

Information on the protection of personal data for business partners

Lidl Italia S.r.l. a socio unico, with its registered office at Via Augusto Ruffo 36, IT-37040 Arcole (VR), and/or the other companies of the Schwarz Group with which you have started or have a commercial business relationship (hereinafter all indistinctly referred to as “**Lidl**”), as data controller, informs, according to Articles 13 and 14 of Regulation (EU) 2016/679 (hereinafter “**GDPR**”) and Legislative Decree No. 196 of June 30, 2003 (“**Privacy Code**”), that the personal data of any natural person who (i) owns an individual company or (ii) holds a position within a company (e.g. partner, director, mayor, shareholder, or employee) or a legal person, or (iii) contacts Lidl in connection with inquiries, offers, or commercial information (hereinafter all indistinctly referred to as “**Data Subjects**”) will be processed in accordance with this privacy policy for the purposes of conducting negotiations, pre-contractual relations and measures, as well as for the performance of the contract itself (hereinafter jointly referred to as the “**Contract**”).

Categories of personal data processed

Depending on the agreed services, Lidl may process the following categories of personal data:

- identification data (e.g. first name, last name, date of birth, nationality, tax code);
- recognition and/or registration data (e.g. identity card, handwritten signature, electronic and/or digital signature, commercial register extract);
- contact details (e.g. e-mail address, phone number, address);
- IT authentication data (e.g. protocol data, username and password, user ID);
- company data (e.g. company name, registered office, any operational offices, VAT number, tax code);
- payment data (e.g. bank account details) as well as data relating to orders/procurements;
- data relating to the asset structure, tax position and solidity, solvency, and economic reliability as well as bank data, including bank guarantees, functional to the establishment and management of the Contract;
- data relating to the corporate structure, the composition of the shareholder structure, and the administrative bodies (e.g. directors, shareholders, auditors, employees);
- within the limits permitted by the applicable legislation, any data relating to criminal convictions and/or offenses, i.e. information relating to the inclusion of the Data Subjects in the lists of subjects involved in terrorist acts and subject to restrictive measures of the EU and the United States, data relating to administrative fines, pending proceedings as well as data relating to insolvencies, negative reports, and/or news of adverse press relevant in order to verify the reliability and integrity of the Data Subjects, as well as to ensure Lidl's compliance with international principles on the matter of combating the activities of States, individuals, or organizations that threaten international peace and security and with the relevant anti-money laundering, anti-mafia, and anti-terrorism laws applicable to Lidl.

It should be noted that, if the Contract was entered into by means of an electronic signature, Lidl also processes data related to this and, in particular, the e-mail address, the IP address, and the date and time of the processing of the relevant contractual document. These data are accessible to all those involved in the drawing-up and signing of the Contract.

Generally, personal data are collected directly from the Data Subjects. However, in some cases, in compliance with regulatory provisions or on the basis of legitimate interests (e.g. checks on the reliability and integrity of business partners), it could also be necessary to process personal data obtained from other companies, Revenue Agency, authorities, credit agencies, insolvency registers,

publicly accessible sources (e.g. Company Register, press review, Internet) or other third parties. The collection of personal data through these public sources is carried out in compliance with the rules for the correct use of these public sources as adopted by the institutions and bodies responsible for their management. Moreover, personal data that we obtain through our reporting channels for possible compliance breaches may also be processed.

Purpose and legal basis of the processing

Lidl processes the aforementioned personal data both with manual and electronic means, suitable in order to guarantee security and confidentiality and to avoid unauthorized access, disclosure, modifications, and subtractions of data, thanks to the adoption of adequate technical, physical, and organizational measures for the pursuit of the purposes indicated below. Finally, as regards the ways in which personal data are processed, it is specified that, with reference to Article 22 of the GDPR, personal data are not processed on the basis of automated decisions.

Contractual purposes

Personal data will be processed for the purpose of:

- managing and executing negotiations and pre-contractual measures, as well as pre-contractual and contractual relationships;
- managing and archiving the relevant documentation for contractual purposes, including by means of electronic and IT tools;
- engaging in communications in the context of commercial relationships;
- adopting the applications and electronic and IT systems necessary in order to execute the pre-contractual and contractual relationships.

