



PAGANI AUTOMOBILI S.P.A.

Via dell'Artigianato, 5 - 41018 San Cesario sul Panaro (MO) - Italy - T +39 059 4739201

## Pagani Open Day Contest – 2 June 2019

### Artistic context regulations

#### Sponsor

“Pagani Open Day Contest” is an artistic contest (“Contest”) sponsored by Pagani Automobili S.p.A., a Single Member Public Limited Company, under the third party direction and coordination by Horacio Pagani S.p.a. – with head office in Via dell’Artigianato, 5 – Vill. La Graziosa, 41018 San Cesario sul Panaro (MO) Italy, share capital EUR 536,000.00, fully paid up, registered in the Modena Business Register and VAT No. 02054560368, R.E.A. (Economic and Administrative Index) No. 262102 (“Sponsor and/or Pagani”).

#### Contest Duration and Area

The Contest begins on 15 May 2019 at 10:00 a.m. (CEST) and ends on 26 May 2019 at 11:59 p.m. (CEST).

The Contest phases are detailed below:

- Live Phase (15 May – 26 May 2019) - Users’ publication of the images for the contest, using the hashtags, tags and mentions according to the regulations
- Live Closure – 26 May 2019
- Selection of the winner – 27 May 2019

Any work arriving after the end of the live phase will not be taken into consideration (date and time of the post).

The Contest is not restricted to any particular area.

#### Aim and purpose of the Contest

The Contest aims to award a creative shot or video content showing the bond between art and science, which gives the Pagani world its unique identity.

In recognition of merit, the shot/video of the winner of the Contest will be published on the Pagani social media channels and he/she will be given a pass for the “Pagani Open Day” event for a test drive around the Monza circuit on board a Pagani vehicle and the opportunity to meet Horacio Pagani in person.

#### Eligibility

The Contest is open to all those who have an Instagram profile and are 18 years old on the date of publication of these Regulations, or who will be considered an adult according to their own national law. These requisites will be verified at the time of registration.

#### Contest Registration

Contest registration is free of charge.

All you need to do to take part is to publish a photo or video on Instagram with the features described in these regulations (Aim and purpose of the contest), and mention the official Pagani profile using the official hashtag for the operation: #PaganiOpenDay. Any shots/videos published on other platforms or lacking the official hashtag will not be considered valid.

By taking part in the contest, the participant implicitly authorises Pagani to use the Work without any restrictions of place, use, time and means for commercial purposes and to promote the company image. He/she acknowledges

#### AWARDS

2018 · Horacio Pagani: Honoris Causa Degree in Vehicle Engineering  
2016 · Huayra: Car Classic Visions of the Future  
2016 · Horacio Pagani: Concorso Italiano Vision Award  
2013 · Huayra: Supercar of the year · CI Magazine  
2012 · Car of the year: Pagani Huayra · EVO  
2012 · Horacio Pagani: 5 Diamonds Engineering Awards  
2012 · Performance Car of the Year: Pagani Huayra · CAR  
2012 · Pagani Huayra Hypercar of the year · Top Gear Magazine  
2011 · Zonda R Best in Class · The Quail Lodge: a Motorsport Gathering  
February 2011 · Zonda R: Stig's test Track Fastest Lapttime: 1:08.5  
2011 · Zonda S Roadster: “Best of the Show” · Beaulieu's Supercar Trophy

2010 · Zonda R: Jeremy's Car of the Year  
2010 · Pagani Automobili: Best of Italian Luxury Award - Hurun Report  
2013 · Horacio Pagani: Ragno D'oro 2013  
June 2010 · Zonda R: Nürburgring Nordschleife Fastest Lapttime: 6:47  
2009 · Supercar of the year Pagani Zonda Cinque · CI Magazine  
2009 · “Zonda F: customer's best choice” · Sport Auto Francia  
2009 · Mothers Choice Award: Excellence in Automotive Design · Sema Show  
2009 · Zonda F: “Best Drivers' car” · Evo  
2008 · Supercar of the Year: Zonda F Clubsport · CI Magazine  
August 2008 · Zonda Roadster F: Nürburgring Nordschleife Record: 7:29:70  
August 2008 · Zonda F: Nürburgring Nordschleife Lapttime: 7:24:44

