

PRIVACY DISCLAIMER

Information provided pursuant to articles 13 and 14 of the GDPR (General Data Protection Regulation) 679/2016 and of articles 13 and 14 of Law no.171 of 21 December 2018 and subsequent amendments.

This document indicates the ways in which the Public Administration processes your personal data.

a) Data Controller

The Data Controller of the personal data of the Public Administration is the **Director of the Public Function Avv. Manuel Canti**, appointed by the Hon. Congress of State of the Republic of San Marino, by virtue of a delegation pursuant to Article 23, paragraph 3, letter k) of Law no.188 of 5 December 2011.

Address: Via della Capannaccia, 13 - 47890 San Marino - Republic of San Marino.

tel: (+378) 0549 882837

fax: (+378) 0549 882835

email: info.directiongeneralfunctionpublic@pa.sm

b) Data Protection Officer

The Data Protection Officer is designated pursuant to art. 38 of Law 171/2018, and in the Public Administration it is identified in the "Office of the Data Protection Officer" (as required by the Resolution of the Congress of State No. 9 of 9 August 2021).

Interested parties can contact the Data Protection Officer for all matters relating to the processing of their personal data and the exercise of their rights deriving from the aforementioned law.

Contact details are as follows:

Address: Via della Capannaccia, 13 - 47890 San Marino

Tel: 0549 885872

Email: privacy@pa.sm

c) Purpose of the processing

Personal data provided will be processed to pursue the following purposes:

1. management of administrative and accounting obligations;
2. fulfill legal and contractual obligations;
3. management of registration in the register of professional operators in tourism and related supervision;
4. fulfilments for the start-up of new accommodation facilities or a classification request;
5. training activities;
6. assessment, exercise or defense of a right in court;
7. fulfillment of legal requirements and obligations required by the tender or selection procedures;
8. provide assistance to the tourist;

9. management of complaints relating to the running of accommodation facilities;
10. publication of personal information at the request of the interested party;
11. direct marketing activities;
12. sending of promotional material (also through mailing lists), informative material, commercial and/or advertising communications relating to the events, services, activities and initiatives of the San Marino Tourism Board.

The San Marino Tourism Board does not collect any information that is not necessary for the execution of the aforementioned purposes.

The processing of your data will be based on principles of correctness, lawfulness, transparency and protection of your privacy and your rights.

d) Legal basis for data processing

For the purposes referred to in points n. 1, 2, 3, 4, 5, 6, 7 and 9, the treatment is necessary for the execution of a task of public interest or connected to the exercise of public powers vested in the data controller pursuant to the Law no. 171/2018, art. 5, paragraph 1, letter e), according to which "the processing is necessary for the execution of a task of public interest or connected to the exercise of public powers vested in the data controller". The processing is also lawful pursuant to art. 48 of Annex A to Law no. 188/2011 and subsequent amendments as well as pursuant to Law 22/2006;

For the purposes referred to in numbers 10, 11 and 12, the processing is carried out on the basis of the consent of the interested party.

e) Categories of recipients of the processed personal data

The San Marino Tourism Board may transfer your data to other Public Offices and acquire your data from other Public Offices.

Personal data from archives, registers, lists, deeds or documents - provided they do not relate to racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership as well as genetic, biometric, health or to sexual life or sexual orientation, criminal convictions and crimes - which must be included in a professional register in compliance with the law or a regulation, may be communicated to public and private subjects or also disseminated via electronic communication networks. The existence of provisions which provide for the suspension or which affect the exercise of the profession may also be mentioned.

Processed data may also be communicated to organizations and other public entities (including foreign ones), according to the provisions of current legislation.

Without prejudice to communications made in compliance with legal and contractual obligations, all data collected by the Public Administration may be processed, without your consent and solely for the performance of tasks of public interest or related to the exercise of public authority:

- from the offices and services of the entire Extended Public Sector;
- by third parties authorized by the Public Administration appointed or involved in the performance of a public service;
- in the case of data of workers looking for employment useful to facilitate the matching of job supply and demand, to the undifferentiated public of internet users, upon express request of the concerned workers pursuant to article 95 of Law no. 171/ 2018.

Your data may also be transferred, without any prior authorization and without the need for your consent:

- from and to all Member States of the European Union, as well as to foreign countries that benefit from an adequacy decision by the European Commission issued pursuant to Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016;
- from and to all foreign countries with which the Republic of San Marino has signed bilateral agreements or treaties which provide for the exchange of personal data and regulate the guarantees for their treatment;
- if the transfer is necessary for important reasons of public interest;
- if the transfer is necessary to ascertain, exercise or defend a right in court;
- if the transfer is made from a Register that aims to provide information to the public and can be consulted both by the general public and by anyone able to demonstrate a legitimate interest, only on condition that the requisites for consultation are met by special rules. In these cases, the transfer cannot, however, concern all personal data or entire categories of personal data contained in the register; furthermore, if the register is intended to be consulted by persons having a legitimate interest, the transfer is permitted only at the request of such persons or if such persons are the recipients.

f) Provision of data and refusal

The provision of the requested data is voluntary, but necessary in order to use them for the purposes referred to in letter c). Partial or inaccurate failure communication of data has as the consequence of impossibility of being processed, making it impossible to carry out the administrative activities connected to them.

