

## Top Clients (Single Company) Information Statement pursuant to Article 13 of the Personal Data Protection Code (Legislative Decree 196/2003)

Dear Customer,

in pursuance to article 13 of Legislative Decree 196/2003, so-called Personal Data Protection Code, Telecom Italia herewith provides you with the following Information Statement regarding the processing of your personal data in relation to the electronic communication services supplied to you.

### **1) Purposes for which processing of Customer personal data is necessary**

Your personal data, including those related to telephone and/or electronic communications traffic (so-called "traffic 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 Telecom Italia in relation to the execution of the contract for the provision of the above mentioned services and for the following purposes: **a)** provision of electronic communication services (access to mobile, fixed line, electronic telephone networks, transmission of communications made by you and any other related services requested by you); **b)** installation and maintenance of equipment; **c)** maintenance and or technical assistance for telephone links, products or devices, as well as the delivery of products and/or devices; **d)** billing of subscription charges, traffic, and of any other supplementary services; **e)** billing on behalf of third parties of amounts payable for calls made to non geographical numbers (i.e. 892, 899, etc.) belonging to other operators (shown in the telephone bill under a separate line item); **f)** management of complaints and disputes; **g)** prevention of fraud and management of late payment or payment default; **h)** protection and, if necessary, debt collection, whether directly or through third parties (debt collection agencies/companies) where data are required for such purposes; such data shall be communicated, also on behalf of other operators who have credit due in connection with the calls made to the aforementioned non geographical numbers; **i)** assignment of credit to authorised companies; **j)** keeping and use of customer accounting data relative to promptness in payments in order to award or refuse potential contracts; **k)** forwarding communications by institutional entities, related to emergency measures. Furthermore, your personal data, including those related to traffic – retained for the term referred to in point **2)** below – may be used by Telecom Italia with the objective to enforce or defend any of its rights in court; in such event, the data shall be processed strictly for the aforesaid purposes and, in any case, for the time strictly necessary to fulfill such purposes.

During the term of the contract, your data may also be processed in relation to the possible activation of telephone or internet services, also by means of a telephone channel, in addition to the main contract already stipulated with you. The aforementioned data may also be processed for promotional activities and prize competitions held by Telecom Italia.

In order to activate and manage contracts, Telecom Italia may acquire by third parties information on your credit rating belonging to public records and registries (i.e. registration in the list for protested bills or subject to legal proceedings). In this context, it may be possible to acquire also information as a result of statistical processing with a synthetic evaluation (score) on your credit rating which is based on public data and information acquired in relation to the contract to be executed and to the contracts which may be in progress or already expired with Telecom Italia. This synthetic evaluation (score) will be used to verify your reliability and promptness in payments and will be retained by Telecom Italia for the time strictly necessary to perform the activities concerning the completion of the contract and, in any case, for a period not exceeding seven (7) days from the above mentioned consultation. Moreover, always for the above mentioned purpose of conducting preliminary verifications in event of your future requests for activation of new or additional contracts, Telecom Italia may process your historical data related to payment status and promptness and to possible complaints, in the course of existing contracts or contracts already expired, by consulting its records and/or public data bases, also in order to process an internal synthetic evaluation to be retained for a period not exceeding seven (7) days from the processing. Your historical data related to payment status and promptness of services supplied to you will be retained for such purposes for a period not exceeding three (3) years from the date in which the contractual relationship with Telecom Italia has expired.

*For those Customers who have subscribed to one of Telecom Italia's internet services using ADSL (hereinafter "ADSL Service")* - If you have subscribed to a Telecom Italia ADSL Service and intend to use the technical assistance service, in order to benefit from such a service which can be activated separately from your PC, please be advised that during the test phase in configuring your client electronic mail browser and modem, the following data will be extracted: the software configuration of the ADSL Service connection, including the related technical data of your personal computer and configuration of the hardware. This data shall be transmitted with the ticket that you will send to Telecom Italia's Customer Care when you decide to utilise the online ADSL Technical Assistance Service. This data shall only be used for the provisioning of the technical assistance service requested by you.

In addition to the purposes described above, your personal data may also be processed to fulfill obligations under laws, regulations or European Community legislation, as well as provisions arising under statutory requirements by Authorities.

Providing your personal data is necessary in order to achieve the above mentioned purposes; failing to provide these data or providing data incompletely or incorrectly may result in the impossibility for Telecom Italia to activate or deliver the services requested.

### **2) Retention of telephone traffic data and/or electronic communications traffic data for billing/claim of payment and marketing purposes**

Pursuant to Article 123 of the Italian Personal Data Protection Code, traffic data shall be retained: **a)** for a period not exceeding six (6) months for billing and/or for claim of payment, subject to such additional retention as may be specifically necessary on account of a claim also lodged with judicial authorities; **b)** for 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.

### **3) Additional purposes for personal data processing with the Customer's prior consent**

In the event you have given your consent upon activation of the service requested or at a later stage, and until you withdraw your consent, your personal data, including traffic data, may be processed by Telecom Italia for targeted visits of sales representatives, with regard to supply and sale of products and services of Telecom Italia, for market researches and surveys. Other than as just indicated, the postal address you have given us during the purchase of our product or service can instead be handled by Telecom Italia, unless your objection in the way specified in point **7)** below, for sending market researches and postal communications containing advertising, promotional or commercial information and materials, related to our products or services similar to those you have purchased.

