

## Information to Consumer Customer provided by TIM pursuant to the data protection legislation

Dear Customer,

in pursuance to Articles 13 and 14 of Regulation 2016/679/UE (General Data Protection Regulation – hereinafter as “GDPR”), TIM S.p.A., hereinafter as “TIM”, herewith provides you with the information regarding the processing of your personal data.

### 1) Categories of personal data processed

- a) Common data referred to in art. 4, point 1, GDPR: general personal information (name, surname, sex, date and place of birth, fiscal code); contact details (wireline and/or mobile phone number, postal address, e-mail address), access and identification data (e.g. username, password) and access and activity logs on corporate websites/portals and apps, data relating to products sold and services activated, data of payment instruments (IBAN, credit card details, etc.), billing data and data on the status and timeliness of payments, telephone and telematic traffic data, data relating to the connection (e.g. IP address) and internet browsing, profiling data, location data (e.g. Cell-id, GPS coordinates), data relating to identification documents, data relating to products, devices, PCs and services used (e.g. brand and model, configurations and connection methods, browser and email client, other technical data), data relating to contacts made with TIM.
- b) Special categories of personal data referred to in art. 9 of the GDPR: data concerning health, necessary exclusively to recognize the right to benefit from offers at favorable conditions.

### 2) Purposes for which processing of personal data is necessary and related legal basis

#### 2.1) Processing relating to the performance of a contract

Your personal data that you have provided and/or which we have acquired through third parties also during the term of the contract, shall be processed by TIM for the following purposes relating to the performance of the contract, including pre-contractual activities: **a)** Customer identification and provision of electronic communication services (i.e. access to mobile, fixed line, and electronic telephone networks, transmission of your communications) and any other service requested; **b)** construction and technical maintenance, even remotely, to ensure the highest level of quality, of electronic communications systems and telecommunication lines; **c)** installation, delivery and assistance of products and/or devices; **d)** billing, also on behalf of third parties, of subscription charges, traffic and of any other supplementary products/services; **e)** assistance and management of complaints and disputes; **f)** management of data published in telephone directories; **g)** customer satisfaction survey (optional activity for the Customer); **h)** management of delayed or default in payments and debt collection; **i)** assignment of credit to authorized companies; **l)** payment of fees through a loan provided by a company specialized in consumer credit; **m)** storage and use of data relating to contractual proposals and contracts, including data regarding timeliness of payments for rewarding policies and for the remuneration of commercial channels; **n)** access to services offered on TIM's websites/portals and Apps; **o)** participation to prize competitions or to fidelity programs; **p)** data exchange with TIM Group companies or with other partners for the activation and management of combined offers, as well as for the recognition of any discounts.

Furthermore, the processing of the special categories of personal data, referred to in Section **1)**, letter **b)** above, requires your explicit consent in order to be able to benefit from offers at favorable conditions, pursuant to current legislation.

#### 2.2) Processing based on legitimate interests

Your personal data may be processed for the legitimate interests pursued by TIM or by third parties to the extent strictly necessary and proportionate for the following purposes:

