

**ANNEX "B"  
APPLICATION FOR MEDIATION**

**Trenitalia S.p.A. – Conciliation  
Office Piazza della Croce Rossa N° 1 - 00161 Rome (Italy)**

First Name ..... Last Name ..... born in.....  
county/province/state..... country .....  
on ..... resident in .....  
(county/province/state) ..... zip/post code .....  
in via/piazza/street address.....

**Would like to be contacted at the following address (if different from my residence):**

via/piazza/ street address ..... town.....  
(county/province/state) ..... zip/post code .....  
tel..... fax..... email .....

The report containing the outcome of mediation will be sent to the address above.

**WHEREAS**

On (date) ..... I submitted a complaint to Trenitalia S.p.A.: I by  
..... (fax, registered letter etc.) I  
regarding a journey on the train ..... on ..... (state train type and number and  
journey date) I regarding the following railway connection .....

Ticket (code PNR): .....

I and concerning the following problem (please describe your complaint briefly, clearly and in legible handwriting):

**Now,**

- having received a reply I deemed unsatisfactory (on date ..... protocol .....
- not having received a reply within the 30-day term.



CONCILIAZIONI

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**I HEREBY REQUEST**

**That the Joint Mediation Commission settle the dispute according to Current Mediation Procedure established by mutual agreement between Trenitalia and Consumer Associations (Memorandum of Understanding 28 September 2016)**

I hereby acknowledge that I am aware of, and accept, the contents of the Mediation Procedure, and that I undertake to not take up any judicial or extrajudicial actions until the Mediation Commission discusses and decides on the matter. I give my Power of Attorney to negotiate the dispute's settlement on my behalf to the Consumers Association: ....., which has representation at national level and which is enrolled in list at the Ministry of Economic Development, through a representative designated by the same. I agree to notify, the Mediations Office of my acceptance or rejection of any mediation proposal identified by the Commission within 15 days of receiving its notification.

I request:

- to not be heard by the Mediation Commission
- to be heard by the Mediation Commission

I herewith attach a copies of the following documentation on the matter of the dispute:

- 1) Ticket
- 2) Copy of complaint
- 3) Copy of reply to claim
- 4) Identification document
- 5) Other (possible) documents:

(specify documents enclosed)



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**Warnings**

I the undersigned declare to be fully informed that:

- At all times I have the right to refuse to participate in mediation or to withdraw from it, and go through the ordinary courts or other mechanisms for out-of-court settlement, subject to submitting a statement to this effect to the Mediation Office;
- If, prior to submitting the application for mediation, I have already taken judicial or extrajudicial steps regarding the same event, I must notify the Mediation Office to such effect;
- The outcome of mediation may be less favorable that which could be achieved through a court procedure;
- I have the choice of whether to accept the Mediation Commission's proposal;
- The mediation report has the effect of a settlement agreement under Article 1965 of the Italian Civil Code;
- The arguments, information and proposals relating to the dispute are submitted freely by me the customer, and Trenitalia, on a confidential basis.

Date .....

Signature .....

## **Conciliation Personal Data Protection Policy**

Articles 13 and 14 of European Regulation No. 679/2016

Before acquiring your personal data for a request for conciliation, Trenitalia S.p.A. kindly asks you to carefully read the policy regarding personal data protection.

### **I. Data Controller and Data Protection Officer**

Below are our main contact persons regarding the processing of personal data:

- **Data Controller:** Trenitalia, represented by the Chief Executive Officer *pro-tempore*, with registered office in Piazza della Croce Rossa 1 – 00161 - Rome, can be contacted at the following email address: [titolaretrattamento@trenitalia.it](mailto:titolaretrattamento@trenitalia.it)
- **Data Protection Officer:** Trenitalia's *Data Protection Officer* (DPO) can be contacted at the following email address: [protezionedati@trenitalia.it](mailto:protezionedati@trenitalia.it).

### **II. Types of personal data**

The personal data being processed fall into the following categories:

- **Generic data:** personal details, tax code, copy of ID, contact details, economic-financial data, bank details, credit card number, credit card transactions.
- **Special categories of data:** choice of Consumers' Association, state of health, minority or protected group membership.

The aforementioned data will be processed using electronic and paper-based formats in order to guarantee suitable measures of security and privacy.