September 2007 · Zonda F: Nürburgring Nordschleife Record: 7:27:82  
2013 · Pagani Huayra: Drive of the Year 2012 · CI Magazine  
2006 · Supercar of the Year: Zonda C12 S · CI Magazine  
Palme d'Or · Zonda F: best supercar 2005 · Sport Auto F  
November 2005 · Nürburgring Nordschleife Lapttime: 7'32" · Sport Auto  
Top Gear Powerlaps 2005 · Zonda F fastest time · Top Gear UK  
April 2004 · Best Car of the Decade: 2nd place · Evo  
June 2002 · Record Nürburgring homologated cars · Sport Auto  
Pagani Automobili: Specialist Manufacturer 2002 · Autocar  
Zonda C12 S: Performance Car of the Year 2002 · Car  
Zonda C12 S: Car of the Year 2001 · Evo



www.pagani.com



Pagani has the right to modify and/or process the Work according to the requirements at the time. He/she hereby waives the right to make any kind of claim whatsoever or even request payment from Pagani for the use of the Work.

By taking part in the Contest, the author takes all legal responsibility for the creative Work, and is also responsible for not breaching any third-party copyright. Pagani reserves the right to publish and/or diffuse and/or use the winning creative Works for future communications and initiatives.

### **Contest procedures**

As of 10:00 a.m. (CEST) on 15 May 2019, participants may publish their photos and videos according to the described procedures.

A Pagani in-house jury will make its final decision to select the best content, which will be awarded an acknowledgement of merit.

The winner will be notified personally via a Direct Message from the official Instagram account @paganiautomobili. The finalist contacted is obliged to confirm acceptance of the award no later than 24 hours from receiving the message, or the award will be withdrawn.

If the participant does not reply within one day, he/she will be considered untraceable and the runners-up will be contacted. The same aforementioned notification criteria will be used for the runners-up.

On 28 May, Pagani will announce the winner on its own social media embassies and, by 2 June 2019, it will publish the winning shot/video as indicated in these regulations (Aim and purpose of the contest) and will proceed to hand over the Pass for the Pagani Open Day event.

The winners will be able to take part as guests in the event described, at the organiser's discretion. The winners must be eligible to use the prize according to the regulations, or the award will be denied.

### **Contest awards**

In recognition of the work produced, the Winner will receive a pass for the "Pagani Open Day" event, scheduled for 2 June 2019 (according to calendar availability), which will allow him/her to take a test drive around the Monza circuit on board a Pagani vehicle. At the event, the Winner will have the opportunity to meet Horacio Pagani.

### **Obligations and Responsibilities**

By taking part in the contest, the authors of the photos and videos confirm and certify that:

- They have read and accepted these regulations and the Data Treatment notice ([Attachment at the bottom of the regulation](#)), authorising the treatment for the purposes and according to the methods hereby listed;
- The photos/videos uploaded for the contest have been produced personally by the authors;
- The photos/videos do not contain sexually explicit, obscene, violent, offensive or libellous material;
- The photos/videos do not contain material which discriminates against sex, ethnic background, sexual or religious identity;
- The photos/videos do not contain political material;
- The photos/videos do not contain images of recognisable underage children;
- The authors have obtained permission to publish the photos/videos showing people other than the subjects portrayed therein;
- Only one personal Instagram account can be used;
- Each account is personal and individual: more than one person is not allowed to use the same access and thus upload photographs/videos owned by two people;
- Commercial/advertising usernames or vulgar/offensive usernames are not permitted. Competitors who fail to comply with these two restrictions will be eliminated from the contest;
- The Sponsor of the event has the right to eliminate from the contest any photographs/videos it considers unsuitable and which do not comply with the aforementioned criteria;



- The user must have created an Instagram account before 15/05/2019. The contest organiser reserves the right to request proof of prior registration to the social media network before the start date of the award-giving contest from participants and/or winners at any time during the prize-giving event. If proof is not provided, the participant and/or winner will be excluded;
- In order to take part in the Contest with your photographs/videos, you must be a follower of the official Instagram page @paganiautomobili;
- The profile of the user, who uploads the photograph/video on Instagram, must be set as a Public Profile (and not as a Private Profile) throughout the Contest;
- The photograph/video must bear the official tag (@paganiautomobili) and the dedicated hashtag (#PaganiOpenDay), written correctly in the caption and not in the comments associated with the image.

