

## **PERSONAL DATA PROCESSING NOTICE**

### **REGULATION (EU) No 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

Pursuant to and for the purposes of Articles 13 and 14 of Regulation (EU) No. 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal Data and on the free movement of such data (General Data Protection Regulation, hereinafter, also, “Regulation” or “GDPR”) and repealing Directive 95/46/EC, we inform you that the personal Data you voluntarily make available to ITALO - Nuovo Trasporto Viaggiatori S. p.A. (hereinafter, also, “the Company” or “ITALO”) will be processed in compliance with current legislation on the protection of personal Data and, in any case, with the principles of confidentiality that inspire the Company's activities.

#### **1. Categories of personal Data processed**

Italo will process the following categories of personal Data provided:

- Common personal Data, such as, but not limited to, biographical data including first name, last name, telephone number, e-mail address, customer code;
- Bank and/or payment information;
- Data related to the device used for the purchase, such as, but not limited to, device type, IP address;
- In case of ticket with invoice: VAT number, tax code, last name / Company name, first name, address, e-mail address.

#### **2. Purposes of processing**

The personal Data you make available to ITALO, as the autonomous Data Controller, will be used for the following purposes:

a) purposes related to the fulfillment of contractual obligations, including administrative and accounting purposes related to the performance of the transport service you have requested, including: *i.* the performance of the activities provided for in Regulation (EU) No. 2021/782 of the European Parliament and of the Council of 29 April 2021 on passengers' rights and obligations in rail transport. In particular, we inform you that your contact data (e.g. e-mail address, telephone number) may be used to re-contact you in order to allow you to optionally express an opinion about the quality of the ITALO services used by you; *ii.* the sending of service communications strictly related to the Transport Contract (by way of example but not limited to “Purchase Confirmation” and “Ticket Summary/Part Now” e-mails) to the e-mail address indicated at the time of purchase of

the ticket;

b) purposes related to the fulfillment of additional legal obligations;

c) In addition, ITALO may use your personal Data for fraud prevention activities. This purpose, whose legal basis is the ITALO's legitimate interest, involves the possibility of action in order to counteract possible fraud phenomena;

d) The personal Data provided by you to ITALO will also be used for purposes related to direct sales activities of services similar to those purchased by you, in accordance with the provisions of Article 130, paragraph 4 of Legislative Decree No. 196/2003 and ss.mm.ii. It will be possible for the Company to use the e-mail coordinates, provided by you in the context of the purchase of the transportation service, to keep you informed about the services offered by ITALO on board its trains, related and/or collateral to the trip. The legal basis for this processing purpose is the legitimate interest of ITALO to offer its passengers a better travel experience. However, you may, at any time (initially or in the occasion of subsequent communications) object to such processing also by means of a specific request to the Data Controller, made in accordance with the provisions of the following article 6 of this notice.

e) purposes related to the booking and sale, in a single payment, of the "Combined Ticket", consisting of an ITALO transport ticket, related to the high speed travel segment, and a transport ticket of different Carrier/Operator, for the additional travel segment. We would like to remind you that in the context of the "Combined Ticket", the different Carrier/Operator will act towards the data subjects for the processing of personal Data, in relation to its own transport segment, as an autonomous Data Controller. Therefore, we invite you to pay attention at the specific privacy policies to the processing of personal Data.

f) purposes related to the booking and sale, in a single payment, of the "Intermodal Ticket" consisting of a single ticket valid for both the high-speed and bus travel segments, where ITALO will act as Joint Controller with ITABUS for the provision of this service. We remind you that, with reference to the purposes highlighted in points a), b) c), e) and f), the provision of your personal Data is mandatory. Any refusal on your part and/or the provision of inaccurate and/or incomplete information would determine:

- the inability to enter into the transportation contract and/or to ensure the smooth and timely performance of the relevant contractual relationship;
- the failure of the results of the processing of personal Data to correspond to the obligations imposed by applicable regulations, including tax regulations;
- the inability of ITALO to perform the activities provided for in Regulation (EU) No. 2021/782 of the European Parliament and of the Council of 29 April 2021 on the rights and obligations of passengers in rail transport and the inability to send you service communications for the execution of the contractual relationship.

In addition, information about the tickets you have purchased will also be used, in

aggregate form following appropriate anonymization activities, to perform statistical analysis activities about the sales performance of ITALO.

### **3. Means of processing**

The processing of your personal Data will be carried out by means of suitable paper, electronic and/or telematic instruments, with logics strictly related to the above purposes and, in any case, in such a way as to guarantee the security and confidentiality of the Data.