- a) to ensure the prevention of delinquency and frauds, in the activation and management of new or additional contracts, through: **i)** the acquisition directly or by third parties of information on your rate of reliability and timeliness in payments taken from public databases and registers (i.e. registration in the list for protested bills or subject to legal proceedings) and from credit information systems (i.e. credit/financial relationships) and the consultation of internal records relating to the requested contract or to contracts in progress or already expired (including those relating to payments and complaints, if any); in this context, it may be possible to process and/or acquire synthetic evaluations (“score”) on your credit rating which are based on public data and/or credit information and/or internal records; **ii)** the use, for purchases made on digital channels, of information relating to the email address, the device used and the methods of data entry, processed for TIM by the company Experian Italia S.p.A. for the definition of a risk score useful for preventing fraudulent phenomena to the detriment of the customer; **iii)** the verification of the validity of the IBAN and of the correct association with the fiscal code of the holder of the bank account provided for the direct debit, communicating this data to the company Experian Italia S.p.A. and to the bank where the current account is opened, through Nexi Payments S.p.A. and CBI S.C.p.A. via the interbank service “Check-Iban CBI Globe” (the privacy notice on the “Check IBAN” service is available at: [www.nexi.it/privacy.html](http://www.nexi.it/privacy.html)); **iv)** the consultation of the inter-Operator database containing telephone company customers who are intentionally delinquent (S.I.Mo.I.Tel.), managed as independent Controller by the company CRIF S.p.A., and the communication in this database of the personal data of its own delinquent customer only when such an action meets all the requirements set forth in the Decision n. 523 issued by Italian Data Protection Authority on October 8, 2015; **v)** the consultation of the information system for the prevention of identity fraud (SIFRID), managed as independent Controller by the company Experian Italia S.p.A. (whose information is available at <https://www.experian.it/consumatori>) and the communication in this system of the data provided at the time of the request for activation of a telephone line or the purchase of a product with deferred payments, in order to detect inconsistencies in the identity of customers; **vi)** the communication, in accordance with the current law on the public system of fraud prevention in the sector of consumer credit, with specific reference to identity theft, of the data to the Central Computerized Archive (SCIPAFI), established in the Ministry of Economy and Finance (data controller) and managed by the company Consap S.p.A. and linked to databases of the Revenue Agency, the Ministry of Internal Affairs, the Ministry of Infrastructures and Transport, public entities (Inps, Inail), for the purpose of verifying the authenticity of the data contained in the documents provided by customers (if deemed useful to verify their identity, in event of requested extensions or deferred payments of services), as well as for the exchange of information necessary to prevent the risk of fraud and the fight against fraud suffered through identity theft; **vii)** the verification of the consistency and authenticity of identity documents provided by customers for whom there is a risk of identity fraud (based on the results of previous checks), communicating a copy thereof, together with the personal data of the customers themselves reported in the request for new services, through the PreventGo service of Namirial S.p.A.; **viii)** the detection and the fight against behaviors non-compliant with the contractual conditions of the service or malicious behaviors (e.g. abuses, frauds);
- b) to disclose, upon request, to third parties (e.g. banks and financial intermediaries, securities brokerage firms, other service providers), who act as independent Controllers, some of your personal data (including personal details and your mobile or fixed number) that you have already provided to such parties (to whose privacy notices please refer) in order to use/subscribe to their services, for fraud prevention

purposes (e.g. the so-called 'Sim Swap Fraud') and/or to verify your identity when accessing online services through authentication systems that use your mobile or fixed number (e.g. to carry out online transactions such as home banking and to access databases);

- c) to use the postal address, you have given us during the purchase of our product or service, in compliance with the provisions set forth in Decision issued by Italian Data Protection Authority on June 19, 2008 and until your objection, for marketing purposes, i.e., to send advertising material, direct marketing, market research and commercial communications relating to TIM products and services similar to those you have purchased;
- d) to carry out profiling activities of customers in aggregate form, in compliance with the measures provided by Italian Data Protection Authority and under the specific exemption from the consent on the basis of a legitimate interest pursued by TIM provided by the same Authority and / or on the data protection impact assessments that TIM has previously carried out. Such data processing in aggregate form are performed in order to carry out analysis and electronic processing (e.g. classification of customer base in homogeneous categories for levels of services, consumption, possible needs, service satisfaction, etc..) in order to periodically monitor the development and the economic trend of activities of TIM, orient its industrial and business processes, improve services and pricing plans, design and perform the marketing communication campaigns through targeted and qualitatively more satisfying offers. Furthermore, upon prior anonymization, the aforesaid data may be processed for the sole purpose of producing statistical analysis, without any direct effect on individual customers;
- e) to carry out, through the system called Speech Recording & Analytics, statistical sample analysis of transcriptions of anonymised voice conversations between customers and TIM Customer Care Service operators in order to verify and improve the quality of the caring service and to deepen knowledge of customer needs;
- f) carry out, in real time at the time of the call to TIM Customer Service and through Artificial Intelligence systems, the best possible matching between Customer and Customer Care operator and/or the analysis of the transcriptions of the voice conversations between Customer and operator, in order to improve the caring service in terms of effectiveness (quality) and efficiency of internal company processes;
- g) to carry out analyses on data of the presence and mobility of the population with respect to a certain place or territory, derived from the data of the TIM mobile network or equipment connected thereto previously subjected to pseudonymisation techniques and, possibly, to probabilistic calculation and aggregation, for the generation of anonymised data within the framework of innovative services provided by public and private entities;
- h) to ensure the improvement of network and service quality and the proper functioning of corporate websites/portals and Apps;
- i) to carry out statistical analyses and develop predictive models on personal customer data, aggregated and previously subjected to encryption techniques that do not allow the individual to be traced, through comparison with the customer base of other companies (so as to know the number and percentage in common without knowing which individuals they are), in order to be able to identify business opportunities arising from the characteristics of the respective customer bases;
- j) to ensure network and information systems security;
- k) to transmit data within Telecom Italia Group for internal administrative purposes;
- l) to establish, exercise or defend any of legal claim (civil, administrative or criminal).

