

## **PRIVACY POLICY “LOCAL PUBLIC TRANSPORT OPERATION”**

### **PURSUANT TO ARTT. 13 AND 14 OF EU REGULATION NO. 679/2016**

#### **DATA CONTROLLER AND CONTACTS**

The Data Controller is Azienda Trasporti Milanesi S.p.A. (ATM), with registered office in Foro Buonaparte 61, 20121, Milan (Italy).

The Data Protection Officer can be contacted at the following email address: [rpd@atm.it](mailto:rpd@atm.it)

#### **PURPOSE OF THE PROCESSING AND LEGAL BASIS**

- A) The purpose of the processing is to enable the request and the issuance of a personalized electronic card for the use of local public transport services at standard fares, as well as to administer procedures relating to the loss or deterioration of the card and to manage the blacklist of cancelled or disabled cards.  
The legal basis is the performance of a contract to which the data subject is a party pursuant to art. 6, paragraph 1, letter b) of EU Regulation No. 679/2016.
- B) The purpose of the processing is the issuance of a personalized electronic card at a reduced fare, in cases where the concession requires the verification of the data subject’s personal conditions as documented by official certification (for example: disability or invalidity).  
The legal basis is the processing relates to personal data which are manifestly made public by the data subject pursuant to art. 9, paragraph 2, letter e) of EU Regulation No. 679/2016.
- C) The purpose of the processing is the submission of a request for a subscription for the use of local public transport services at standard fares.  
The legal basis is the performance of a contract to which the data subject is a party pursuant to art. 6, paragraph 1, letter b) of EU Regulation No. 679/2016.
- D) The purpose of the processing is the management of reduced-fare subscriptions, including concessions for minors, students, or holders of disability certification, in cases where the concession requires the verification of documented personal conditions. For subscriptions issued to minors, the data are provided by the parent or legal guardian.  
The legal basis is the processing relates to personal data which are manifestly made public by the data subject pursuant to art. 9, paragraph 2, letter e) of EU Regulation No. 679/2016.
- E) The purpose of the processing is the management and administration of the Electronic Mobility Ticketing System (SBME), including the recording of validations and access through turnstiles, as well as the activities of reporting and allocating revenues among the operators of the local public transport service.  
The legal basis is the performance of a contract to which the data subject is a party pursuant to art. 6, paragraph 1, letter b) of EU Regulation No. 679/2016.
- F) The purpose is the management of requests for the replacement of travel tickets that are damaged, malfunctioning, or issued in error, as well as the issuance of duplicates of the personalized card at authorized sales points and physical service counters.

The legal basis is the performance of a contract to which the data subject is a party pursuant to art. 6, paragraph 1, letter b) of EU Regulation No. 679/2016.

- G) The purpose of the processing is the management of requests for the reimbursement of subscriptions and travel tickets, including the verification of the conditions for reimbursement, the disbursement of the amounts due, and the related accounting and fiscal reporting.

The legal basis is a legal obligation to which it is subject the Data Controller in the field of payment services, consumer protection legislation, and accounting and tax obligations pursuant to art. 6, paragraph 1, letter c) of EU Regulation No. 679/2016.

- H) The purpose of the processing is the prevention and suppression of unlawful acts, as well as the exercise of the Controller's rights in judicial proceedings and the management of disputes. The Controller's interest corresponds to the constitutionally protected right to take legal action (Article 24 of the Italian Constitution) and, as such, is socially recognized as prevailing over the interests of the individual data subject.

The legal basis is the controller's legitimate interest pursuant to art. 6, par. 1, letter f) of EU Regulation 679/2016.

#### **CATEGORIES OF DATA PROCESSED**

Data processed are ordinary personal data: name, last name, telephone number, email address, fiscal code and it may also be necessary to process special data such as health data, for the issuance of reduced-fare subscriptions for persons with disabilities. It should be noted that the data covered by this notice may include the data of parents or the legal guardian, as well as that of the minor, where the subscription is requested on behalf of the minor data subject.

#### **DATA DISCLOSURE**

Personal data are processed by personnel authorized pursuant to Article 29 of the GDPR and Article 2-quaterdecies of the Italian Data Protection Code, by the data controller and may be communicated to companies that provide goods and/or services related to the processing (e.g.: the ticket offices where it is possible to top up the subscription).

The data of the data subjects will be transmitted to the Municipality of Milan for institutional purposes (Recital 31 of EU Regulation No. 679/2016) as set out in the ATM–Municipality of Milan Agreement and so that the latter, after anonymization, may process the aforementioned personal data for statistical purposes pursuant to Article 89 of the GDPR, in order to implement more effective and timely management of policies and services in general in favor of residents and city users.

#### **METHODS OF PROCESSING**

The processing of personal data may also be carried out through automated and computerized procedures, by means of the operations of collection, recording, organization, storage, consultation, processing, alteration, selection, retrieval, comparison, use, interconnection, restriction, disclosure, erasure and destruction of the data. Furthermore, the data are processed solely for the purposes indicated above, in accordance with the principles of lawfulness, fairness, transparency, accuracy, integrity and confidentiality established by the applicable legislation.

#### **DATA TRANSFER**

No transfer of the personal data collected for the purposes set out above to third countries outside the European Economic Area or to international organizations is currently envisaged. Should such transfer become necessary, it will be carried out based on an adequacy decision pursuant to Article 45 of the GDPR and in compliance with the appropriate safeguards provided for under Article 46 of the GDPR.

## **DATA RETENTION PERIOD**

The data will be retained with reference to the purpose:

- A. for ten years from the expiry date of the most recently issued card.
- B. for ten years from the expiry date of the most recently issued card.
- C. for ten years from the expiry date of the last valid subscription.
- D. for ten years from the expiry date of the last valid subscription.
- E. IDENTIFICATION DATA: ten years from the expiry date of the last valid subscription; VALIDATION DATA: will be kept for 8 days as established by the pertinent Provision of the Data Protection Supervisor Provision of 28/12/2006 [1413633].
- F. for a maximum period of ten years from the date of the transaction (replacement or refund), for accounting and tax auditing purposes and for the prevention of fraud.
- G. for a maximum period of ten years from the date of the transaction (replacement or refund), for accounting and tax auditing purposes and for the prevention of fraud.
- H. for the period necessary to establish, exercise or defend legal claims, until the expiry of the time limits for bringing appeals.

## **DATA SUBJECT RIGHTS**

All the rights of the data subject are guaranteed in accordance with the provisions of Articles 15, 16, 17, 18, 20, 21, 22 and 77 of the GDPR:

- right of access to your personal data and all information on the processing carried out;
- right to rectification of inaccurate personal data and integration of incomplete data;
- right to erasure ('right to be forgotten');
- right to limit the processing of your personal data;
- right to data portability;
- right to object to the processing of your personal data;
- right not to be subject to a decision based solely on automated processing;
- right to lodge a complaint with the Italian Data Protection Authority in case a violation is thought to have been carried out.

Should the data subject believe that their rights have been infringed, they are entitled to lodge a complaint.

For further information, we invite you to consult the website of the Italian Data Protection Authority – [www.garanteprivacy.it](http://www.garanteprivacy.it) – where a dedicated section on these rights is available.

## **METHODS FOR EXERCISING RIGHTS**

You may exercise your rights at any time by:

- sending a registered letter with return receipt to the address of Data Controller;
- sending an email to: [protezionedatipersonali@atm.it](mailto:protezionedatipersonali@atm.it)