

## **PRIVACY POLICY “CLAIMS MANAGEMENT”**

### **PURSUANT TO ART. 13 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 the management and legal qualification of the claim for the initiation of the case file, the reconstruction of the accident dynamics, and the management of interactions and correspondence with insurance carriers and opposing parties.

The legal basis is the performance of precontractual or contractual measures pursuant to art. 6, paragraph 1, letter b) of EU Regulation No. 679/2016.

- B) The purpose is the establishment, exercise or defence of legal claims in judicial or out-of-court proceedings, for the purpose of safeguarding the Controller's or the client's position in the recovery of damages or in the challenge of liability.

The legal basis is the controller's legitimate interest pursuant to art. 6 paragraph 1, letter f) of EU Regulation 679/2016 and for special categories of personal data, the necessity to defend a right in judicial proceedings pursuant to art. 9, paragraph 2, letter f) of EU Regulation 679/2016.

- C) The purpose of the processing is the fulfilment of legal obligations, such as tax or anti-money laundering regulations, and compliance with legitimate requests issued by the competent Authorities.

The legal basis is the fulfilment of a legal obligation pursuant to art. 6, paragraph 1, letter c) of EU Regulation No. 679/2016.

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

The Controller processes ordinary personal data such as, by way of example and without limitation, identification data (name, surname, fiscal code), contact details (residential address, email address, telephone number), data relating to vehicles (license plate number, insurance policy), data concerning the dynamics of the incident, and economic/financial information. In addition, the Controller processes special categories of personal data pursuant to Article 9 GDPR, such as health data including medical certificates, emergency room reports, medico-legal assessments, or documentation attesting to disability, exclusively where the claim has resulted in personal injuries.

#### **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, for example: insurance companies, Public Authorities (Police, Carabinieri, Judicial Authorities), and external professionals (lawyers, experts/adjusters, forensic medical specialists, mechanical workshops).

## **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 for the period strictly necessary for the management of the claim and, subsequently, for a period of 10 years from the closure of the file or from the settlement of the dispute.

## **PROVISION OF DATA**

The provision of personal data is mandatory for the purposes set out above and the failure to provide the requested data may result in the impossibility of proceeding with the claim evaluation process.

## **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)