do so, and can hold you liable for any consequences in case you use any of such rights or perform any such acts without their proper authorisation.</p> <p>If any of your data subjects exercise any of their rights or perform any acts pertaining to them, you shall assume and be responsible for any of the consequence of such acts and exercise of rights, and cannot hold GPS or any third party acting under this notice liable for any consequences thereof.</p>
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