You are entitled to object, at any time, to the processing of your personal data for the purposes set out in this Section **2.2)** in the manner set out in Section **9)** below; TIM shall no longer process your personal data, unless there are compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of a legal claim.

### **2.3) Processing for compliance with a legal obligation**

Your personal data may be processed by TIM to fulfill obligations under laws, regulations or EU legislation and provisions issued by Authorities or by other legitimized entities (e.g. to send communications as a result of emergency measures).

Your personal data is necessary to achieve the purposes set out in this Section **2)**; failure to provide such data or data which is incomplete or inaccurate may result in the impossibility for TIM to activate or deliver the services requested.

### **3) Purposes for which data processing is optional with consent**

#### **3.1) Processing for marketing purposes in relation to TIM products and services**

In the event you have given the specific consent upon activation of the service or at a later stage, TIM may process your personal data, by automated means (such as SMS, MMS, fax, calling systems, email and web applications) and by traditional ones (such as calls by human operator), for the purposes of sending advertising materials, direct marketing, carrying out of market researches and commercial communication, with regard TIM products and services. However, this does not affect TIM's right to: **a)** process your personal data in the absence of consent in accordance with the Section **2.2)**, letter **c)** above; **b)** contact you following your specific request relating to information on TIM products and services.

For the same purposes and in the same methods, if you have given your further specific consent, TIM may contact you on the mobile number active with another Operator of which you are declared the holder or exclusive user and that you provided as your contact details when signing the contract or during the course of the contract itself.

#### **3.2) Processing for individual profiling purposes**

In the event you have given the specific consent upon activation of the service or at a later stage, your individual and detailed personal data (including the methods of use and access to the service, the devices used, the traffic data and internet browsing data) may be processed by TIM for profiling activities to identify, also by automated processing, your specific behaviours and consumption habits in order to improve, also from the point of view of quality, services supplied, meet your needs and address the commercial proposals of interest. However, this does not affect TIM's right to process such data in aggregate form in the absence of consent in accordance with the Section **2.2)**, letter **d)** above.

#### **3.3) Processing for advertising purposes of third parties**

In event you have given the specific consent upon activation of the service requested or at a later stage, TIM may process your personal data to communicate and/or send, by automatic means (such as SMS, MMS, fax, calling systems, email and web applications) and by traditional ones (such as telephone calls by human operator and paper mail), third party advertising material and commercial information.

#### **3.4) Disclosure of personal data to third parties for their own marketing purposes**

In the event you have given your specific consent at the time of service activation or at a later stage, TIM may communicate your personal data to Group Companies, Subsidiaries, its partners and other third parties, who will process such data as independent Controllers for their own

marketing purposes, using automated contact methods (such as SMS, MMS, fax, calling systems, e-mail and web applications) and traditional methods (such as telephone calls with operator and paper mail), until you object to each of the third parties to which the data has been communicated. These third parties essentially operate in the following sectors: marketing, entertainment, radio and television, publishing, e-commerce, market research, consulting, event organisation, energy, water and gas, telecommunications, Information and Communication Technology, electronics, logistics, distribution and commerce, fashion and clothing, pharmaceutical and chemical, construction and real estate services, education and training, health, ecology and environmental services, insurance, financial and banking services, transport and automotive, security services, postal services, tourism and leisure, catering, agribusiness, non-profit, public administration. The updated list of third parties to whom TIM may disclose customer data is available at [www.gruppotim.it](http://www.gruppotim.it), link privacy.

