

Information pursuant to Art. 13 EU Reg. 2016/679 Gdpr
contract and activation of telco services
sms business
MEXEDIA SPA BENEFIT COMPANY

1. Data controller **Mexedia S.p.A. head office via di Affogalasio 105 contact details +39 06 94502581**

Purpose of the information notice. This document provides information on the processing of personal data connected with telephone or telematic communication services and regulated by a specific service contract to which reference is made for further details.

Our organisation indicates in this notice the processes for which it is the data controller. Please note that for processes and activities for which the purpose of the processing is to be attributed to the client, our organisation plays the role of data controller as appropriately regulated when signing the service contract.

For processing carried out on other tools. For specific information relating to access to platforms, apps, websites, specific disclosures will be proposed prior to processing and, where necessary, consents will be acquired.

2. **Purposes of processing, data, conferment, lawfulness lawfulness retention time, transfers outside space European Economic Area (EEA)**

A- Conclusion and execution of the contract and technical and administrative accounting activities directly related thereto including regulatory obligations to identify the holder of telephone or telematic services
More detail
<p>The Customer's personal data will be processed for the management of the contractual relationship, to enable the technical management of services for the adoption of legal obligations affecting the activation of services and for administrative accounting activities such as:</p> <ul style="list-style-type: none"> ✓ Conclusion of the contract and identification of the holder of the utility or service through channels ordinary. ✓ Legal obligations in civil and tax matters (keeping invoices and accounting documents, civil and tax and financial regulations). ✓ Data to enable technical interconnection with the networks and to guarantee the communication service and any services required on a contractual basis or requested, even at a later date, by the customer, data to guarantee invoicing and/or billing, and for the administrative and technical-organisational management of the services provided. ✓ Data linked to the invoicing of fees, for the management of payments including requests for bank direct debits or credit card payments and control of payments <ul style="list-style-type: none"> ✓ Reception and handling of data subject requests or complaints. <p>If you do not provide your data. It will not be possible to proceed with the conclusion of the contract and provide the service.</p>
<p>What data we process</p> <ul style="list-style-type: none"> ✓ Type of product or service purchased, personal details (name, surname, age, tax code, sex, place and date of birth), address of residence or domicile and contact details (telephone, e-mail address), copy of identity document and tax code, holder's telephone number or data concerning the policyholder's representative ✓ The technical data generated to enable the delivery of the purchased communication service. It should be noted that only external data (technical service management data) are processed, with no storage or access to content. ✓ Bank and/or payment data to enable payments including direct debiting of bank accounts or credit card charges and to verify the correct fulfilment of contractual obligations. ✓ The above data may also be used in the event of fraud attempts in order to prevent or counter them in accordance with the principle of defensive actions closely linked to relevant events and for subsequent legal protection
<p>On what legal basis</p> <ul style="list-style-type: none"> ✓ Subscription and activation of services and handling of customer requests contractual obligation Art. 6 lett. B GDPR ✓ The identification of the holder is linked to legal obligations Art. 6 lett. C GDPR

<ul style="list-style-type: none"> ✓ Technical traffic data related to service provision for interconnection and technical management contractual obligation art. 6 lett. B GDPR and legal obligation art. 6 lett. C GDPR for storage ✓ In order to intervene in the event of attempted fraudulent use, the basis is the legitimate interest of the holder art.6 lett.f GDPR the data may be processed, according to the principle of minimisation (i.e. using only the data strictly necessary for the specific case) for the legal defence of the holder or for any litigation until the conclusion thereof
<p>Timing</p> <ul style="list-style-type: none"> ✓ Data for the activation and management of the contract, and for directly related legal obligations, are retained for the duration of the relationship and for 10 years and 6 months thereafter. Except in cases of litigation and proven protection needs which may result in specific further treatment. ✓ Traffic data are only processed for administrative purposes for 6 months, subject to litigation. Subsequent storage is for precise legal obligation see specific purpose. ✓ Please note that data may be processed, according to the principle of minimisation (i.e. using only the data strictly necessary for the specific case) for the defence of the data controller (in court or before authorities) or for any litigation up to the conclusion of the same.

B- Fulfilment of legal obligations in the field of data retention for justice purposes

More detail

The processing is strictly related to obligations to store telephone and telematic traffic data for purposes of justice as provided for by current legislation and the handling of requests imposed by law.

If you do not provide your data, it will not be possible to proceed with the conclusion of the contract and provide the service.

What data we process

- ✓ Data generated to enable the provision of the telematic or telephone communication service in addition to the service holder as indicated above.
- ✓ It should be noted that only external data are processed without any storage or access to the contents.
- ✓ It is understood that in the exercise of their functions, the authorities may, as appropriate, have access to all information retained by the holder.

With what legal assumption

The processing of such data is linked to legal obligations of the holder art. 6 letter C

For how long

- ✓ Data relating to telephone and telematic traffic are retained as required by law. **The ordinary reference for retention** is Article 132 of the Privacy Code, which provides that telephone traffic data are retained by the provider for 24 months, data relating to telematic traffic are for 12 months from the date of communication. Data relating to unanswered calls are retained for 30 days
- ✓ Currently, as an exception to the above-mentioned time limits, data must be retained, again by regulatory obligation, for up to 72 months, but are only available for certain types of offences. It should be noted that **Article 132 of the Privacy Code** provides for the possibility of access to different according to the type of offence for which access is requested. In the event of regulatory changes, storage will necessarily be modified in accordance with the dictates of the law.
- ✓ Please note that data may be processed, according to the principle of minimisation (i.e. using only the data strictly necessary for the specific case) for the defence of the data controller (in court or before authorities) or for any litigation up to the conclusion of the same.

