

Privacy Policy pursuant to Articles 13 and 14 of the GDPR on the processing of personal data for managing Unpaid Toll Tickets and enforced debt recovery abroad

Pursuant to EU Regulation 2016/679 ("GDPR"), Autostrade per l'Italia S.p.A. (the "Company"), in its capacity as Data Controller, provides this Information Notice to users residing abroad ("Data Subjects"), who have failed to pay the toll for transit on the motorway network it manages.

In compliance with the Italian Highway Code and Directive (EU) 2019/520 (*"Directive on the interoperability of electronic road toll systems and facilitating cross-border exchange of information on the failure to pay road fees in the Union"*), the Company processes the personal data ("Data") of the Data Subjects for the purposes of ascertaining the non-payment of a toll, notifying offenders of the obligation to pay the toll they have failed to comply with, and enforcing debt collection.

The vehicle and its owner or holder are identified by checking the number plate of the vehicle transiting on the tollbooth where the payment obligation was breached, with the authorised and/or certified bodies in the country where the vehicle is registered, including by accessing the *EUCARIS (European Car and Driving Licence Information System)* platform, which links the databases of several EU Member countries containing information on registered vehicles.

Motorway tollbooths are equipped with a system that, in case of partial or full non-payment of the toll, issues a ticket (the so-called "Unpaid Toll Ticket") certifying the failure to pay the toll. The Ticket shows the vehicle class, the transit data (date, time, exit tollbooth and entry tollbooth, where available) and the amount to be paid. Moreover, a video-photographic system automatically records the number plate of the transiting vehicle for vehicle identification purposes.

Without prejudice to the fact that the Company does not carry out any processing other than that expressly provided for herein, this Privacy Policy may be subject to amendments in order to comply with new legal provisions or changes to data processing policies. Any updated version of this policy will be made available on the institutional website of the Company, which users are invited to consult periodically for the latest published version.

This Privacy Policy does not extend to processing by third parties (as referred to in paragraph 4 below) whose privacy policies may be consulted on their websites. The Company accepts no liability for any such further processing and Data Subjects are advised to refer to the individual privacy policies of the third parties.

1. Data Controller

The Data Controller is Autostrade per l'Italia SpA, a company subject to management and coordination by Holding Reti Autostradali S.p.A., with registered office in Via A. Bergamini, 50 - 00159 Rome, tax code, registration number with the Rome Companies Register and VAT no. 07516911000.

Pursuant to Article 37 et seq. of the GDPR, the Company has appointed a Data Protection Officer ("DPO"), domiciled for the purpose at Via A. Bergamini 50, 00159 Rome, whom the Data Subjects may contact for matters relating to the processing of their personal data at the e-mail address dp@pec.autostrade.it.

2. Categories of processed data

The Company collects and processes “general” personal data (“Data”) of Data Subjects, including but not limited to:

- Data relating to the vehicle owner and/or holder (personal details, contact details, company name if the vehicle belongs to a leasing or rental company)
- Vehicle data (registration number and Country, number plate, class, make, and model)
- Journey data (date and time, exit tollbooth and entry tollbooth, where available, and Unpaid Ticket data)

Customers are requested to keep their vehicle data up-to-date and complete, bearing in mind that this Data is a prerequisite for the correct registration of the journey and consequent forced debt recovery action.

3. Purposes and legal basis for processing

The Data will be processed by the Company in accordance with the principles of necessity, minimisation, lawfulness, fairness, proportionality and transparency, and exclusively for the following purposes:

- a. to identify the vehicle and its owner/keeper and issue the “RMPP” and subsequent payment reminders;
- b. to manage enforced debt recovery actions (out-of-court and in court);
- c. to ensure the fulfilment of the Company's obligations towards the competent tax authorities;
- d. to fulfil legal obligations and requests by the authorities;
- e. to pursue civil, administrative and criminal actions where the conditions are met, pursuant to Article 176 of the Italian Legislative Decree 285/1992 as amended (“Highway Code”).

The legal basis for the processing of Data for the purposes set out under (a) and (b) is the performance of a contract or pre-contractual measures, pursuant to Art. 6.1 lett. (b) of the GDPR, and for the purposes set out under (b), (c), (d) and (e) is the fulfilment of a legal obligation to which the Company is subject, pursuant to Art. 6.1 lett. (c) of the GDPR.

4. Processing methods and Data recipients

The Data shall be processed on paper and/or by digital means, also with the aid of electronic and computerised devices and automated processes for licence plate recognition and the registration of journey information, directly and/or through delegated third parties, according to methods strictly related to the purposes indicated in paragraph 3 above.

The Data shall be processed in accordance with the GDPR and applicable law, and in such a way as to ensure the security and confidentiality of the Data, to prevent the unauthorised disclosure or use, alteration or destruction thereof.