Where consent is provided as a legal basis, the same can be freely given; in the event of failure to provide consent, the respective services cannot be provided.

You have the right to withdraw your consent at any time; the withdrawal of consent does not affect the lawfulness of the treatment based on the consent before the withdrawal.

g) Data transfer

The Data Controller does not intend to transfer data abroad or to international organisations.

h) Categories of processed personal data

The personal data required in order to carry out the task of public interest or related to the exercise of public authority, are the following:

- 1) personal data
- 2) contact data
- 3) identity document
- 4) browsing data
- 5) bank details
- 6) any additional data sent spontaneously by the user.

i) Browsing data

Access to the Visitsanmarino.com site and navigation within it takes place through the use of a web browser. Some data necessary for internet browsing, by their very nature, could allow users to be identified through processing and association with data held by third parties. In particular, it is intended to refer to the IP addresses or domain names of the computers used by users who connect to this site, the addresses in URI (Uniform Resource Identifier) notation of the requested resources, the time of the request, etc.

These data are used for the sole purpose of obtaining anonymous statistical information on the use of the site and to check its correct functioning and are canceled immediately after processing. The data could be used for any liability in the event of computer crimes connected with this site.

j) Cookies

No cookies are used for user profiling, nor other tracking methods are used. This site only uses session cookies (which are not stored permanently on the user's computer and disappear when the browser is closed) and are strictly limited to the transmission of session identifiers (consisting of random numbers generated by the server) necessary to allow safe and efficient exploration of the site. The so-called Session cookies used on this site avoid the use of other IT techniques potentially prejudicial to the privacy of users' browsing and do not allow the acquisition of personal identification data of the user.

The communication of the aforementioned data is voluntary, but necessary for the fulfillment of your requests, and their failure, partial or incorrect conferment has, as a consequence, the impossibility of processing your request.

k) Internet payments

When you make a payment with an electronic payment tool on the Portal of the U.O. Tourism Board you access completely secure pages. Our systems do not memorize the data of the electronic payment instrument used by you in any way. The acquisition of the information necessary for the transaction is guaranteed by the service provider.

All elements of the transaction are encrypted and confidential.

l) Retention period

Your data is kept for a period not exceeding that necessary for the pursuit of the purposes mentioned above. Once the data is no longer useful in order to carry out a given function or current affairs, it could still be preserved according to the archival rules of the State.

m) Rights of the interested party

The rights of the interested party concerning the processing of personal data are provided for in Articles 15 to 22 of Law 171/2018, including:

- Right to obtain confirmation as to whether or not personal data concerning them is being processed and, in this case, to obtain access to personal data and related information required by law;
- Right to obtain the correction or integration of inaccurate personal data concerning them;
- unless the data is necessary for the fulfillment of a legal obligation, the right to obtain the cancellation of personal data;
- Right to obtain the limitation of processing in the cases provided for by law and provided that such processing is not functional to pursue a significant public interest

- right to data portability, where the processing is based on consent and the same is done by automated means;
- right of opposition.

You also have the right to submit reports or complaints to the Guarantor Authority for the Protection of Personal Data: address, Contrada Omerelli, 43 - 47890 San Marino - Republic of San Marino; phone: (+378) 0549 883154; email: ufficio.segreteria@agpdp.sm.

n) Processing methods

Personal data are processed with IT and/or paper tools. The data you provide will be processed by adopting specific security measures to prevent data loss, illicit or incorrect use and unauthorized access.

If the person providing the data is under the age of 16, the processing is lawful only if there is consent from the holder of parental responsibility.

If we become aware of the processing of data of persons under the age of 16 without the valid consent of a parent or legal guardian, we will proceed with their cancellation.

o) Automated decision making

The Data Controller does not adopt an automated decision-making process, including profiling, pursuant to art. 22 paragraphs 1 and 4 of Law 171/2018.

p) Source of personal data

The U.O. Tourism Board may receive your personal data from other Public Offices, with the possibility that some data also come from sources accessible to the public.

q) Complaints and reports

The interested party has the right to submit reports or complaints to the Guarantor Authority for the Protection of Personal Data:

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- email: ufficio.segreteria@agpdp.sm