### **Advertising**

These regulations are published on the website [www.pagani.com](http://www.pagani.com) and diffused via the social media networks.

### **Processing of personal data**

The processing of the data collected for this event will be carried out in compliance with Article 13 of Italian Legislative Decree 196/2003 and subsequent amendments and supplements and Article 13 of the EU Regulation No. 2016/679, solely for the purpose of running the Contest and assigning the awards, in compliance with all the terms and conditions in the attached privacy notice, the contents of which are to be understood as fully and expressly referred to herein.

The Data Controller is Pagani Automobili S.p.A.

The event regulated by this document is not subject to the law on prize-giving competitions and events, as it is covered by the cases of exclusion given in Article 6 of Italian Presidential Decree No. 430, 26 October 2001.

The contest is regulated by these regulations (hereinafter also referred to as just the "Regulations"), which aspiring participants are obliged to read before applying for the event.

This contest is subject to Italian Law.

### **Administrative liability according to Italian Legislative Decree 231/2001**

Pagani declares it knows the legislation in force on the subject of the administrative liability of the legal person and, more specifically, the provisions of Italian Legislative Decree No. 231, 8 June 2001 (Decree).

As regards the execution of the activities subject of these Regulations, Pagani declares and guarantees it has given and put in place instructions for its directors, employees and/or collaborators aiming to prevent even the attempted commission of conduct sanctioned by the Decree. They are obliged to effectively follow all those instructions throughout the Contest.

To this regard, Pagani Automobili SpA declares it has adopted and effectively implemented its own Organisation and Management Model (Model) pursuant to the Decree, together with the corporate Code of Ethics. An extract of the Model and the Code of Ethics are available on the Internet website: [www.pagani.com](http://www.pagani.com)

Any breach, even partial, of the principles of conduct referred to in the aforementioned provisions will be assessed in order to protect the rights and interests of the Parties, taking into account the subject of the Regulations.

San Cesario Sul Panaro, 15/05/2019



(Arts 13 and 14 EU Regulation 2016/679 on the protection of natural persons with regard to the processing of personal data – GDPR)

## 1. Data Controller

This information notice is provided by Pagani Automobili S.p.a. - Via dell'Artigianato n. 5 - Vill. La Graziosa 41018 San Cesario sul Panaro (MO) Italy, Tel.

+39 059 4739201 - Fax +39 059 927377, info@pagani.com ("Pagani"), in the capacity of Controller of personal data ("Data" or "Personal Data") provided by the Data Subject.

The data controller is Pagani Eventi Srl.

Pagani Automobili S.p.A. guarantees that the processing of personal data, whether acquired directly or from third parties, is carried out in compliance with current legislation and the fundamental rights and freedoms of each person. The processing of personal data will be based on principles of correctness, lawfulness, legitimacy, confidentiality, necessity and strictly with respect to the purposes for which the data are collected and as specified in this information notice.

## 2. Data processed

The Personal Data processed by Pagani for the purposes described below consists of personal details (e.g. name, surname, place and date of birth, country of residence, address, etc.), contact details (e.g. telephone, e-mail, etc.), and other Personal Data provided by the data subject (e.g. bank details and identity documents, VIN, etc.) , including, if applicable, the data subject's own image provided by the data subject themselves, as a "creative shot" for the purposes here reported.