The processing of personal data for the aforementioned contractual purposes is carried out in accordance with Article 6, paragraph 1, letter b) of the GDPR, and it is necessary given its essential nature for the purpose of executing the Contract with the business partner. If the business partner does not provide personal data for contractual purposes, it will not be possible to execute the Contract.

Legal purposes

Personal data, including relating to any criminal convictions and offenses in the cases referred to in Article 2-g) of the Privacy Code, may be processed for the purpose of fulfilling the obligations deriving from the legislation applicable to Lidl (including anti-money laundering, anti-mafia, and anti-terrorism laws), including the execution of communications to the competent authorities and supervisory bodies, and for the purpose of complying with requests made by them.

The processing of personal data for the aforementioned legal purposes is carried out on the basis of Article 6, paragraph 1, letter c) of the GDPR, and it is necessary given its essential nature in order to ensure Lidl's compliance with the provisions of the applicable legislation, including the international principles on combating the activities of States, individuals, or organizations that threaten international peace and security. If the business partner does not provide personal data for the purposes of the law, it will not be possible for Lidl to continue with the contractual relationship with the business partner, as this would mean violating the regulations applicable to the specific case.

Purposes of legitimate interests

Personal data may also be processed for the purpose of:

- adopting the technical, electronic, and IT solutions and measures that provide for the analysis of the use of Lidl systems and are necessary in order to protect and ensure the secure management of company activities, as well as prevent the illicit use of technological resources and infrastructures of Lidl and identify conduct to the detriment of Lidl;
- optimizing company activities, including through the preparation of reporting documentation and statistical analyses;
- enforcing and defending Lidl's rights in both judicial and extrajudicial settings, including in any proceedings initiated by third parties;
- performing, including in the pre-contractual phase, checks on the reputational, economic, financial, and capital situation of business partners as well as on their solidity, solvency, and economic reliability in order to protect the commercial interests of Lidl and the companies of the Schwarz Group;
- performing, including in the pre-contractual phase, checks aimed at the prevention of convictions and, therefore, in order to identify possible compliance risks deriving from the commercial relationship and, therefore, to protect company activities by avoiding significant damage to Lidl and Schwarz Group companies;
- completing a potential merger, disposal of assets, company or business unit transfers by divulging and transferring personal data to the third parties involved.

The processing of personal data for purposes of legitimate interests pursuant to Article 6, letter f) of the GDPR is equally balanced with the legitimate interest of the Data Subjects, as the personal data processing activity is limited to what is strictly necessary for the execution of the business operations.

In addition to the foregoing, it should be noted that the legitimate interests concern, in particular, the choice of sound, reliable business partners who reflect the integrity requirements also required by sector regulations, the carrying out of audits of the sustainability report in order to verify compliance with social standards, the conducting of surveys for the purposes of evaluating companies, the processing of the contact details of contact persons, the assignment of the work results to the individual business partners, the accounting of commercial transactions, the negotiation with the contact persons of the business partners as well as the processing carried out in the process of digitalizing the signature. Other legitimate interests include invitation to events/meetings, assertion of legal claims and, consequently, avoidance of situations prejudicial to Lidl, legitimacy checks (e.g. withdrawal and delivery of money), threat prevention and liability claims, prevention of legal risks and economic disadvantages, recognition and management of potentially harmful e-mails, physical or IT access controls, requests for clarifications regarding possible compliance breaches, prevention of offenses, regulation of damages resulting from the commercial relationship, efficient and fast digital management of the signing of the Contract, corresponding registration of the signature process for the purpose of checking the validity of the electronic signature, and other internal administrative purposes.

Processing for the purpose of legitimate interest is not mandatory and the Data Subject may object to such processing as indicated in this policy. If the Data Subject objects to such processing, their data cannot be used for the purpose of legitimate interest, unless an overridden interest is identified by Lidl or in case of defense of a right pursuant to Article 21 of the GDPR.