### **III. Purpose of Data Processing**

Your personal data will be processed for the following purposes:

- a) To process the conciliation procedure; Nature of provision of data (*Mandatory*); Legal base (*Contractual*)
- b) To process certain conciliation procedures, the processing of special categories of personal data ("*sensitive data*") may be necessary; Nature of provision of data (*Optional*); Legal basis (*Consent*)
- c) To improve conciliation request management in case of communication difficulties and/or to speed up response times; Nature of provision of data (*Optional*); Legal basis (*Consent*)

Provision of the data necessary to carry out the purposes referred to in point a) is "mandatory" and any refusal could make it impossible for Trenitalia S.p.A. to process the conciliation request. Provision of the data necessary to carry out the purposes referred to in point b) is "optional" and any refusal could make it impossible for Trenitalia S.p.A. to use the special categories of personal data in order to correctly process your conciliation request, which may, in some cases, result in the inadmissibility of the submitted request. Provision of the data necessary to carry out the purposes referred to in point c) is "optional"; therefore, failure to provide the aforementioned data will solely result in making it impossible for Trenitalia to improve its handling and processing of the conciliation request and/or to speed up its response times. Any consent given may be freely withdrawn at any time, without prejudice to the lawfulness of the processing of data carried out prior to withdrawal. Withdrawal of consent can be communicated to the Data Manager at the following email address: [conciliazioni@trenitalia.it](mailto:conciliazioni@trenitalia.it), or by contacting the Data Protection Officer at: [protezionedati@trenitalia.it](mailto:protezionedati@trenitalia.it).

### **IV. Persons authorised to process personal data**

Your personal data will only be made accessible to **persons who have been authorised to process data** within Trenitalia. These individuals will be properly instructed in order to avoid the loss of your personal data, to prevent unauthorised parties from accessing your data or from carrying out unauthorised processing of the data itself. Furthermore, your data may be processed by companies that carry out activities on behalf of Trenitalia acting as **Data Processors**, including **IT services companies and other FS Italiane Group companies**. Lastly, your personal data may be transmitted to other **independent data controllers** in order to process the conciliation request or to comply with legal obligations or regulations (consumers' associations, mediators from those associations, the Joint Conciliation Commission, Ministry of Economic Development, Invitalia).

The updated list of the data recipients is available by contacting the Data Manager at the following email address: [conciliazioni@trenitalia.it](mailto:conciliazioni@trenitalia.it); or by contacting the Data Protection Officer at: [protezionedati@trenitalia.it](mailto:protezionedati@trenitalia.it)

### **V. Retention of personal data**

The personal data that you have provided us with will be stored for:

- Purposes which make the provision of data mandatory (point a): 10 years from the outcome of the conciliation procedure
- Purposes which make the provision of data optional (point b): 10 years from the outcome of the conciliation procedure
- Purposes which make the provision of data optional (point c): 24 months from the acquisition of the data.

Except in the case of extended retention for the following purposes: archiving in the public interest, scientific or historical research, statistical purposes or for technical reasons (e.g. operational continuity).

**VI. Rights of data subjects**

EU Regulation 2016/679 (Articles 15 to 23) grants data subjects the option to exercise specific rights. In particular, in relation to the processing of your personal data, you have the right to ask Trenitalia for access, rectification, deletion, limitation, opposition and portability of your personal data. In addition, you may lodge a complaint with the Supervisory Authority, which, in Italy, is the Data Protection Authority.

You may request to exercise your rights from Trenitalia at any time by contacting the following email address: [conciliazioni@trenitalia.it](mailto:conciliazioni@trenitalia.it) , or by contacting the **Data Protection Officer** at: [protezionedati@trenitalia.it](mailto:protezionedati@trenitalia.it).

**Consent**

Should it be necessary, in order to process the conciliation request, for Trenitalia S.p.A. to acquire special categories of my personal data ("sensitive data"), including but not limited to choice of Consumers' Association choice, state of health, protected or minority group membership, I consent to the processing of my sensitive personal data (referred to above as "special") by Trenitalia S.p.A.

I consent

I do not consent

I consent to the use of my email address and/or telephone number for the purpose of improving the management and processing of my conciliation request in case of communication difficulties and/or to speed up response times.

I consent

I do not consent

Date .....

Signature .....