

Information pursuant to Articles 13 and 14 of the European Regulation 2016/679 on the Processing of Personal Data within the framework of the Whistleblowing System

Autostrade per l'Italia S.p.A. has introduced the "Whistleblowing" tool as a system allowing its own employees to report alleged offences, committed in the context of the employment relationship, by employees of the "ASPI Group" Companies and third parties (collaborators/suppliers), in compliance with the regulations in force on the matter (Law. 231/2001, as amended by Law. 179/2017).

Autostrade per l'Italia S.p.A. handles whistleblowing reports on behalf of Tecne Gruppo Autostrade per l'Italia S.p.A. (hereinafter Tecne).

Autostrade per l'Italia S.p.A. has adopted the "Procedure for the management of Whistleblowing Reports" also implemented by Tecne, which allows, within the process of receiving and managing Reports, to apply the measures aimed at protecting all persons involved in compliance with paragraphs 2-bis, 2-ter and 2-quater of Article 6 of Law 231/2001, as introduced by the aforementioned Law. 179/2017 ("Provisions for the protection of whistle-reporting offences or irregularities of which they have become aware in the context of a public or private employment relationship") and of the legislation on the protection of personal data [European Regulation 2016/679 ("GDPR") and Legislative Decree 196/2003, as amended by Legislative Decree 101/2018 ("Privacy Code")].

Pursuant to Articles 13 and 14 of the European Regulation 2016/679 (hereinafter referred to as "GDPR"), Tecne hereby discloses the information on the processing of personal data of persons involved in the process of receiving and handling Whistleblowing Reports (hereinafter also "Whistleblowing").

1. DATA CONTROLLER

Tecne with head office in Via Bergamini, 50 - 00159 Rome, Tax Code no. and VAT no. 15783681008.

The Data Protection Officer (DPO) can be contacted at tecne.dpo@pec.autostrade.it.

2. TYPES OF DATA PROCESSED

In the context of the "Whistleblowing" procedure, the personal data processed are the data of the 'Whistleblower', the 'Reported Party' and of the persons involved and/or connected to the facts alleged in the Whistleblowing Report' (hereinafter the "Data Subjects").

The personal data collected and processed within the scope of the data processing include 'common' personal data of the Data Subjects (personal data, roles, contact details such as: email address, postal address, telephone number) and, in some cases, where necessary, also data belonging to special categories pursuant to Art. 9 GDPR.

Data may be collected either directly from the Data Subject or through other parties involved in the Report, through the specific platform and/or through the communication channels detailed in Section 4 below.

The data are provided voluntarily by the Data Subject/Whistleblower, where they do not opt for the anonymous procedure, and only data strictly necessary for the purposes set out in point 3 below are processed.

3. PURPOSE AND LEGAL BASIS OF THE PROCESSING

Personal data are processed, within the framework of the "Whistleblowing" procedure, exclusively for the purposes of investigating and assessing the facts being reported and of adopting any consequent measures.

Specifically, the personal data collected are only those deemed necessary and relevant to achieve the above-mentioned purposes, based on the “principle of minimisation”.

As regards these data, their provision is voluntary, and the Data Subject is requested to provide only the data necessary to describe the facts alleged in the Whistleblowing Report, without communicating redundant and additional personal data compared to those deemed necessary for the purposes indicated above. If such data are provided, they will not be used.

Personal data are processed on the legal basis of the legitimate interest of the Data Controller, pursuant to Art. 6, para. 1, f) of the GDPR, to handle Reports of wrongdoing, of which the Whistleblower has become aware in the context of their duties and/or within the scope of the employment relationship, as well as to protect the internal and external Data Subjects involved in the "Whistleblowing" procedure.

Personal data pursuant to Art. 9 of the GDPR, may be processed, where necessary, on the legal basis of the legitimate interest of the Data Controller, pursuant to Art. 6, para. 1, lett. f) of the GDPR, for the establishment, exercise or defence of a right in court, as well as on the legal basis pursuant to Art. 6, para. 1, b) of the GDPR ("performance of contract") for specific aspects of the employment relationship.