Recipients/categories of recipients of personal data

For the aforementioned purposes, personal data may be transferred to the following categories of recipients located inside the European Union: (a) third-party suppliers of assistance and advisory services for Lidl with reference (e.g.) to the following sectors: technological, accounting,

administrative, legal, advertising; (b) companies of the Schwarz Group; (c) Lidl's potential buyers and entities resulting from the merger or any other transformation regarding Lidl; (d) subjects and authorities whose right of access to personal data is expressly recognized by law, regulations, or provisions issued by the competent authorities.

Such recipients process the data of the Data Subjects as data controllers, processors, or appointed persons, as appropriate. A complete list of the external data processors appointed by Lidl is available, upon request, according to the provisions set out in this policy.

Finally, it should be noted that, if the business partner has concluded a framework contract for the supply/provision of goods and/or services with Lidl or with other companies of the Schwarz Group, the respective contact details of the business partner may be processed by the Procurement and Purchasing departments of Lidl or by other companies of the Schwarz Group for the purpose of establishing the necessary contacts.

The data acquired in the context of the checks conducted, including in the pre-contractual phase, on the business partners may also be processed by the Compliance departments of Lidl or other companies of the Schwarz Group for the purpose of pursuing Lidl's legitimate interest in protecting its economic activity and minimizing the risks of non-compliance with the applicable regulations within the limits indicated above. Such data transmission occurs in the interest of the companies of the Schwarz Group, acting as joint data controllers pursuant to Article 26 of the GDPR, in order to ensure compliance in relationships with its business partners. Outside the Schwarz Group, the data will be transmitted only if there are legal obligations that impose such transmission (e.g. communications to the authorities).

Data retention period

Personal data are stored for the period necessary for satisfying the contractual, legal, and legitimate interest purposes mentioned above. In this sense, the legal retention obligations imposed by the Civil Code apply in particular, stipulating a retention period of ten years after termination, cancellation, or withdrawal from the Contract, except in cases where retention for a subsequent period is required for litigation, requests by competent authorities, or under applicable legislation. By contrast, for legal purposes, personal data are retained for a period equal to the duration prescribed for each type of data by law. At the end of the retention period, the personal data will be deleted, anonymized, or aggregated.

Data transfer to third countries

Personal data will not be transferred to recipients located outside the European Union (EU) or European Economic Area (EEA). Should personal data be transferred to recipients outside the EU or EEA, such transfer shall take place in compliance with the appropriate guarantees for the purposes of the transfer itself, such as standard contractual clauses relating to data protection or, in case of explicit consent, pursuant to the applicable legislation and, in particular, to Articles 45 and 46 of the GDPR.

Rights of the Data Subjects

According to Article 15 of the GDPR, the Data Subject has the right to receive, free of charge and upon request, the information regarding their personal data being processed.

Furthermore, where the legal requirements are met, the Data Subject has the right to rectification (Article 16 GDPR), erasure (Article 17 GDPR), restriction of processing (Article 18 GDPR), and portability (Article 20 GDPR) of the personal data.

If the processing of data is based on the legitimate interest referred to in Article 6, paragraph 1, letter f) of the GDPR, the Data Subject also has the right to object under Article 21 of the GDPR. In this case, the data will not be processed in future, unless the data controller demonstrates that there are compelling legitimate grounds for the processing which override the interests of the Data Subject.

If, instead, the processing of data is based on the consent referred to in Article 6, paragraph 1, letter a) of the GDPR, the Data Subject has the right to withdraw consent at any time and with effect for the future, without prejudice to the lawfulness of the processing based on consent before withdrawal.

Finally, the Data Subject has the right to lodge a complaint with the supervisory authority for the protection of personal data.

To exercise the aforementioned rights, the Data Subject can contact Lidl at the email address: privacyit@lidl.it.

The Data Protection Officer of Lidl can be contacted at the email address dpo@lidl.it.

Amendments and updates

This privacy policy is valid from the effective date indicated below. However, Lidl could make amendments and/or additions to this policy, including as a consequence of any subsequent regulatory amendments and/or additions. Any amendments and additions to the policy will be communicated in advance and, in any case, the updated text shall always be available on the website www.lidl.it.

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