Furthermore, TIM may communicate a unique online identifier, generated on the basis of the IP address you are using for internet browsing and your mobile telephone number previously subjected to pseudonymisation techniques, to the company Utqi SA/NV (hereinafter as "Utqi", if you have activated the digital customized advertising service provided by Utqi, having given to Utqi the specific consent to activate Utqi technology on digital properties (such as websites or apps) that make use of it, when you use a supported internet connection. You can manage this consent at any time and consult the privacy notice provided by Utqi, as independent data controller, and find any other useful information on the exercise of privacy rights, on Utqi technology and parties (publishers and advertisers) Utqi works with on the Utqi privacy portal (<https://consenthub.utqi.com/>) or by clicking on the "Manage Utqi" link available at the footer of the websites of the aforementioned parties.

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

The providing of your personal data and your consent to use it for purposes referred to in Section 3) above is not compulsory, but it can help us to improve our products and services and communicate any updates of your interest to you. Anyway you may verify and withdraw your consent for such purposes at any time by accessing the company portal dedicated to customers, by contacting free-of-charge the phone numbers 187 (for fixed line consumer customers), 119 (for mobile consumer customers), 80.33.80 (for "Pay" and "Free" customers that have subscribed to "Tin.it" Internet access services), or by writing to the Customer Care Department as specified in TIM telephone bill or by sending an email to the address [richiestaprivacy@telecomitalia.it](mailto:richiestaprivacy@telecomitalia.it). Moreover, you have the right to object in part to the processing of your personal data for the marketing purposes (by automated or traditional means of contact). Following your refusal or withdrawal of such consent, TIM shall process your personal data strictly for the purposes described previously in Section 2).

#### **5) Storage of personal data, including traffic data**

TIM will keep your personal data for a period no longer than is necessary for the purposes for which such data was collected or subsequently processed as well as for the period as provided by law for administrative purposes, the management of any claims or disputes or for criminal proceedings. In particular: **a)** profiling data will be stored for fifteen (15) months; **b)** the results or synthetic evaluations ("score") on credit rating acquired or processed in the activation and management of new or additional contracts will be kept for the time necessary for the performance of activities connected with the execution of the contract and for the management of any requests you may make for access to your personal data; **c)** historical data, relating to status and timeliness in payments and to possible complaints referred to contracts in progress or already expired, will be stored for five (5) years as from the date in which the contractual relationship with TIM has expired and, anyway, until the delay in payments persists and the activities of debt collection are still ongoing.

Furthermore, if you have provided the consent for marketing purposes (better described in the previous Section 3.1) and have not revoked it as provided for in the previous Section 4), TIM may contact you for a maximum of five (5) years from the termination of the contractual relationship to offer you TIM services. Finally, telephone and telematic traffic data shall be stored as from the date of communication for: **a)** a period no longer than six (6) months as from the date of the communication for billing and/or for claim of payments purposes, subject to additional retention as may be specifically necessary on account of a claim also lodged with judicial authorities; **b)** the period specified in the possible contracts you signed for the purpose of the provision of value added services and for marketing electronic communications services; **c)** seventy-two (72) months as from the date of the communication for criminal purposes.

#### **6) Procedures and logic applied to data processing**

The processing of personal data will be carried out manually and/or by electronic or automated procedures, on the basis of data organization and processing logics relating to the purposes described above, and in any event, in a way that ensures the security and the confidentiality of the data and of the communications. In particular, data will be processed by automated procedures, which may make use of Artificial intelligence, machine learning techniques and big data analytics, in order to: **a)** identify, upon receiving the call to TIM customer service, the category of customer and the related contract and the device used, in order to allow the operator to respond effectively to requests; **b)** profile customer who have given consent to address the commercial proposals of interest; **c)** take a decision about the provision or not of the products/services requested, in order to prevent delayed or default in payments and frauds; **d)** customer analysis and profiling.

