

# FAISERVICE

## Information document pursuant to and for the purposes of articles 13/14 of Regulation (EU) 2016/679 (GDPR)

	<p><b>DATA CONTROLLER</b>            FAI Service S. Coop., with registered office in Viale Bacchiglione, 16 – 20139 Milano (MI), Italy, Tax No. 08422730153 and VAT No. 02654640040 (hereinafter referred to as the “Controller” or “FAI Service”).</p> <p>Contacts:</p> <ul style="list-style-type: none"> <li>• email <a href="mailto:privacy@faiservice.com">privacy@faiservice.com</a></li> <li>• by mail at the administrative headquarters in Via Renzo Gandolfo, 1- 12100 Madonna dell’Olmo (CN), Italy.</li> </ul>
	<p>This information disclosure applies to the individual enterprises and to the subjects (“Data Subjects”) belonging to the companies/individual enterprises that join FAI Service, such as partners and/or users of the services of FAI Service, in the context of the related relationship of membership for the partners of FAI Service and/or of provision of services from FAI Service for the benefit of their own contractual counterparts (hereinafter the “Relationship”).</p> <p>The processing will concern the following categories of personal data (the “Data”):</p> <ul style="list-style-type: none"> <li>• Personal information (first name, surname, place and date of birth, tax number, citizenship), contact information (email address, telephone number, address of residence) and related to the identification document (number, expiration date, issuing body) of the (i) owner of the individual enterprise as a natural person or (ii) of the legal representative of the company that wishes to join as partner/user of FAI Service;</li> <li>• Personal information (first name and surname), contact information (email address) and qualification of the contact person, if different from the owner of the individual enterprise or legal representative of the company;</li> <li>• Data of the licence plate of the vehicles of the owner of the individual enterprise and data relating to the activity of the individual enterprise, such as type of transport carried out;</li> <li>• Data concerning the FAI Service services used.</li> </ul>

Type of Processed Data	Purposes of the Processing	Legal Basis	Nature of Data Provision	Data Retention Period
<ul style="list-style-type: none"> <li>• Personal information, contact information and information relating to the identification document of the owner of the individual enterprise (as a natural person) or of the legal representative of the company that wishes to join as partners/users of FAI Service;</li> <li>• Personal information, contact information and qualification of the contact person, if different from the owner of the individual enterprise.</li> </ul>	<p>Purposes connected to the <b>preliminary operations</b> of information gathering and evaluation and examination of the existence of the regulatory and de facto conditions referred to the owner of the individual enterprise or the company to which the Data Subject belongs, as candidates for membership as partner/user of FAI Service.</p> <p>Verify the <b>security and commercial reliability and financial situation</b> of the individual enterprise or of the company to which the Data Subject belongs.</p>	<p>Execution of pre-contractual measures (art. 6, par. 1, letter b) of the GDPR).</p> <p>The legitimate interest of the Controller (art. 6, par. 1, letter f) of the GDPR).</p>	<p>Required to follow up the membership. If Data are not provided or in the event of opposition to processing, the Controller will not be able to follow up on the request for membership.</p> <p>Required to follow up the membership. In the event of opposition to processing, the Controller will not be able to follow up on the request for membership.</p>	<p>In the event of a positive outcome of the negotiations, the Controller will store the processed Data for such purposes for the entire duration of the Relationship; in the event of a negative outcome of the contractual negotiations, some Data will be stored for the purposes of defence and for a maximum term of 24 months from the term of the negotiations.</p>

