

Privacy statement of Consorzio DKV EURO SERVICE

Table of Contents

- I. Preamble
- II. Data Controller and Supervisory Authority
- III. Definitions
- IV. Information on the processing of personal data of Consortium members
- V. Rights of the person concerned

I. Preamble

The Data Controller is Consorzio DKV EURO SERVICE, with registered office at Viale della Stazione, 8, Bolzano, tax code and VAT No. 03445110962 (hereinafter also indicated as the 'Consortium' or *we*).

Please find below comprehensive, detailed information on the methods of processing your personal data, as legal representatives, persons in charge or contact persons of companies that are member of the Consortium in the framework of the management by it of relations with its members and the provision of services to those companies. Personal data will never be used for advertising purposes without your consent.

If this information should be insufficient or not very clear, do not hesitate to contact us using the contacts indicated in Point II.

II. Data Controller and Supervisory Authority

Data Controller

Consorzio DKV EURO SERVICE

Viale della Stazione, 8

39100 Bolzano

Italy

Tel.: +39 02 74201511

Fax: +39 02 74201535

E-Mail: datenschutz@dkv-mobility.com

Website:

<https://www.dkv-mobility.com/en/toll/toll-services-by-country/consorzio-dkv/>

Supervisory Authority

Garante per la protezione dei personal data (Ombudsman for personal data protection)

Piazza di Monte Citorio, 121

00186 Rome

Italy

Tel.: +39 06 696771

Fax: +39 06 696773785

E-Mail: garante@gpdp.it

Website: <http://www.garanteprivacy.it>

III. Definitions

The definitions and terms used in this document are based on EU regulation 679/2016 on the protection of individuals with reference to the processing of personal data and also the free circulation of that data and which abrogates Directive 95/46/CE (hereinafter 'General Data Protection Regulations' or also 'GDPR'). The definitions of the concepts in Arts. 4 and 9, GDPR, are particularly important. This information leaflet is given to you as a 'persons concerned' pursuant to Art. 4(1), GDPR.

IV. Information on the processing of personal data of Consortium members

1. Scope of personal data processing

We process the personal data of the concerned persons only where necessary for the pursuit of the purposes described in this information leaflet. The data is processed using suitable procedures that ensure its confidentiality. The data is processed with the aid of IT and paper supports in the ways necessary to pursue the purposes for which it has been collected.

2. Purpose of processing and legal bases

- a) The personal data of the concerned person (personal, tax and contact details, and any other data transmitted by the concerned person) shall be processed for the management of the participation of the company of which the concerned person is legal representative, person in charge or contact person in the Consortium. This data shall also be handled for the provision of services by the Consortium to that company or, however, to carry out the work necessary or opportune to provide such services. The legal base is the pursuit of the legitimate interest (pursuant to Art. 6.1, para. 1 (f), GDPR) of the Consortium in stipulating and fulfilling the membership contracts and more generally to communicate with the concerned person's company through him/her. The processing is lawful as the aforesaid interest is not prejudicial for the rights and fundamental freedoms of the concerned person.
- b) The personal data of the concerned person shall also be processed for administrative and accounting management purposes and compliance with the tax requirements and all other requirements set out by the law in relation to membership of the Consortium and the provision of services by it. Therefore, this includes the issue and registration of invoices and other accounting documents in the accounts of the Consortium, storage of such documents and all the accounting and non-accounting documentation on the relationship with the concerned person and the company of which s/he is legal representative, person in charge or contact person. The legal base for this processing is compliance with a legal requirement we are subject to, pursuant to Art. 6 para. 1 (c), GDPR.
- c) The data of the concerned person may be used, where necessary, to obtain the forced payment of sums due to the Consortium by the company of which the concerned person is legal representative, person in charge or contact person and shall be stored, once the minimum legal term of conservation has expired, for archiving as long as disputes are possible or in progress about the relations with the aforesaid company and the services provided to it. Lastly, the concerned person's data (including data and metadata processed during the exchange of electronic mail) is processed by the Consortium (or specifically appointed persons who process the data on behalf of the Consortium, such as IT service providers) in the framework of more general operations on the Consortium's computer systems aimed at for secure data storage and, in particular, through back-up and storage operations in data centres and differentiated archives. The legal base for this processing is the pursuit of the Consortium's legitimate interests (the protection of its rights in the event of disputes and the security of its computer and storage systems), pursuant to Art. 6 para. 1 (f), GDPR, as such interests are not prejudicial to the rights and basic freedoms of the person concerned.

