

## **Annex A2 Information of Telecom Italia Sparkle on the legislation on the protection of personal data**

Dear Customer,

pursuant to Regulation 2016/679 / EU (General Data Protection Regulation - hereafter GDPR) and the applicable provisions of Legislative Decree no. 196/2003 (the so-called Privacy Code), Telecom Italia Sparkle S.p.a hereafter TIS, gives information regarding the processing of your data and, if it acts pursuant to a specific mandate with representation in the name and on behalf of the companies of your Group, those of companies in your Group.

### **1) Purpose of the processing and storage of traffic data**

Data relating to telephone and/or telematic traffic will be processed by TIS for the provision of electronic communication services and related assistance, billing, management of any complaints and disputes, fraud prevention and management of delays or missed payments the protection of rights in court, as well as to ensure the security of networks and information, and to fulfill the obligations required by laws, regulations or laws and regulations of the supervisory authorities of the sector or other institutions.

The processing of traffic data is necessary for the achievement of the aforementioned purposes; their failure, partial or incorrect conferment could result in the impossibility to provide the requested services.

Data relating to telephone and/ or telematic traffic will be kept: a) for a maximum period of six months for billing purposes and / or payment claim, without prejudice to the further specific preservation necessary due to a dispute also in court; b) for the period established in the contracts you may have stipulated for the purpose of providing value-added services and marketing electronic communication services; c) up to seventy two months for criminal purposes.

### **2) Further purposes of the processing that can be prosecuted with the prior consent**

In the event that you have given your consent at the time of activation of the requested service or subsequently express it, your data and, if it acts pursuant to a specific mandate with representation, those of the companies of your Group, including the data of traffic, can be processed by TIS with automated methods of contact (such as SMS, MMS , fax, e-mail and web applications) for marketing purposes, market research and commercial communication, with regard to the offer of TIS .

In addition, in the event that you consent to it, your data and, if it acts pursuant to a specific mandate with representation, those of the companies in your Group (including the individual and detailed data on traffic and internet surfing) may be processed by TIS for profiling activities in order to identify, even by means of electronic processing, behaviors and habits in order to improve the services provided, and to direct the commercial proposals of interest. On the other hand, the possibility remains for TIS to process the aforementioned data in aggregate form, in compliance with the measures prescribed by the Privacy Authority and by virtue of the specific exemption provided by the same Authority for electronic analysis and processing (eg classification of the whole customers in homogeneous categories for levels of services, consumption, spending, etc.) aimed at periodically monitoring the development and economic performance of TIS activities , directing the related industrial and commercial processes, improving services and tariff plans, planning and implementing commercial communication campaigns. Furthermore, upon prior anonymization , the aforesaid data may be used for processing with the sole purpose of producing statistical analysis, without any direct effect on individual customers.

### **3) Additional processing purposes for receiving TIS advertisements from third parties with prior consent**

In the event that you have expressed your further and specific consent at the time of activation of the requested service or express it subsequently, your data and, if acting by virtue of a specific mandate with representation, those of the companies of your Group, including the traffic data may be processed by TIS to communicate and / or send by automated means of contact (such as SMS, MMS , fax, fony e-mail and web applications) advertising material.

### **4) Withdrawal of consent**

The release of data and consent to their use for the purposes of processing referred to in paragraphs 2) and 3) and is optional, but may serve to improve our products and services. You can however check and revoke any consent given for such purposes at any time by writing to your business contacts . Following any refusal or revocation of the aforementioned consent, TIS will process your data and, if it acts pursuant to a specific mandate with representation, those of the companies of your Group for the sole purposes indicated in the previous point 1) .

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#### **5) Method and logic of treatment**

The data will be processed manually and / or through IT and telematic tools, with the logic of organization and processing of data, including traffic, related to the purposes indicated above and, however, in order to ensure the security and confidentiality of data and communications. In particular, the data will be processed using automated procedures to: (i) profile customers who have given consent to address business proposals of interest; (ii) take a decision regarding the supply or not of the requested products / services and the management of arrears.