## 3. Processing purposes

The Personal Data will be processed for the following purposes:

- to participate in the artistic contest "Pagani Open Day Contest" and potentially in order to assign the awards of merit.
- To fulfil obligations provided for by laws, Union regulations and rules, or provisions issued by authorities authorized to do so by law and by supervisory and control bodies, including the possible exercise of rights in court, and to fulfil any accounting and tax obligations (**Legal obligations**);
- To offer, only with the data subject's express and specific consent, information on Pagani's products, services, events, campaigns, as well as sending marketing and commercial communications, newsletters, gifts and greetings for anniversaries and festivities, through the use of traditional (postal service, telephone) and/or digital and automated (e-mail, SMS, instant messaging and other digital channels, for example social media) means;
- to carry out monitoring and market research activities to improve the services offered by Pagani by means of measuring customer satisfaction (**Marketing**);
- with the specific consent of the data subject, the data controller may communicate the subject's Data to companies controlled by Pagani Automobili S.p.A. and / or companies connected to it ("**Pagani Group Companies**") which, in turn, having obtained specific consent from the data subject, may process the Data in order to send the Subject commercial and/or promotional materials regarding their products and services (eg. **Merchandising of the Pagani Automobili world**), as well as carrying out market research (**Marketing communications of the Pagani Automobili Group**).

## 4. Legal basis of processing, mandatory/optional nature of the provision of data and consequences in case of failure to provide the notice

Data processing is essential to be able to perform the services required by PAGANI AUTOMOBILI S.p.a. in order to participate in the "Pagani Open Day Contest" and potentially in order to assign the awards of merit. Failure to consent to the processing of data will not allow participation and assignment of the awards of merit in the aforementioned competition.



The provision of Data and the relevant processing for **Marketing** purposes, is based on the data subject's explicit consent. The data subject is not obliged to give his/her consent, and it may be withdrawn by the data subject at any time without any consequence, except the fact of no longer receiving marketing communications from Pagani. The provision of Data and the relevant processing for **Group Marketing Communication** purposes, is based on the data subject's explicit consent, which is not mandatory. If the data subject gives his/her consent for this purpose, he/she is always free to withdraw it at any time without any consequence (except the fact of no longer receiving marketing communications from the companies part of the Pagani Automobili group).

To withdraw and/or modify the consent to process data, the data subject must follow the instructions in the "Data subject's rights" section.

## 5. Data recipients and processing methods

All the individuals appointed by the data controller Pagani Automobili SpA, who will become aware of the personal data of the Data Subject, in order to achieve the purposes expressly indicated herein, shall be duly trained by the holder and subject to the laws on the confidentiality of the subject's data processing. Such individuals are specifically:

- Pagani Automobili S.p.A. and Horacio Pagani S.p.A.'s personnel responsible for the management of customer data, including potential customers, and of the IT system in which they are contained.
  - Companies part of the Pagani Group, in relation to internal administrative and accounting purposes. The companies are also located in countries that are not part of the European Union and/or European Economic Area;
  - Third parties – designated as data processors, when necessary, in compliance with applicable law – which are assigned the task of processing Data on behalf of Pagani (for example IT system and service management companies, suppliers of platforms to send e-mails, craftsmen for the personalisation of products, companies part of the Pagani sales and assistance network, service and consultancy firms, within the limits necessary for the performance of their task for Pagani,, etc.);
  - Third parties with which Pagani has entered into agreements for the performance of services that entail the processing of Data (such as for example transport and shipping companies for the aspects related to the shipment of goods and customs operations, auditing companies, natural persons, companies or firms that provide assistance and advice on administrative, legal, tax, financial matters and that carry out credit recovery services in relation to the sale of goods and services, banks for management of payments, etc.).
  - The data is processed with hard copy records and IT tools in compliance with the principles and rules concerning security measures appropriate to the purpose expressly indicated here to avoid risks of loss, destruction or unauthorized access as well as processing that is not permitted or not compliant with the purpose of collection .
- Finally, Data shall be transmitted, when required, to the competent financial offices and/or other public administrations, in compliance with the laws in force.

Personal data is not intended for publication or dissemination.