C - Management of data subjects' rights

More detail

- ✓ The purpose is related to the receipt analysis and management of requests to exercise the rights of data subjects, including interaction with the data subject and providing appropriate answers and clarifications

What data we process

Depending on the type of request, we process all data necessary to ensure the proper exercise of the rights of those concerned.

With what legal prerequisite guaranteeing the exercise of rights is a precise legal obligation Art. 6 lett. C Gdpr

For how long

- ✓ The data is processed for as long as is necessary to process and substantiate the request. The storage period is normally 5 years,

- ✓ Please note that the data may be processed, according to the principle of minimisation (i.e. using only the data strictly necessary for the specific case) for the defence of the owner (in court or before authorities) or for any litigation up to the conclusion of the same.

D Actions of commercial communications concerning all products and activities of the holder

More detail

- ✓ With the consent of the person concerned, we may carry out commercial actions regarding all products and services provided by our organisation. **The data subject may choose the method of contact** they prefer (sms, mailing, calls with operator, automated calls or all modes)
- ✓ You may object at any time either by means of automated procedures managed by links placed at the foot of each communication you receive, using any systems made available to you by the holder (app, reserved area on the site dedicated to customers) or by contacting our organisation. Obviously, the objection is easy and free of charge and may relate to all modes of communication or only to some of them. In relation to calls, you may object directly to the operator, or if you have opted for automated calls, you may object in accordance with easily and immediately available features (e.g. by clicking a specific button). **You may object to all contact methods or only to some specific ones.**
- ✓ It is understood that with regard to telephone contacts, in addition to the right of the person concerned to object, the provisions of the rules establishing and regulating the public objections register <https://registrodelleopposizioni.it/> will be guaranteed, which determine safeguards to protect the persons concerned also in the event of termination of the service contract.
- ✓ **If you do not provide your data, it will not be possible to send the indicated communications without any further prejudice**

What data we process

- ✓ First name surname and/or e-mail and/or telephone number.
- ✓ The interested party can choose the method of contact they prefer: sms mailings, calls with or without operator, all.

With which legal prerequisite Consent of the data subject Art. 6 letter A GDPR

For how long

- ✓ The data is processed until the data subject objects, which may be for all or only for certain contact methods as chosen by the data subject. And thereafter only for the handling of the rights of the person concerned (see the purpose explicitly stated)
- ✓ Please note that data may be processed, according to the principle of minimisation (i.e. using only the data strictly necessary for the specific case) for the defence of the data controller (in court or before authorities) or for any litigation up to the conclusion of the same.

3. Communication to third parties

The data will not be disseminated. They will be processed with providers of technological, professional IT and consulting services who, as a rule, act as data processors, it being understood that the data will be processed in compliance with the principle of minimisation by processing only the data strictly necessary for the specific activity and, where possible, anonymous or anonymised data.

In particular, the categories of subjects may be as follows:

- subjects that perform services of acquisition, processing and elaboration of data necessary for the use of services, for the identification of the holder, for the management of requests from users and more generally for activities related to processing put in place by the owner as specified above and to provide the contractually agreed services
- parties that provide services for the management of the holder's information system, including regulation-compliant archiving and computer security;
- parties carrying out transmission, enveloping, transport and sorting of communications to customers;
- parties performing customer service activities;
- persons performing archiving and data entry activities;
- persons carrying out control, audit and certification of the activities implemented by the owner;
- other electronic communications operators, for the management of interconnection and roaming relations more generally to enable the proper provision of six telephone and telematic connection and interconnection services according to the service provided
- debt collecting companies or debt collectors, domiciliation banks
- persons who perform tasks of a technical and organisational nature on behalf of the holder;
- sales agents, firms and companies in the context of service and consultancy relationships;
- the data may also be disclosed to autonomous third-party data controllers, with particular reference to public authorities, if the legal requirements are met and in the exercise of their functions.

4. transfers outside the European Economic Area (EEA)

Data are processed in the European Union. Should the transfer be necessary, the safeguards provided for by the Gdpr such as standard contractual clauses as promoted by the EU commission to regulate transfer relationships outside the European economic area will be used, and with possible supplementary measures as also provided for by the EDPB guidance

5. **Rights of the data subject Articles 15, 16, 17, 18,19 20, 21 and 77 of the GDPR** We inform you of the existence of the right to know the recipients of the possible communication, access to personal data, rectification, erasure and, where appropriate, oblivion, restriction of processing, data portability and to object at any time to the processing of personal data concerning you. We also inform you that if the basis of lawfulness is consent, you have the right to revoke it at any time, without affecting the lawfulness of the processing based on the consent given before revocation (Art. 7(3) GDPR).

Pursuant to Article 77 of the Regulation, you have the right to lodge a complaint with a supervisory authority, namely in the Member State in which you normally reside or work or in the place where the alleged infringement took place, which in Italy corresponds to the Italian Data Protection Authority, whose contact details can be found at www.garanteprivacy.it or by addressing a judicial authority. You may exercise these rights simply by contacting the owner through the contacts indicated in this Policy.

It is understood that the exercise of rights will be timely evaluated and guaranteed wherever possible, since in certain cases, for example access to telephone or telematic traffic data, requests must be weighed against other regulatory impositions that might limit the exercise.

6. **DPO contact details: dpo@mexedia.com**

This notice is dated 4 July 2023