

POLICY STATEMENT ON HOW ITA AIRWAYS PROCESSES THE PERSONAL DATA OF PERSONS REQUESTING SERVICES AT ITS COUNTERS, PURSUANT TO ARTICLES 13 AND 14 OF REGULATION (EU) NO 2016/679

1. DATA CONTROLLER

Please be informed that, pursuant to Articles 13 and 14 of Regulation (EU) No. 2016/679 (hereinafter also referred to as “**Regulation**” or “**GDPR**”), your Personal Data will be processed by Italia Trasporto Aereo S.p.A, having its registered office in Rome (RM), via XX Settembre 97, 00187, Codice Fiscale (Unique Taxpayer Reference Number) and VAT No. 15907661001; REA registration no. RM-1622937, in its capacity as Data Controller (hereinafter, for the sake of brevity, also “**ITA Airways**”, the “**Company**” or the “**Data Controller**”), in connection with the handling of requests for assistance and/or the provision of services at ITA Airways counters.

This policy statement also applies to the processing of the personal data of any passengers (i) travelling with you on the same reservation, and (ii) who are minors and/or adults with incapacity, for whom you exercise parental responsibility and/or are the guardian, provided in connection with specific assistance services requested at the ITA Airways counter.

The contacts of the **Data Protection Officer (“DPO”)** are:

- Email: dpo@ita-airways.com
- Ordinary mail: Italia Trasporto Aereo S.p.A, Via XX Settembre 97, 00187 Rome, to the attention of the Data Protection Officer.

2. CATEGORIES AND TYPES OF PROCESSED DATA

The personal data processed by the Data Controller may include:

- **non-sensitive data**, such as, given by way of example only, personal information (e.g. given name, last name, national identification number for taxation and other purposes, nationality, etc.), contact information (landline and/or mobile telephone number, email address), ID information (passport or identity card number), information relative to flights booked (destination, assigned seats, date and time of flight, ticket number, membership of frequent flyer programs, if applicable), other administrative-accounting information relative to the purchase of the flight ticket, including payment information and, specifically, information relative to the transaction carried out using the chosen payment method (payment by credit/debit card, bank transfer, etc.).
- where applicable, and, in any case, as required for managing the request for information and/or assistance and within the scope of the services provided at the ITA Airways counter, **data belonging to the “special categories”** of personal data referred to in article 9(1) of the GDPR, in particular, data disclosing health conditions related to special needs, such as allergies/dietary intolerances, as well as any disabilities and other information relative to health, including the use of electronic medical devices, which must be processed in order to effectively manage your request.

We wish to inform you that, should you decide to provide, as part of your request at the ITA Airways counter, data belonging to the special categories referred to in article 9(1) of the GDPR, which the Data Controller is not obliged to process because they are not relevant and strictly necessary in relation to the purposes pursued and, specifically, for managing your request, the Data Controller will not collect and process such data and, if provided, the said data will then be promptly deleted. Therefore, unless the data is strictly required to effectively manage your request, we kindly ask you not to provide such information. However, should the information be provided and prove to be relevant and necessary for the purposes pursued and, in particular, for managing your request, the Data Controller may process it solely on the basis of the free and specific consent given by you, or by the person to whom the personal data refer, pursuant to Article 9(1)(a) of the GDPR. In the event that the health data refer to minors and/or adults with incapacity, the explicit consent to the processing must be given by the person exercising parental responsibility and/or the guardian.

With regard to the source of the said personal data, please note that it is collected directly from the data subject, in connection with (i) any requests for assistance and support and/or (ii) the services provided at the ITA Airways counter (e.g. check-in, boarding pass printing, ticket purchasing, etc.).

The Data Controller may receive the personal data of any other passengers on the same reservation, including minors and/or adults with incapacity, from the data subject requesting the assistance/support at the ITA Airways counter.

It is also possible that, in connection with any requests, you may spontaneously provide to the Data Controller the personal data of third parties. Please note that, in this case, you shall act as an independent data controller, in your own right, with all the legal obligations and responsibilities this entails. Therefore, you hereby agree to indemnify and hold the Data Controller harmless from and against any dispute, claim, request for compensation for processing-related damage, etc. from the third parties whose personal data you have provided, in connection with the services requested at the ITA Airways counter, in breach of the applicable data protection regulations.