<ul style="list-style-type: none"> <li>• Personal information of the owner of the individual enterprise or of the legal representative of the company as partner/user of FAI Service;</li> <li>• Personal information, contact information and qualification of the contact person, if different from the owner of the individual enterprise or legal representative of the company.</li> </ul>	<p>Purposes related to the <b>management of the Relationship</b>, meaning the establishment, execution and fulfilment of all contractual obligations, including participation and voting in FAI Service shareholders' meetings, as well as the provision and offer of services deriving from, or however connected to, the Relationship (for example, services concerning tolls and intermodality, fuel management, <i>tax refund</i>, vehicle or personal services or value-added services, etc.), disbursed by the Controller, directly or through subsidiaries and/or affiliated companies of FAI Service and/or third parties connected to it as well as the proposition, by FAI Service, of agency, distribution and insurance contracts and generally of contracts relating to the exercise of the profession of haulier and of service companies in the road transport industry dedicated to the Data Subjects as partners of FAI Service and/or beneficiaries of the services offered by the same.</p> <p>In particular, FAI Service will inform the Data Subjects from time to time of the proposals and offers specifically available to them relating to services/products in the road transport sector with no more than two communications per month.</p>	<p>Execution of a contract (art. 6, par. 1, letter b) of the GDPR).</p>	<p>Necessary for the execution of the Relationship. If Data are not provided or in the event of opposition, the Data Controller will not be able to pursue the relationship.</p>	<p>The Data will be processed and stored for the duration of the Relationship. After that, the data will be stored for a period prescribed by the applicable law and in any case, for no longer than 10 years, without prejudice, in any case, to the further storing of the Data that are necessary for the purpose of exercising or defending a right of the Controller against the Data Subject or the company to which he/she belongs or third parties in any disputes.</p>
	<p>Carry out <b>activities functional</b> to the sale of companies and company branches, acquisitions, mergers, demergers or other transformations, and for the performance of such transactions.</p> <p><b>Assert and defend its rights</b>, also within debt collection procedures, from and against the Data Subject such as the individual enterprise or company to which the Data Subject belongs or third parties in any disputes.</p>	<p>The legitimate interest of the Controller (art. 6, par. 1, letter f) of the GDPR), equitably balanced with the interests of the Data Subjects, to the described company transactions.</p>	<p>Discretionary. The Data Subject may oppose such processing at any time but if the Data Subject opposes, the personal data may not be used for the relevant purposes, except in the case in which FAI Service demonstrates the presence of prevailing binding legitimate reasons or the exercise or defence of a right.</p>	

<p>Data on the license plate of the owner of the individual enterprise and non-invasive categories to which they belong, such as data relating to the consumption/use of FAI Service services and data relating to the nature of the company's activities, including the type of transport carried out, the countries in which transport is carried out most often and the type of customers.</p>	<p>Allow, in the execution of the contract for membership with the partners and the relationship with the users of FAI Service services, the proposal of information communications relating to the contracts referred to in the previous section that are more specifically dedicated to the characteristics of the Data Subject.</p> <p>In the case of data relating to companies, this activity will not involve the processing of personal data.</p>	<p>The legitimate interest of the Controller (art. 6, par. 1, letter f) of the GDPR), equitably balanced with the interests of the Data Subjects, to obtaining better quality service.</p>	<p>Discretionary. The Data Subject may oppose such processing at any time but if the Data Subject opposes, the personal data may not be used for the relevant purposes, except in the case in which FAI Service demonstrates the presence of prevailing binding legitimate reasons.</p>	<p>The Data will be processed and stored for the duration of the Relationship.</p>
<ul style="list-style-type: none"> <li>• Personal information, contact information and information relating to the identification document of the owner of the individual enterprise or of the legal representative of the company that wishes to join as partner/user of FAI Service;</li> <li>• Personal information, contact information and qualification of the contact person, if different from the owner of the individual enterprise or legal representative of the company.</li> </ul>	<p><b>Legal and compliance</b> purposes.</p>	<p>The processing is necessary for compliance with a legal obligation to which the Subject is the Data Controller (art. 6, par. 1, letter c) of the GDPR).</p>	<p>Necessary to fulfil the legal obligations.</p>	<p>The Data will be processed and stored for the duration of the Relationship with the Controller. After that, the data will be stored for a period prescribed by the applicable law and in any case, for no longer than 10 years.</p>
<p>In addition, and without prejudice to the above, the Data Controller undertakes to base the processing of Personal Data on the principles of minimisation, reviewing - periodically - if it is necessary to retain them for a period of time not longer than that required by the purposes for which data have been collected and processed.</p> <p>The Data Subject may withdraw his/her consent at any time, without prejudice to the lawfulness of the processing carried out up to that moment by the Controller pursuant to such legal basis.</p> <p>The Data Controller may retain Personal Data to comply with the law or to exercise or defend any right or claim in legal proceedings, or to respond to requests by the Data Subjects for access and/or to check for compliance with the contractual obligations. When the purposes for which Personal Data were collected and processed have been achieved, the Controller will implement appropriate measures to anonymise them, so that the Data Subject cannot be identified.</p>				

