

**INFORMATION REGARDING THE PROCESSING OF PERSONAL DATA
PURSUANT TO ARTICLE 13 OF THE REGULATION (EU) 2016/679 ("GDPR") AND
SWISS LAW ON DATA PROTECTION (LPD – ART. 28 CC).**

Procrea Centro Fertilità Svizzera Italiana SA considers the protection of personal data of its own and/or potential patients to be of fundamental importance and for this reason, the contents of this website will serve the purpose of providing you in a simple and intuitive way with all the information envisaged by articles 13 and 14 of the REGULATION (EU) 2016/679 ("GDPR"), as well as the respective Swiss legislation on data protection (LPD – art. 28 CC).

The Data Controller is **Procrea Centro Fertilità Svizzera Italiana SA, Via Clemente Maraini 8 6900 Lugano – Switzerland** which holds, acquires and processes your personal and particular data for the purposes specified below.

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Data, lawfulness, purpose of the processing, third parties

The personal data that you provide to us will be processed with a view to ensuring minimisation and transparency and they enter under the following category:

1. personal identification data (such as name, surname, date and place of birth, residential address, email, and any images) freely communicated by you when you fill out FORM on this website.

Said data will be used within the limits and for the pursuit of the purposes in compliance with the legal bases specified below:

- 1) information and first introductory interview for the provision of assisted reproductive health services by means of: prevention, diagnosis, treatment, surgical interventions, therapy, laboratory activities, cryopreservation of biological material and personal assistance
Art. 9 subsection 2) letter h) contract with a healthcare professional.

While the granting of your data is optional, refusal to provide such data could result in failure to execute or continue the relationship.

The processing is carried out with automated means, also using instruments designed to memorise, manage and transmit the data, in compliance with every precautionary measure for guaranteeing their security and confidentiality. The data collection does not foresee processing methods by means of automated decision-making processes or profiling.

Specific security measures are observed in order to prevent the loss, illicit or incorrect use of data and unauthorised access.

- In paper form the data are processed and stored at the headquarters and the offices of the company in Via Clemente Maraini 8 6900 Lugano – Switzerland or at the offices of the Data Processors.
- In computerised form, the data are processed by the computers/devices of the Controller/Processes and the servers operated by the same.

The data of minors will not be processed without the explicit consent of the parents or of those exercising parental authority or legal protection.

The data will not be disseminated in an indiscriminate manner, with this term understood as the disclosure of information to undetermined subjects in any way, even by means of their availability or consultation.

The data may be communicated, with this term understood as disclosure of the same (also for possible processing) to one or more subjects determined within the limits strictly pertinent to the fulfillment of the obligations, duties and purposes mentioned above:

- to other healthcare structures for requesting specific investigations or analyses (the list is issued at the request of the data subject) following the data subject's request for specific assisted reproduction techniques, and the relative investigations and analyses, as well as to bodies and organisations that carry out transport services of biological samples or provide assistance (e.g. ambulance services);
- to the providers of IT services in their capacity of external Processors-System administrators;
- to public bodies, both Swiss and in the data subjects' countries, that guarantee co-participation in the healthcare costs, as well as private insurance and social security institutions which may, if necessary, be indicated by you for administrative and accounting reasons and the reporting of the services provided;
- to bodies that perform supervisory or control activities in the healthcare, judicial police, hygiene and safety sectors concerning the appropriateness of the healthcare and social-health services, certifications and reports, as well as to public entities that provide healthcare planning, prophylaxis, healthcare statistics and epidemiological analysis services; to bodies that carry out authorisation, accreditation, contracting and certification activities in the field of quality systems;
- to legal offices, forensic consultants and insurance companies and brokers with which the Controller has taken out suitable third-party liability policies.

In addition, the following subjects may gain knowledge of your personal data/particulars that have to be processed:

- our employees and collaborators, as well as the Controller's freelance and external consultants, or employees and/or consultants of other centres forming part of the same group the Controller belongs to.

You can obtain an up-to-date list of our Data Processors by sending a request by mail or email to the addresses indicated below.