#### **7) Controller, Data Protection Officer and Persons authorized to process personal data in TIM**

The Controller of your personal data is TIM S.p.A., with registered offices in via Gaetano Negri, n. 1 - 20123 Milan. TIM has appointed a Data Protection Officer, who can be contacted by writing to the following address: via Gaetano Negri n. 1 - 20123 Milan; or by sending an email to: [dpo.clienticonsumer.tim@telecomitalia.it](mailto:dpo.clienticonsumer.tim@telecomitalia.it). The updated list of contact details of the Data Protection Officer may be consulted by clicking on the "Privacy" link of the [www.gruppotim.it](http://www.gruppotim.it) website.

Your personal data shall be processed by TIM employees that have been appointed persons authorized to process personal data and have received adequate operating instructions in such regard.

#### **8) Categories of third parties to whom personal data may be communicated or who may acquire such data**

Your personal data may also be processed by third parties, including TIM Group Companies, to whom TIM assigns certain activities (or parts of them) for the purposes referred to in Section 2) and, if you have given the consent, for additional purposes referred to in Section 3) above. Such third parties may also be established abroad, in EU and non-EU countries; in this latter case, the data transfer is carried out on the basis of a decision by the European Commission regarding the adequacy of the level of data protection of non-EU countries or on the basis of appropriate and suitable safeguards as provided by articles 46 or 47 of the GDPR (e.g. signing of standard data protection clauses adopted by the European Commission) or other conditions for the lawfulness of the transfer as provided by article 49 of the GDPR. Such third parties either act as independent Controllers or will be appointed as Processors and they are mainly included in the following categories: **a)** entities to whom TIM assigns the construction, installation and maintenance of electronic communications systems, connections (telecommunication lines) and equipment/devices; **b)** technical/IT services providers; **c)** entities (i.e. call centers) to whom TIM assigns the activities of assistance, advertising, promotion and sale to customers; **d)** Media centers and advertising agencies; **e)** Publishers, broadcasting companies and companies providing

entertainment services; **f)** entities to whom TIM communicates Fiscal Code / VAT Registration Number and IBAN in order to verify the accuracy and validity of customer data; **g)** debt collection agencies and credit assignee companies; **h)** companies operating in the field of fraud prevention and that provide for credit, economic and commercial information services, including those that manage information systems for verifying reliability and timeliness in payments, as well as the “Administrator” of the database S.I.Mo.I.Tel. and of the database SIFRID; **i)** companies in charge of printing and sending of invoices and/or other documentation to customers; **l)** Logistics and delivery service providers; **m)** banks, financial intermediaries and companies specialized in consumer credit for the provision of loans; **n)** other electronic communications operators providing non geographical numbers, on behalf of whom TIM carries out billing services and, in some cases, the related debt collection activities; **o)** consultant and law firms; **p)** agents, brokers, dealers and other commercial partners; **q)** companies that carry out market researches and surveys; **r)** Authorities (e.g. AGCom, AGCM, Garante privacy – the Italian DPA), Agenzia delle Entrate (the Income Revenue Authority), Judicial Authority and Judicial Police, Ministry of Economy and Finance and any other public entity authorized to request data.

#### **9) Rights of data subjects**

You have the right to exercise at any time the rights provided for in Articles 15 to 22 of the GDPR (to access your personal data, to request the source of your personal data, the rectification of inaccurate and incomplete data, the restriction of processing, the erasure or the right to be forgotten, the data portability as well as to object to the processing of your personal data on legitimate grounds or to withdraw consent for the purposes referred to in Section 3) above), by writing to the Customer Care Department as specified in TIM telephone bill or by sending an email to the address [richiestaprivacy@telecomitalia.it](mailto:richiestaprivacy@telecomitalia.it) or by contacting free-of-charge the phone numbers 187 (for fixed line consumer customers), 119 (for mobile consumer customers) and 80.33.80 (for “Pay” and “Free” customers, who have subscribed to “Tin.it” internet services). Moreover, the always updated text of this Information is available in the “Privacy” link of the [www.gruppotim.it](http://www.gruppotim.it) website.

Finally, you have the right to lodge a complaint with the Italian Data Protection Authority (art. 77 of the GDPR) or, alternatively, to appeal to the competent judicial authority (art. 79 of the GDPR), if you believe that the processing of personal data relating to you infringes the legislation in force.

**TIM S.p.A.**