	<p><b>PERSONAL DATA RECIPIENTS/CATEGORIES OF RECIPIENTS</b></p> <p>Data will be processed by employees of the Data Controller duly authorised to process the Data according to the instructions and after taking suitable measures to protect the Data in relation to all the purposes described above. The following entities may become aware of Personal Data in connection with the processing purposes provided for in this privacy policy and may process Personal Data both as independent data controllers and as data processors, duly appointed by the Data Controller:</p> <ul style="list-style-type: none"> <li>– entities that perform activities necessary to achieve the above-mentioned purposes, i.e. companies that provide IT infrastructures and IT support and consulting services, companies that provide data analysis and development services, as well as IT consultants (also natural persons), legal, administrative and tax consultants, banks for the management of payment and collection services deriving from the execution of the contract between the Controller and the Data Subject or the company/body to which the latter belongs, auditing firms;</li> <li>– commercial partners and/or subsidiaries and/or associated companies of the Controller, such as third parties offering services accepted by the Controller;</li> <li>– subsidiaries and/or companies that are affiliates of the Controller and commercial partners of FAI Service and/or of the subsidiaries and/or companies that are affiliates of the latter working in the transport services sector (such as, by way of example, insurance companies, motorway service or fuel providers) which will send the Data Subject promotional communications, where the Data Subject has given his/her consent also to receive promotional material from third parties;</li> <li>– transferees of a company or a company branch, companies resulting from possible mergers, demergers or other transformations of the Controller;</li> <li>– public bodies and/or judicial and/or control authorities whose right to access the Data Subjects' data is provided for by the applicable legislation.</li> </ul>
	<p><b>TRANSFER OF PERSONAL DATA TO A NON-EU COUNTRY</b></p> <p>The personal data will not be transferred to non-EU countries, except as indicated below. In the event that the Data Controller transfers the personal data to third countries situated outside the EEA, it shall do so by:</p> <ul style="list-style-type: none"> <li>– ensuring that the country to which the personal data will be sent guarantees an adequate level of protection, as provided for in Article 45 of the GDPR; or</li> <li>– complying with the standard contractual clauses approved by the European Commission for the transfer of personal information outside the EEA (these clauses are set out in Article 46 (2) of the GDPR) and every other necessary measure pursuant to the applicable regulations.</li> </ul>
	<p><b>DATA PROCESSING METHODS</b></p> <p>Data will be processed in compliance with the principles of fairness, lawfulness and transparency, through manual and automated methods and using paper and electronic means, in any case within the limits of the purposes of data processing set out in this notice and, in any case, always guaranteeing the security and confidentiality of your Data.</p>
	<p><b>RIGHTS OF DATA SUBJECTS</b></p> <p>The Data Subject is entitled to exercise the following rights under the conditions and within the limits set out in Articles 12-22 of the GDPR by sending an email to <a href="mailto:privacy@faiservice.com">privacy@faiservice.com</a></p> <p>(i) obtaining confirmation as to whether or not Personal Data concerning him/her exist; (ii) knowing the origin of the personal data, the purposes and methods of its processing, as well as the logic applied in the processing taken place using electronic instruments; (iii) requesting the updating, correction or - when interested - integration of his/her personal data; (iv) obtaining the deletion of the personal data, their transformation into anonymous form or the blocking of any personal data processed in violation of the law, as well as opposing their processing for legitimate reasons; (v) requesting from FAI Service the limitation of the processing of his/her personal data in the case in which (1) the Data Subjects dispute the exactness of the personal data, for the period necessary for FAI Service to verify the exactness of these personal data; (2) the processing is illegal and the Data Subjects oppose the deletion of the personal data and instead ask that their use is limited; (3) although FAI Service no longer needs them for the purposes of processing, the personal data are necessary to the Data Subjects for the establishment, exercise or defence of a right in court; (4) the Data Subjects are opposed to the processing pursuant to Article 21, paragraph 1 of the GDPR pending the verification concerning any prevalence of the legitimate reasons of the Controller with respect to theirs; (vi) objecting, at any time, to the processing of personal data for purposes based on legitimate interest, without prejudice to the case in which FAI Service has prevailing legitimate reasons or the need to assert or defend a right in any judicial procedure; (vii) requesting the deletion of the personal data concerning him/her without unjustified delay; (viii) obtaining the portability of the personal data concerning him/her; (ix) lodging a complaint to the Personal Data Protection Authority (Garante), if the conditions are met.</p> <p>If the Data Subject considers that the processing of personal data carried out by the Controller infringes the Regulation (EU) 2016/679, he/she has the right to lodge a complaint with a Supervisory Authority, in particular in the Member State of his/her habitual residence, place of work or place of the alleged infringement of the Regulation (in Italy the Garante Privacy <a href="https://www.garanteprivacy.it/">https://www.garanteprivacy.it/</a>), including the possibility of a judicial remedy.</p>
	<p>Date of update: 6 April 2022</p>