Moreover, in the event you have given your express consent, your individual and detailed personal data (including traffic data) may also be processed by Telecom Italy to identify, also through electronic processing, your specific behaviours and consumption habits in order to improve services supplied, meet your needs and address the commercial proposals of interest. It remains still the possibility for Telecom Italia to process these data in aggregate form in compliance with the measures provided by Italian Data Protection Authority and under the specific exemption from the consent provided by the same Authority, for analysis and electronic processing (i.e. classification of customer base in homogeneous categories for levels of services, consumption, expenditure, etc..) in order to periodically monitor the development and the economic trend of activities of Telecom Italia, orient its industrial and business processes, improve services and pricing plans, design and perform the marketing communication campaigns.

**The providing of personal data and consent to use them for purposes referred to this point 3) is not compulsory, but it can help us to improve our products and services. Anyway you may verify and withdraw your consent for such purposes at any time by contacting free-of-charge the phone number 800.191.101. Following your refusal or withdrawal of such consent, Telecom Italia shall process your personal data strictly for the purposes described previously in point 1).**

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

Personal data processing shall be carried out manually (e.g. hard copies) and/or by electronic or automated means, on the basis of logic of organization and processing of your data, including traffic data, correlated to the purposes described above, and in any event, in a way such as to ensure the security and the confidentiality of the data and of the communications. With regard to dedicated telephone assistance and in order to efficiently respond to customer enquiries, your personal data shall be managed using appropriate computerised procedures. In this way the telephone operator, upon receiving the call, is able to identify the type of contract you have, i.e. the type of service (subscription or prepaid), the device used, etc.

#### **5) Data Controller, Data Processors and categories of Persons in charge of the processing in Telecom Italia**

The Data Controller for your personal data is Telecom Italia S.p.A., with registered offices in Piazza degli Affari, n. 2 - 20123 Milan.

The Data Processors is: Mr. Fabrizio Grattarola who is domiciled at Telecom Italia S.p.A, Via Edoardo Jenner, n. 21 - 20159 Milan.

The updated list of Data Processors may be consulted by clicking on the "Privacy" link on the [www.telecomitalia.it](http://www.telecomitalia.it) and [www.tim.it](http://www.tim.it) websites.

Your personal data shall be processed by employees of the following departments: Customer Care, Sales, Marketing, Billing, Network and Information Technology as well as telephone operators (also employees) for services related to providing assistance, information, advertising, promotional and sales activities. These employees and operators, who work under the direct supervision of the relevant Data Processor, have been appointed Persons in charge of the processing and have received adequate operating instructions in such regard.

#### **6) Categories of third parties to which personal data may be communicated as Data Controllers or who may acquire such data as Data Processors or Persons in charge of the processing.**

Your personal data may be processed not only by Telecom Italia employees, but also by third parties, including Telecom Italia Group companies based in Italy and/or overseas, to which Telecom Italia has assigned certain activities (or parts thereof) for the purposes referred to in point **1)** and, in the event that you have given the consent, for additional purposes referred to in points **3)** and **4)**. In such cases, these third parties either operate as independent Data Controllers or will be appointed as Data Processors or as Persons in charge of the processing. All Data Processors and Persons in charge of the processing appointed by Telecom Italia will receive adequate operating instructions, with specific reference to the implementation of minimum security measures, in order to ensure the security and confidentiality of the data. The aforesaid third parties mainly include the following categories: **a)** entities to which Telecom Italia has assigned the installation/maintenance of equipment and/or delivery, installation and maintenance of products and devices; **b)** entities (i.e. call centers) to which Telecom Italia assigns the activities of assistance, advertising, promotional and sales services to customers; **c)** entities to which Telecom Italia communicates Fiscal Code Numbers/VAT Registration Numbers in order to verify the accuracy and validity of customer data; **d)** debt collection agencies and companies operating in the field of fraud prevention and which provide for economic and commercial information services, including those which manage information systems for verifying payment reliability and promptness; **e)** companies which process traffic data for billing purposes; **f)** companies in charge of printing and forwarding invoices and/or other documentation to customers; **g)** other electronic communications operators providing non geographical numbers, on behalf of which Telecom Italia carries out billing services and, in some cases, the related debt collection activities. The objective of such communication is to allow the aforementioned operators to carry out complaints and/or debt collection activities in case of non-payment of amounts due within the due date shown in the telephone bill (invoice); **h)** consultancy firms; **i)** credit assignee companies; **j)** agents, brokers and dealers; **k)** companies which carry out market researches and surveys; **l)** the Italian Communications Authority (AGCOM) and any other public entity authorised to request data.

#### **7) Right of access to personal data and other rights pursuant to article 7 of the Personal Data Protection Code (Legislative Decree n. 196/2003).**

You have the right to access data relating to you at any time and to exercise the other rights provided for in article 7 of the Personal Data Protection Code by contacting the relevant Data Processor indicated previously in point **5)**, or by writing to the Customer Care as shown in the telephone bill, or by contacting free-of-charge the phone number 800.191.101. Similarly, you have the right to request the source of your personal data, the rectification, the updating or the integration of inaccurate and incomplete data, or the erasure or blocking of data that have been processed unlawfully and also to object to the processing of your personal data on legitimate grounds to be highlighted in your request. Moreover, you may object to the processing of your personal data, where it is carried out for market researches and for the identification of your specific behaviours and consumption habits and for other purposes referred to previously in points **3)**.

At last, we would like to inform you that, with respect to the management of complaints and debt collection as referred to previously in points **1)**, **lett. e)**, and **6)**, **lett. g)**, you are entitled to exercise the rights provided for in article 7 of Legislative Decree 196/03 either by contacting Telecom Italia at the phone number and at postal addresses above mentioned or by contacting directly the non geographical number providers listed in the itemised calls of the "Traffic Documentation" section of the telephone bill (invoice).

Telecom Italia S.p.A.