### **4. Recipients or Categories of Recipients of personal Data**

Your personal Data may come to the attention of the shareholders, members of the Board of Directors or other administrative body and, in any case, the Data Protection Officer, Data Processors and/or employees and collaborators, acting under the authority of the Data Controller in the exercise of their functions. Your personal Data may be disclosed to any entities that provide ITALO with services or performances instrumental to the purposes indicated in paragraph 2 above such as, but not limited to, parent, subsidiary, investee and/or associated companies; individuals, entities and/or companies that manage and/or participate in the management and/or maintenance of the websites and electronic and/or telematic tools used by us. Your personal Data may also be communicated to suppliers, contractors, subcontractors, banking and/or insurance institutions, consultants who assist ITALO in various ways with particular reference to legal, tax, social security, accounting, organizational aspects; to Police Forces or to the Judicial Authority as part of investigations or judicial police inquiries for the purposes of prevention, detection or repression of crimes; any other entity to which the data must be communicated on the basis of an express legal provision. In case of purchase of Joint Services, which provide for the integration of ITALO's rail transport service with different additional transport services (e.g. maritime transport) or in case of "Combined Tickets", which provide for the purchase, in a single payment, of an ITALO transport ticket related to the High Speed travel segment and a transport ticket of a different Carrier/Operator for the additional travel segment, Your personal Data will be communicated to the third parties who independently provide the additional service and, who will process Your Data as autonomous Data Controllers, making their own privacy policies on the processing of personal Data. Your personal Data may possibly be transferred abroad, in accordance with the applicable regulations, including to countries outside the European Union where the Company may pursue its interests an express provision of law. Lastly, in case of purchase of Joint Services, which provide for the integration of ITALO's rail transport service with different additional transport services (e.g. maritime transport) or of "Combined Tickets", which provide for the purchase, in a single payment, of an ITALO transport ticket related to the High Speed travel segment and a transport ticket of

a different Carrier/Operator for the additional travel segment, Your personal Data will be communicated to the third parties who independently provide the additional service and, who will process Your Data as autonomous Data Controllers, making their own information on the processing of personal Data. Your personal Data may possibly be transferred abroad, in accordance with current regulations, including to countries outside the European Union where the Company may pursue its interests. Transfer to non-EU countries, in addition to cases where this is guaranteed by Commission Adequacy Decisions, is done in such a way as to provide appropriate and adequate Safeguards in accordance with Articles 46 or 47 or 49 of the GDPR.

## **5. Duration of processing and criteria used for the storage of personal Data**

### **5.1 Duration**

For the purposes (a), (b), (c), (d), (e), and (f) set forth in paragraph 2 “Purposes of Processing” of this policy, your personal Data will be processed only for the time necessary to achieve the same purposes for which they are processed.

### **5.2 Data Retention**

Personal Data will be stored according to the following criteria:

- the Data processed for purposes related to the fulfillment of contractual obligations and legal obligations referred to in letters a), b), c), e) and f) of paragraph 2 “Purposes of the Processing” of this notice, will be retained for a period of 10 years following the purchase, unless the need for further storage arises, to enable ITALO to defend its rights;
- Data processed for the purpose of direct sales activities of services similar to those purchased by you, as referred to in letter d) of paragraph 2 “Purposes of the processing” of this notice, will be kept for a maximum of 24 months;
- with specific reference to the “Combined Ticket” referred to in purposes (e) and (f), payment and customer contact information will be retained for 6 years.

## **6. Privacy rights of Data Subject**

We inform you that at any time, you may exercise the privacy rights provided within the limits and under the conditions set forth in Articles 7 and 15-22 of the GDPR. To exercise these rights, which are described below, please contact the Data Controller through the Privacy Office at the email address [privacy@ntvspa.it](mailto:privacy@ntvspa.it); this request will be answered appropriately in the timeframe provided by the GDPR.

In relation to the personal Data subject to the processing referred to in this privacy notice, you are granted at any time the right to:

- Withdrawal of consent (art. 7 GDPR);
- Access (Art. 15 GDPR), including the right to obtain a copy of personal Data concerning you, as long as rights and freedoms of other individuals are not affected;
- Right to rectification (art. 16 GDPR);
- Right to erasure (art. 17 GDPR);
- Right to restriction of processing (art. 18 GDPR);
- Right to portability, understood as the right to obtain from the data controller the data in a structured, commonly used and machine-readable format for transmission to another data controller without hindrance, if technically feasible (art. 20 GDPR);
- Right to treatment (art. 21 GDPR).

Please note that pursuant to Article 77 of the Regulation, you may lodge a complaint with the Supervisory Authority in the event of a violation of the current legislation on the protection of personal Data by following the procedures and directions published on the Authority's official website at [www.garanteprivacy.it](http://www.garanteprivacy.it).

It is also specified that, with regard to the purpose of joint controller processing, you may also exercise your rights as further specified in the information provided by the Joint Controller.

## **7. Data Controller, Joint Data Controller, Data Processors and Data Protection Officer.**

The Data Controller of your Data is ITALO - Nuovo Trasporto Viaggiatori S.p.A. with registered office in Rome (RM) Via Casilina, 1 - 00182, in the person of legal representative *pro tempore*. Any request regarding the personal Data processed by ITALO - Nuovo Trasporto Viaggiatori S.p.A. may be sent to the registered office of the Company, or by writing to the e-mail address [privacy@ntvspa.it](mailto:privacy@ntvspa.it).

In addition, for the purpose f) ITALO is configured as Joint Data Controller together with ITABUS S.p.A. a socio unico, subject to the direction and coordination of Italo - Nuovo Trasporto Viaggiatori S.p.A., in the person of the Legal Representative *pro tempore*.

The essential content of the Joint Ownership Agreement between ITALO and ITABUS is made available to you, if requested. The updated list of appointed Data Processors pursuant to Article 28 GDPR is available at the Company and can be known through special request made in the manner indicated above.

The contact information for ITALO's Data Protection Officer is [dpo@ntvspa.it](mailto:dpo@ntvspa.it).

This policy will be subject to updates. ITALO therefore invites Users who wish to know how ITALO processes personal Data collected by ITALO to periodically visit this page.

Last update: January 2024.

Data Controller

**ITALO – Nuovo Trasporto Viaggiatori S.p.A.**