- d) Subject to the consent of the person concerned, the personal data may be advised to DKV EURO SERVICE GmbH + Co. KG, LUNADIS GmbH + Co. KG and DKV EURO SERVICE Italia S.r.l. by sending advertising and customer satisfaction surveys on their products and services by email, text messages and telephone. The aforesaid persons shall act as autonomous data controllers. A link for cancellation can be found in all emails which, if activated, shall be considered the revocation of consent. The legal base for the processing described in this paragraph (d) is the consent of the concerned person (Art. 6 para. 1 (a), GDPR);
- e) Subject to the consent of the concerned person, the personal data may be used for sending advertising and customer satisfaction surveys on the products and services offered by the Consortium by email, text messages and telephone. The personal data of the concerned person shall be stored by the Consortium for such purposes while it has a commercial relationship with the company of which the concerned person is legal representative, person in charge or contact person (including the company's participation in the Consortium) and the concerned person has not revoked their consent for such use. In this case, the concerned person's data shall no longer be processed. The concerned person has the right to revoke their consent as a whole or for specific measures at any time. In this case, his data shall no longer be processed. Revocation of consent can be advised by contacting the Consortium at the addresses indicated in Point II. A link for cancellation can be found in all emails which, if activated, shall be considered the revocation of consent. The legal base for the processing described in this paragraph (d) is the consent of the concerned person (Art. 6 para. 1 (a), GDPR).

3. Possible consequences of the refusal to supply data

Supply of the concerned person's data is compulsory for management of the membership of the Consortium of the company of which the concerned person is legal representative, person in charge or contact person, for the provision of services to that company and the fulfilment of the legal requirements. Therefore, any refusal to supply the data by the concerned person may make it impossible for the Consortium to complete and/or maintain the membership of the company and/or provide services to it.

Processing of the data for the purposes as per (d) and (e) in paragraph 2 above is subject to the consent of the concerned person.

4. Recipients of personal data

Processing of the personal data may lead to its notification to third parties. These are the so-called recipients pursuant to GDPR. Where necessary, these persons are named as data processors, pursuant to Art. 28, GDPR. In this case, we shall work to ensure that our service providers offer enough guarantees on the technical measures and adequate organisational ones so that the processing of the data complies with the requisites of these regulations and that protection of the concerned person's rights is guaranteed.

Notification of personal data to third parties may occur for all the purposes as per paragraph IV.2. The recipients of personal data may be banks, persons with which the Consortium has commercial relations intended for the provision of services to consortium members or, however, for their benefit, insurance companies, companies which send, put into envelopes, transport and distribute communications, companies which provide documentation storage services, companies offering administrative and

credit recovery services, public administrations, bodies and authorities, freelancers and consultancy firms, sales agents and representatives, companies in the DKV group and their partners, companies offering auxiliary services for sales, and computer service and electronic communication providers.

5. Transfer of data to third-party countries

Your personal data is processed in the EU and the European Economic Area (EEA). Data shall only be transferred to so-called 'third-party countries' in exceptional cases. 'Third-party countries' means countries outside the European Union and/or EEA where protection of personal data to the same standard as the EU cannot be presumed.