4. DATA PROCESSING METHODS

The data are collected, in compliance with the regulations in force, through electronic, telematic and manual tools, implementing procedures strictly related to the above-mentioned purposes, so as to guarantee the security and confidentiality of the data.

Specifically, data are collected via the following electronic/telematic tools:

- the "Whistleblowing" online platform available on the website of the parent company Autostrade per l'Italia S.p.A.,
- e-mail at: segnalazioni@autostrade.it,

as well as by ordinary mail, to the address: Ethics Officer - Team Segnalazioni di Gruppo ASPI, via Bergamini, 50 Roma

Data collected through electronic/telematic tools will undergo fully automated processing as specified in Article 22 of the GDPR.

Specific security measures are complied with to prevent loss of data, unlawful or incorrect use and unauthorised access.

Furthermore, specific technical and organisational measures are taken, pursuant to Article 32 of the GDPR, to ensure the protection of the identity of the Data Subjects, as well as the possible anonymity of the Whistleblower and complete anonymity in accessing the platform (no log).

5. DATA RETENTION PERIOD

Personal data will be kept only for the time necessary for the purposes for which they are collected in compliance with the principle of minimisation pursuant to Art. 5.1.c) of the GDPR and, in particular, for the purposes of managing the preliminary investigation, concluding the definition of the Whistleblowing Report and adopting the relevant measures, in the event of an assessment.

6. DATA RECIPIENTS

For the performance of the activities relating to the "Whistleblowing" procedure, and for the purposes set out in point 3, the parent company Autostrade per l'Italia S.p.A. handles the reports on behalf of Tecne.

Within Autostrade per l'Italia S.p.A., personal data provided may be handled only by persons tasked with the processing by the Data Controller and authorised to carry out the processing operations within the scope of these above-mentioned activities.

Data may also be disclosed to third-party companies (such as IT service providers) that enable the operation and maintenance of the IT tools on which the Whistleblowing Report can be entered, which are required to process the data for the same purposes as those set out in point 3 above, and which are, to this end, appointed "Data Processors", pursuant to Article 28 of the GDPR.

The full list of persons appointed as Data Processors is available from the DPO.

Under no circumstances will personal data be disseminated.

7. RIGHTS OF DATA SUBJECTS

Articles 15-22 of the GDPR allows Data Subjects to exercise specific rights, such as, for instance, the right of access, correction, cancellation, restriction of processing.

The above rights may be exercised by sending a request to the Data Protection Officer (DPO) without formalities at the following PEC (certified mail) address: tecne.dpo@pec.autostrade.it.

Data Subjects may lodge a complaint pursuant to Art. 57 letter f) of the GDPR with the Data Protection Authority.

Where the exercise of the above rights by the reported person may entail an actual and concrete prejudice to the protection and confidentiality of the reported person's personal data, the Data Controller may restrict, delay or exclude such exercise, pursuant to Article 2-undecies(1)(f) of the Privacy Code, and not grant the request.

In such cases, the rights of Data Subjects, pursuant to Art. 2-undecies, para. 3 of the Privacy Code, may be exercised through the Guarantor as provided for in Art. 160 of the Privacy Code.

8. TRANSFER OF PERSONAL DATA ABROAD

Data are managed and stored on servers of third-party companies appointed as Data Processors, as specified in point 6 above, located in Italy and within the European Union.

Personal data may not be transferred outside the European Union.

Should it become necessary, the Data Controller shall be entitled to move the location of the archives and servers to Italy and/or the European Union and/or non-EU countries. In the latter case, data will be transferred outside the EU in compliance with the applicable legal provisions, by entering, where necessary, into agreements that ensure an acceptable level of protection and/or adopting the Standard Contractual Clauses provided for by the European Commission.