Your data will be processed outside the European Economic Space, and namely in Switzerland by the Controller or by external Data Processors assigned for this purpose.

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Exercise of rights

The data subject has the following rights pursuant to articles 15 to 22 of the Regulation which are reported in full below:

Right of access

The patient shall have the right to obtain confirmation as to whether or not personal data concerning him or her are being processed and where that is the case, access to the personal data and the following information:

- a) the purposes of the processing;
- b) the categories of personal data being processed;
- c) the recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular, recipients in third countries or international organisations;
- d) the period for which the personal data will be stored;
- e) the existence of the data subject's right to request from the Controller rectification or erasure of personal data or restriction of the processing of personal data concerning the data subject or to object to such processing;
- f) the right to lodge a complaint with a supervisory authority;
- g) where the personal data are not collected from the data subject, any available information as to their source;
- h) the existence of automated decision-making, including profiling, at least in those cases, meaningful information about the logic involved, as well as the significant and envisaged consequences of such processing for the data subject.

Right to rectification

You shall have the right to obtain without delay the rectification of inaccurate personal data, as well as the right to have incomplete data completed or the integration of personal data already provided.

Right to erasure

You shall have the right to obtain the erasure of personal data concerning you where one of the following grounds applies:

- a) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- b) the data subject withdraws consent on which the processing is based;
- c) the data subject objects to the processing;
- d) the personal data have been unlawfully processed;
- e) the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject.

Right to restriction of processing

You shall have the right to obtain restriction of the processing where one of the following applies:

- a) the accuracy of the personal data is contested by the data subject;
- b) the processing is unlawful, and the data subject opposes the erasure of the personal data and requests the restriction of their use instead;

- c) the controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defence of legal claims;
- d) the data subject has objected to processing pending the verification whether the legitimate grounds of the controller override those of the data subject.

Notification obligation

The Controller has the obligation to communicate any rectification, erasure or restriction of processing of the personal data to each recipient to whom the personal data have been disclosed. The Controller shall inform you about those recipients if you request it.

Right to data portability

You shall have the right to receive the personal data concerning you in a structured, commonly used and machine-readable format. You shall also have the right to have the personal data transmitted directly from one controller to another.

Right to object

You shall have the right to object at any time to the processing of personal data concerning you. In this case your data will no longer be processed unless the Controller demonstrates compelling legitimate grounds for continuing the processing or for fulfilling legal obligations. In fact, your data will be kept for the period necessary for pursuing the purposes of the processing and the fulfilment of the civil and tax regulations and every other legal obligation envisaged in compliance with the rights of the data subject.

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Contact information

All requests to exercise your rights, as indicated above, can be forwarded to the Data Controller by mail to **Procrea Centro Fertilità Svizzera Italiana SA, Via Clemente Maraini 8 6900 Lugano – Switzerland**, or by email to privacy@procrea.ch.

It is possible to contact the **Data Protection Officer (“DPO”)** appointed by the Controller pursuant to article 37 and subsequent articles of the GDPR by sending an email to: dpo@procrea.ch

We wish to remind you that you can always lodge a complaint with the Supervisory Authority for the protection of personal data (www.garanteprivacy.it).

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One of the principles applicable to the processing of personal data concerns the period of storage, disciplined by article 5, subsection 1, letter e) of the Regulation that recites *“the Personal Data are kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89, subsection 1, subject to implementation of the appropriate technical and organisational measures required by this Regulation in order to safeguard the rights and freedoms of the data subject”*.

In the light of this principle, your personal data will be processed by the Data Controller limited to what is necessary for the pursuit of the purposes referred to in this Informative Note. In particular, your Personal Data will be processed for a period of time equal to the minimum necessary, as indicated in Article 39 of the Regulation, for the fulfillment of existing relationships between you and the Data Controller (request for information/first interview for healthcare services) without prejudice to a further period of storage which may be imposed by mandatory laws in healthcare, civil and tax matters and for the fulfillment of any other legal obligation connected to the relative law applicable for the interested party, also envisaged by Article 65 of the Regulation.