If the information sent includes personal data, we shall ensure that an adequate level of protection of the data is guaranteed in the respective third-party country or recipient in the third-party country before it is sent. This level can be deduced by a so-called 'adequacy decision' by the European Commission or guaranteed using the so-called 'EU standard contractual clauses'. For recipients in the United States of America, respect for the principles of the so-called 'EU-US Privacy Shield' can guarantee an adequate level of data protection. We supply further information on the adequate guarantees intended for an adequate level of data protection on request; the relative contact data of the Consortium is available at the beginning of this information on data protection. The information for participants in the EU-US Privacy Shield is available at: www.privacyshield.gov/list.

6. Data erasure and storage period

The concerned person's data is erased or made anonymous on termination of the purposes for its processing. Once these have terminated, the data is only stored if permitted by the regulations, laws or other European or national provisions, which our company is subject to (e.g. compliance with the data storage requirements set out by law) or if we have a legitimate interest in the storage, for example, during the start of the limitation period to protect us from any demands from the concerned person). The data shall also be made anonymous or erased if the storage terms imposed by the laws indicated have expired, unless the data is processed for another purpose.

7. Rights of the concerned person

The GDPR guarantees certain rights to the person whose personal data is processed (the so-called rights of the concerned person, in particular, Articles 12 and 22, GDPR). The individual rights of the concerned person are described in greater detail in Point V. If you would like to exercise one or more of these rights, you can contact us at any time. Please use the data indicated in Point II for this purpose.

V. Rights of the person concerned

The concerned person has the following rights pursuant to the GDPR:

1. Right of access (Art. 15, GDPR)

You have the right to confirmation that we are processing or not your personal data. If your personal data is processed by our company, you have the right to receive information on:

- the reasons for processing;
- the categories of personal data (type of data) processed;

- the recipients or categories of recipients to whom your data is or shall be notified. This particularly applies if the data has been or will be notified to recipients in third-party countries;
- the storage period planned for the data, if possible; if this cannot be indicated, the criteria for the determination of that period must be advised (e.g. the storage terms set out by law);
- your rights to rectification or erasure of the personal data, restriction on processing and/or objection (see also the points below on this);
- the right to complain to a supervisory authority;
- the origin of the data, if it has not been taken directly from yourselves.

In addition, you have the right to receive information if your personal data is subject to an automated decision pursuant to Art. 22, GDPR. If so, you have the right to know the decision-making criteria of such a decision (logic) and/or what consequences and importance it has for you.

If the personal data is sent to a third-party country outside the GDPR application area, you shall have the right to receive information on whether the recipient of the data in the third-party country offers an adequate level of data protection pursuant to Arts. 45 and 46, GDPR and based on what guarantees.

You have the right to obtain a copy of your personal data. We make copies of the data available in electronic format, unless otherwise indicated. The first copy is free of charge. A reasonable contribution to costs may be requested for subsequent copies. Copies are made available without prejudice to the rights and freedoms of other people which may be compromised by despatch of the data.

2. Right to rectification (Art. 16 GDPR)

You have the right to rectification of the data by us if it is inexact; the right to rectification also includes the right to integration of incomplete data, supplying a supplementary statement. Such rectification and/or addition should be made promptly, i.e. without unjustified delay.

3. Right to erasure (Art. 17 GDPR)

You have the right to ask us to erase your personal data if:

- it is no longer necessary with respect to the purposes for which it was collected or otherwise processed;
- data processing is based on your consent given and you have revoked this, unless there is another legal base for the data processing;
- you have objected to the data processing as set out by Art. 21, GDPR, and there are no prevailing legitimate reasons for processing;
- you have objected to the data processing for direct marketing as set out by Art. 21, para. 2, GDPR;
- your personal data has been processed unlawfully;
- personal data must be erased to comply with a legal requirement set out by European Union or national law;
- the data is that of a minor collected with reference to services of the information company as set out by Art. 8, para. 1, GDPR.

