

# **PRIVACY POLICY “MANAGEMENT OF EXECUTIVES AND CORPORATE GOVERNANCE BODIES”**

## **PURSUANT TO ART. 13 OF EU REGULATION NO. 679/2016**

### **DATA CONTROLLER AND CONTACTS**

The Data Controller is Azienda Trasporti Milanese 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 administrative accounting and social security management connected to the establishment and performance of the contractual relationship or professional assignment. This includes, by way of example: the management of social security and insurance positions, the payment of fees, allowances, and expense reimbursements, the fulfilment of tax obligations and mandatory communications to social security and welfare bodies, as well as the management of insurance coverage and company tools made available for the performance of the assignment. The legal basis is the performance of a contract to which the data subject is a party, or the execution of pre-contractual measures taken at the data subject’s request, pursuant to art. 6, paragraph 1, letter b) of EU Regulation No. 679/2016.
- B) The purpose of the processing is the to verify the requirements of professionalism, independence, and integrity, as well as to confirm the absence of any grounds for ineligibility, incompatibility, or disqualification as provided for under the applicable legislation governing the role. The legal basis is a legal obligation to which the controller is subject pursuant to art. 6, paragraph 1, letter c) of EU Regulation No. 679/2016.
- C) 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 including: data identification data (for example: first name, last name, date and place of birth, fiscal code, nationality, sex, etc.) and contact details (email address, telephone number, etc.), residence data and information on qualifications held.

### **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.

### **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 the entire duration of the relationship or assignment and, after its termination, for the periods established by civil, tax, and social security regulations (e.g.: 10 years for accounting records and corporate correspondence pursuant to Article 2220 of the Italian Civil Code; 5 years for entries in the Single Employment Ledger, where applicable).
- B) for 10 years following the termination of the relationship or assignment, in line with the ordinary limitation period for civil liability actions and in order to ensure the traceability of obligations relating to anti-corruption and transparency requirements.
- C) for the entire duration of the dispute, until the expiry of the time limits for bringing appeal actions.

#### **PROVISION OF DATA**

Where the provision of personal data constitutes a legal or contractual obligation, or a requirement necessary for entering into a contract, the data subject is required to provide such personal data. The failure to provide the requested data may result in the impossibility of establishing or continuing the envisaged relationship and may also lead to sanctions in accordance with applicable laws and regulations. In all other circumstances, the provision of personal data is optional.

#### **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)