Within the Company, in its capacity as Data Controller, only those persons entrusted with processing activities and authorised to carry out the processing operations for the purposes set out in paragraph 3 above (employees and/or collaborators of the Company) may become aware of and process the Data.

Delegated third parties may also become aware of and process the Data, for the same purposes as those indicated above, and are, for this purpose, appointed as “Data Processors” pursuant to Article 28 of the GDPR.

In particular, Data shall be processed by **NIVI SpA**, a credit management and recovery company specifically instructed by the Company to recover - also through third parties (professional firms) - the credit abroad on behalf of the Company itself, in compliance with the provisions set forth in Section 3 above. In this regard, NIVI SpA may process the Data acquired by the Company through the *EUCARIS (European car and driving licence information system)* platform, as mentioned in the premises.

For a full list of persons appointed as Data Processor, contact the Company.

In the event of a toll covering a journey carried out on several interconnected sections of motorway, the Company may become aware of and process, in its capacity as autonomous Data Controller, the Journey Data communicated to it by the Concessionary Companies of those motorway sections. The list of Motorway Concessionaires whose motorway sections are interconnected with the Company's motorway network is published on the Company's institutional website; the privacy policies on the processing of personal data of each Concessionaire can be consulted on their websites.

RMPP payment transactions are managed entirely and independently by a third party (**NEXI S.p.A.**), which will collect the Data necessary for this purpose directly from the Data Subject, with consequent application of its terms and conditions of use and privacy policy, which the user is invited to consult. The Company does not carry out any processing in connection with payment transactions and has no access or visibility to/of the Data involved.

Lastly, these Data may be communicated by the Company to other entities (**Professional firms**) that will process them, in their capacity as autonomous Data Controllers, for legal assistance in legal actions/proceedings in accordance with the law.

ASPI does not assume any responsibility with respect to the processing carried out by these autonomous Data Controllers, and Data Subjects should refer to their individual privacy notices.

The Company does not process the personal data of Data Subjects browsing NIVI SpA's website <https://easy.nivisecure.com/> and interacting with the web services provided by it. In this respect, such Data Subject should refer to the privacy policy published on the said website.

No Personal Data shall be disseminated, under any circumstances.

5. Data retention period and locations

The Data will be stored on the server of the Company or of a third party appointed for this purpose as Data Processor pursuant to Article 28 of the GDPR, located in Italy or in the European Union, and will not be transferred outside the European Union.

The Data will be kept by the Company only for the time strictly necessary to pursue the purposes stated in paragraph 3 above, in compliance with the principle of minimisation pursuant to Article 5.1.c) of the GDPR, and, in particular:

- (i) For the purposes referred to in points (a), (b) and (e) of paragraph 3 above, the Data shall be retained by the Company for the period necessary for the management and execution of the toll payment until the associated debt is settled and, in any event, the retention of the Data by the Company shall be permitted and lawful where necessary to comply with an obligation of the Tax Authority, to demonstrate the fulfilment of its contractual obligations, and/or to establish, exercise or defend a right, including in court.

- (ii) For the purposes of points (c) and (d) in paragraph 3 above, the Data will be retained by the Company for as long as necessary to fulfil any legal obligations or requests from the public authorities.

6. Rights of the Data Subject

Pursuant to privacy law, the Data Subject has the right to:

- Obtain information in relation to the Data recorded in accordance with Article 27 of Directive (EU) 2019/520, on the purposes for which the Data is processed, the period of processing and the persons to whom the Data is disclosed (right of access).
- Obtain rectification or integration of inaccurate Data concerning the Data Subject (right of rectification).
- Obtain the deletion of the Data concerning the Data Subject if the Data are no longer necessary for the purposes for which they were collected or if the processing of the Data does not comply with the law.

However, the Company notes that deletion of Data shall be withheld until the settlement of any debts associated with the RMPP, and that, in any case, the retention of the Data by the Company is lawful if it is necessary to allow it to fulfil a legal obligation or an order from the Authorities, to prove the fulfilment of its contractual obligations, or to ascertain, exercise or defend a right, including in court (so-called right of deletion).

- Ensure that the Data concerning the Data Subject is only stored without any other use being made of it in the event that (a) the Data Subject contests the accuracy of the Data, for the period necessary to enable the accuracy of such Data to be verified; (b) the Data are necessary for the ascertainment, exercise or defence of a right, including in court.

The rights referred to in Articles 15-22 of the GDPR (including those noted above) may be exercised by making a request without formalities to the DPO, whose contact details are given in paragraph 1 above.

Finally, please note that Data Subjects have the right to contact the Italian Data Protection Authority (*Garante per la protezione dei dati personali*), Piazza Venezia, 11, 00187 Roma (RM), to assert their rights in relation to the processing of their personal Data.

Update of 18.12.2024