There is no right to erasure of personal data if:

- the right to free expression of opinion and information contrasts with the request for erasure;
- the processing of personal data (i) is for compliance with a legal requirement (e.g. storage requirements in accordance with the law), (ii) fulfilment of public duties and protection of interests in accordance with European Union law and/or the law of member states (the interests of public health also form part of this) or, (iii) are necessary for storage and/or research;
- the personal data is necessary to ascertain, exercise or defend a right in Court.

Erasure must take place promptly, i.e. without unjustified delay. If we have made personal data public (for example on internet), we must do our best to ensure that the external managers of such data are also advised of the request for erasure, including the cancellation of links, copies and/or duplicates.

4. Right to restriction of processing (Art. 18 GDPR)

You have the right to ask for processing of your personal data to be restricted in the following cases:

- If you have contested the correctness of your personal data, you can ask us not to use it throughout the check on its correctness and that such processing is thus restricted.
- In the event of unlawful processing of the data and you oppose its erasure in accordance with Art. 17, para. 1 (d), GDPR, you can request restriction of the use of such data pursuant to Art. 18, GDPR.
- If you need your personal data to ascertain, exercise or defend rights in Court and it is no longer necessary for us, you can ask for processing to be restricted for the legal protection indicated above;
- If you have objected to data processing as per Art. 21, para. 1, GDPR, and it is not yet clear whether our legitimate reasons for processing prevail over yours, you can ask for your data not to be used while the check is made and that such processing is thus restricted.

Except for storage, personal data whose processing has been restricted by request can be processed only with (i) your consent, (ii) to ascertain, exercise or defend a right in Court, (iii) protect the rights of other individuals or legal persons, or (iv) based on an important public interest. If a restriction on data processing is revoked, you shall be duly advised.

5. Right to data portability (Art. 20 GDPR)

Except for the provisions indicated below, you have the right to ask for the return of your data in a structured format, commonly used and legible by an automatic device. The right to data portability includes the right to the transmission of data to another data controller; as far as technically possible, on request, we will therefore transfer the data directly to a data controller indicated by you or to be indicated by you. The right to data portability only refers to data supplied by you and presupposes that processing takes place based on consent or the fulfilment of a contract and is carried out with automated means. The right to data portability pursuant to Art. 20, GDPR, does not

prejudice the right to erasure of data pursuant to Art. 17, GDPR. Transmission of data takes place without prejudice to the rights and freedoms of other people whose rights may be harmed by the transmission of data.

6. Right to object (Art. 21 GDPR)

In the event of personal data processing for the performance and execution of a duty of public interest, connected with the exercise of public powers (Art. 6, para. 1 (e), GDPR) or the pursuit of a legitimate interest (Art. 6, para. 1 (f), GDPR), you can object to the processing of your personal data with future effect at any time. In the event of objection, we must terminate any processing of your data for the above-mentioned purposes unless:

- there are no cogent reasons justifying data processing that prevail over your interests, rights and freedom, or
- processing is necessary to ascertain, exercise or defend rights in Court.

You can object to the use of your data for direct marketing with future effect at any time; this also applies to profiling if associated with direct marketing. In the event of objection, we must terminate any data processing for direct marketing purposes.

7. Automated decision-making process/Profiling (Art. 22 GDPR)

Decisions that have legal consequences for you or similarly have a significant influence on your person cannot be exclusively based on automated processing, including profiling. This does not apply if the automated decision:

- is necessary for the stipulation or execution of a contract with you;
- is accepted based on legal provisions of the European Union or Italy, on condition that such provisions contain adequate measures for the protection of your rights, freedom and legitimate interests or
- takes place with your specific consent.

Decisions based exclusively on automated processing of particular data categories are not accepted unless Art. 22, para. 4 and Art. 9, para. 2 (a) or (g) of the GDPR apply and adequate measures for the protection of the rights, freedoms and justified interests of your person have been adopted.

8. Legal protection option/Right of complaint to a supervisory authority

You can contact the supervisory authority indicated in Point II at any time.