## 6. Transfer

Some Data may be shared with other recipients in countries outside the European Union or European Economic Area (e.g. companies part of the Pagani Group), even by entering the Data in databases managed by third parties that work on behalf of Pagani. Pagani ensures that Data is processed by these parties only for the purposes for which it is collected and it is processed in compliance with applicable regulations. Therefore, in case of transfer of Data outside the European Union or European Economic Area, Pagani shall adopt any suitable and necessary contractual measures to guarantee an adequate level of protection, including – amongst others – adequacy decisions, agreements based on the standard contractual clauses approved by the European Commission or any other guarantee considered adequate.

## 7. Storage

In compliance with the aims hereby expressly listed, the Data Controller Pagani Automobili SpA shall keep the data of the subject data for the time strictly necessary to carry out all the activities related to, respectively, the preliminary phase to the conclusion of agreements, contracts, evasion of specific requests of the data subject and to allow the supply of goods and services, as well as the correct execution of the reciprocal contractual obligations assumed also up to the duration of the "Pagani Open Day Contest". Furthermore, Pagani may keep this Data for a





longer period, always in compliance with the law, in particular in order to protect its interests from possible liabilities, manage claims and/or disputes and/or maintain proof of its rights and obligations;

- **Mandatory obligations** for the period foreseen by specific legal obligations or according to what is provided for by applicable regulations;

- **Marketing and Marketing Communications of the Pagani Automobili group** until the data subject withdraws his/her consent given for this purpose. Once the consent has been withdrawn, Pagani shall no longer use the Data for said purposes, but may in any case store it, in particular for the purpose of protecting itself against possible liabilities based on the said processing.

## 8. Data subject's rights

The data subject has the right, at any time and free of charge, to request Pagani to access, correct, update, rectify and erase the Data (except any applicable exceptions), receive Data in a structured, commonly used format that can be read using an automatic device and to request the transmission of Data to another controller (data portability). The data subject may request information on the processing, object to it and/or request its restriction if he/she deems that the Data is not correct, necessary to Pagani or in any case if the latter is processing it unlawfully.

Furthermore, the data subject has the right to withdraw his/her consent for the Marketing and Marketing Communications of the Pagani Automobili group purposes and to object to processing for Soft Spam purposes. Consent given to receive Marketing communications from Pagani and the companies part of the Pagani Automobili group, is extended to the communications sent by means of automated systems without an operator (for example e-mails), as well as traditional contact means such as postal service. The data subject may always withdraw his/her consent to the processing of Data for this purpose, even separately, for example deciding to receive said communications only by post and not through automated services such as e-mails. Requests for Data erasure are subject to the current legal requirements and requirements for the storage of documents, which Pagani must comply with. If the data subject believes there is a problem in the management of his/her Data, because it is processed unlawfully, he/she can always send a claim to the national personal data protection authority, in particular to the one in the country of residence (for example in Italy it is called Garante Privacy), or in any other country of the European union or European Economic Area.

The data subject may exercise his/her rights by writing to [privacy@pagani.com](mailto:privacy@pagani.com)

## 9. Amendment and update

Pagani reserves the right to amend the content of this notice, also following changes in the law, and shall promptly inform the data subject of any changes.

To view previous versions of the Privacy Notice please write to [privacy@pagani.com](mailto:privacy@pagani.com)

Last amendment: this notice enters into force from 7/2/2018



HAVING READ AND UNDERSTOOD THE PRIVACY NOTICE

I consent to the processing of my personal data in order to receive commercial and promotional communications from Pagani by means of postal service, telephone, e-mail, SMS, instant messaging and other digital channels, such as social media, as specified in the information notice (**Marketing**)

YES     NO    Signature: \_\_\_\_\_

I consent to my personal data being passed by Pagani to other companies of the Pagani Automobili group, which will send me commercial and promotional information concerning their products and services (e.g. merchandising of the Pagani Automobili group) by means of postal service, telephone, e-mail, SMS, instant messaging and other digital channels, such as social media, as specified in the information notice (**Marketing communications of the Pagani Automobili group**)

YES     NO    Signature: \_\_\_\_\_

Please note that, at any time, you can change the preferences expressed and access your personal data free of charge or request the update, modification or erasure of data, or exercise any other right, as provided for by law, by writing to [privacy@pagani.com](mailto:privacy@pagani.com)