#### **6) Controller, Data Protection Officers and categories of persons authorized to process data in TIS**

The Data Controller of the processing of your data and, if acting under a specific mandate with representation, of those of the companies of your Group is TIS , with registered office in via di Macchia Palocco n. 223 - 00125 Rome. TIS and the Telecom Italia Group Companies have appointed a single Data Protection Officer , domiciled at TIM , via Gaetano Negri, n. 1 - 20123 Milan, and contacted by sending an e-mail to the following address: [dpo.tisparkle@telecomitalia.it](mailto:dpo.tisparkle@telecomitalia.it) .

Your data and, if you act by virtue of a specific mandate with representation, those of the companies in your Group will be processed by employees of the Commercial, Marketing, Billing, Anti-fraud and Technical / Operational Functions. Employees have been authorized to process personal data and have received appropriate operating instructions in this regard.

#### **7) Categories of third parties to whom the data could be communicated as Data Controllers or who could learn about them as Data Processors**

As well as by TIS employees , some processing of your data and, if acting by virtue of a specific mandate with representation, those of the companies of your Group may be carried out by third parties, including the Telecom Italia Group Companies, to whom TIS entrusts certain activities (or part of them) to pursue the purposes referred to in point 1) and, if you have given your consent, for the further purposes set out in points 2) and 3) . These third parties could also be established abroad, in EU countries or outside the EU; in the latter case, the data transfer is performed because of the existence of a decision of the European Commission about the adequacy of the non-EU country data protection level or on the basis of appropriate and adequate guarantees in Articles. 46 or 47 of GDPR (eg. Signing the "data protection clauses" adopted by the European Commission) or other conditions for the legitimacy transfer under Art. 49 of the GDPR (eg execution of the contract requested or already in place, customer consent). These subjects will act as independent Data Controllers or will be designated as Data Processors and are essentially included in the following categories: a) Subjects to whom TIS entrusts the construction, maintenance of systems, IT / telematic systems and connections and / or delivery, installation, maintenance of equipment and products; b) Subjects (eg call centers) to whom TIS entrusts assistance, advertising, promotions and sales to customers; c) Subjects to whom TIS sends the tax code / VAT number to verify the accuracy and validity of customer data; d) Credit recovery companies and companies operating in the field of fraud prevention and providing credit, economic and commercial information services, including those that manage information systems for the verification of the reliability and punctuality of payments; e) Companies that process traffic data for billing; f) Companies responsible for printing and sending invoices and / or other documentation to customers; g) other electronic communications operators, holders of non-geographic numbers, on behalf of which TIS invoices the billing service and, in some cases, the relative credit recovery h) Consultants; i) Assigning loans companies; j) agents, business brokers and dealers; k) Companies conducting market research and surveys; l) Supervisory Authority (eg AGCom , AGCM, Privacy Guarantor) and any other legitimate public entity required to request data.

#### **8) Rights recognized to the customer**

You may exercise your rights under the specific provisions for electronic communications services with particular regard to: (i) traffic data (eg detailed billing request); (ii) the withdrawal of consent to the processing of your data and, if it acts pursuant to a specific mandate with representation, of those of the companies of your Group for the purposes referred to in paragraphs 2) and 3) , by writing to the on the invoice or on the PEC mailbox : [adminpec@tisparkle.telecompost.it](mailto:adminpec@tisparkle.telecompost.it)

**Telecom Italia Sparkle S.p.a.**



**Consent to process the personal data for marketing scope, market research and commercial communication, with regard to TIS offer.**

I declare that I have read the information and so I consent to process my personal data for marketing scope, marketing research and commercial communication, with regard to TIS offer and to the offer of subjects connected to the TIS offer, with automated methods of contact (such as sms, mms, e-mail and web application).

I consent

I do not consent