3. PURPOSE OF AND LEGAL GROUNDS FOR PROCESSING

Your personal data will be processed for the purpose of managing your requests for support and assistance at the ITA Airways counter. These requests may include information on the status of your flight, changes to the date and/or time of your flight, and similar information. Moreover, your personal data will also be used to provide flight purchase and booking services, as well as related services, such as check-in and boarding pass printing. This processing includes all necessary contractual and administrative activities, including sending text messages and/or service emails with information about the purchased flight ("**Purposes related to counter services**").

The legal grounds for processing non-sensitive personal data, for Purposes related to counter services, are set out in Article 6(1)(b) of the GDPR, whereas, in the case of data relative to the "special" categories, the processing of which is required in order to fulfil the said purposes, the legal grounds consist in the free and specific consent given by the data subject pursuant to Article 9(2)(a) of the GDPR. In the event that the health data refer to minors and/or adults with incapacity, the explicit consent to the processing must be given by the person(s) exercising parental responsibility/legal guardian of the minor/adult with incapacity.

The provision of your personal data for the Purposes related to counter services is optional, however, your refusal may make it impossible for the Data Controller to provide the services requested.

Once provided, any personal data may also be processed by the Data Controller for the following purposes:

- a) in order to comply with legal obligations, regulations or national and EU legislation, including the provisions of the relevant supervisory authorities and/or of the competent judicial and/or administrative authorities (including, among others, the fulfilment of accounting and tax obligations, as well as for the purpose of investigating and prosecuting criminal offences or for public order and civil protection purposes, also in relation to the fight against terrorism) ("**Compliance Purposes**");
- b) for the purpose of establishing, exercising or defending a right in judicial or extrajudicial proceedings, including debt collection ("**Defence Purposes**").

The legal grounds of the processing for Compliance Purposes are represented by Articles 6(1)(c) of the GDPR, while in the case of Defensive Purposes, the legal grounds are to be found in the legitimate interest of the Data Controller, pursuant to Articles 6(1)(f), 9(2)(f) of the GDPR, consisting in the need to establish, exercise or defend a right in or out of court.

4. DATA PROCESSING METHODS

Personal data shall be processed by means of computer, manual and/or telematic supports and/or tools, according to a logic that is strictly related to the purposes of the processing and which, in any case, is capable of guaranteeing the confidentiality and security of the data and in compliance with the GDPR and the applicable provisions of the Data Protection Authority.

5. PERSONAL DATA STORAGE

Personal data will be stored in accordance with the principles of data minimisation and storage limitation set forth in Article 5(1)(c) and (e) of the GDPR, and in any case for no longer than is strictly necessary to fulfil the purposes for which it was collected and processed. In any case, the Data Controller reserves the right to store any personal data for as long as necessary to effectively fulfil its regulatory obligations, including the relevant legislative and regulatory data storage obligations of an administrative, accounting, tax and financial nature. Personal data may also be stored in order to meet any defence requirements that may arise in connection with in or out of court proceedings and in the pre-litigation stages.

Further information may be obtained from the Data Controller and/or the DPO at the addresses indicated in section 1 above.

6. RECIPIENTS OF PERSONAL DATA

Personal data may be shared with:

- third parties who, in the provision of services (by way of example only, technological services, assistance and consultancy services in accounting, administrative, legal, tax and financial matters, technical maintenance, etc.), typically act as data processors, within the meaning of Article 28 of the Regulation; the Data Controller shall keep an up-to-date list of the designated data processors, which shall be made available to the data subject for viewing at its offices, as indicated above, or subject to a request addressed to the contacts indicated above;
- data processing personnel, pursuant to Articles 29 and 32 of the GDPR and 2 quaterdecies of Legislative Decree 196/2003 ("Italian Privacy Code") (e.g. ITA Airways counter staff members, administration and accounting, pre- and post-sales assistance, CRM, management of information systems, etc. personnel);
- subjects, entities or authorities, independent data controllers to whom the personal data must be mandatorily disclosed under the law or in accordance with any instructions issued by the competent authorities (e.g. supervisory authorities, judicial authorities, public security authorities etc.) or subjects (e.g. defence counsels, in the event of litigation and/or pre-litigation) to whom your personal information must be disclosed for defence purposes.

The updated and complete list of data processors can be obtained from the Data Controller and/or the DPO at the addresses indicated in section 1 above.

7. TRANSFER OF DATA OUTSIDE THE EU

With regard to the transfer of personal data to Third Countries outside the European Economic Area (EEA) or international organisations, the Data Controller hereby informs you that, in this case, the data will be processed in accordance with the regulations or any of the methods allowed by law, pursuant to Articles 44-49 of the GDPR, such as, for example, the consent of the data subject, the adoption of Standard Clauses approved by the European Commission, the selection of subjects adhering to international programmes for the free circulation of data, in accordance with Recommendations 01/2020 of the European Data Protection Board.

Further information may be obtained from the Data Controller and/or the DPO at the addresses indicated in section 1 above.

8. YOUR PRIVACY RIGHTS

You may, at any time, exercise the following rights by writing to the Data Controller and/or the DPO at the contact addresses indicated in section 1 above:

- Right of access (Art. 15 of the GDPR) – you have the right to obtain confirmation as to whether or not personal data concerning you are being processed, as well as the right to receive any information relative to such processing.
- Right to rectification (Art. 16 of the GDPR) – the data subject has the right to obtain rectification of his or her personal data if it is incomplete or inaccurate.
- Right to erasure (Art. 17 of the GDPR) – in certain circumstances, the data subject has the right to obtain the erasure of his or her personal data in our records.
- Right to restriction of processing (Art. 18 GDPR) – under certain circumstances, the data subject has the right to obtain the restriction of the processing of his or her personal data.
- Right to data portability (Art. 20 of the GDPR) – the data subject has the right to obtain the transfer of his or her personal data to another data controller, as well as the right to receive the personal data concerning him or her in a structured, commonly used and machine-readable format.
- Right to object (Art. 21 of the GDPR) – the data subject has the right to object to the processing of his/her personal data specifying the grounds justifying the objection; the Data Controller reserves the right to assess this request, which may be rejected if there are compelling legitimate grounds for the processing that override the interests, rights and freedoms of the data subject.
- Right to lodge a complaint with the Supervisory Authority (Art. 77 of the GDPR) – in the event that the data subject considers that the processing concerning him or her is in breach of the legislation on personal data protection, he or she may lodge a complaint with the Supervisory Authority of the Member State in which he or she normally resides, works or of the place where the alleged breach occurred.
- Right to an effective judicial remedy (Art. 79 of the GDPR).

The Data Controller



**CONSENT FORM FOR PROCESSING
OF "SPECIAL" PERSONAL DATA**
(to be collected only in the event of the management
of reported special needs)

The undersigned

☐ **personally**

or

☐ **as the parent/legal guardian of** *[data of the minor/adult with incapacity]*

Having read and understood this privacy policy statement, hereby

☐ consents

☐ does not consent

to the processing by Italia Trasporto Aereo S.p.A. of the special category data, within the meaning of art. 9 GDPR (specifically, data capable of revealing health conditions), relative to either the undersigned or to the minor/adult with incapacity of whom the undersigned is the guardian, for the purposes of the management of specific support and assistance requests at the Italia Trasporto Aereo S.p.A. counter or in connection with the purchase of an airline ticket from the said Company.

Place and date

Signature for acceptance

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ITALIA TRASPORTO AEREO S.p.A.

Società con socio unico

SEDE LEGALE:

Via Venti Settembre 97 - 00187 Roma - Italia

PEC: italiatrasportoaereo@legalmail.it

Cap. Soc. € i.v. 720.000.000,00

Numero di Iscrizione al Registro delle Imprese di Roma,

Codice Fiscale e Partita IVA 15907661001

R.E.A. di Roma n.1622937