

ANNEX B
CONCILIATION REQUEST FORM

**To the Trenitalia SpA – Consumer
Associations Joint Conciliation Body Piazza
della Croce Rossa n. 1 – 00161 Rome**

The undersigned Name Surname

Date of birth Place of birth..... Province

Residing in..... Province..... Postal code.....

Address.....

Tax code

Tel./cell..... E-mail

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

C/O:

Street/Square.....

Postal code..... City.....

Province.....

The outcome of the conciliation will be communicated to the address indicated above.

WHEREAS

on (date) the undersigned submitted a complaint/request for refund/compensation (No.) to Trenitalia S.p.A.:

☐ via (webform, registered mail with return receipt)

☐ concerning a journey on train No. on (date)

.....
(please specify train type and number, date of travel)

concerning the following rail connection from to

.....
☐ PNR code/ticket code/ticket number:

regarding the following matter (please briefly describe the subject of the complaint/request for refund/compensation clearly and in legible handwriting):

.....
.....
.....

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-
- ☐ having received a response deemed unsatisfactory (on date ref. No.)
- ☐ not having received a response within the 30-day deadline.

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HEREBY REQUESTS
the Conciliation Commission to resolve the dispute in accordance with the
current Joint Conciliation Procedure established by mutual agreement
between Trenitalia and the Consumer Associations
(Memorandum of Understanding of the Joint Conciliation Procedure).

The undersigned declares to be aware of and accepts the contents of the Joint Conciliation Procedure and undertakes not to initiate or pursue any judicial or extrajudicial actions while awaiting the review of their case by the Conciliation Commission and its subsequent outcome.

The undersigned grants a mandate to negotiate the settlement of the dispute to the Consumer Association, which is representative at a national level and registered on the official list held by the Ministry of Enterprises and Made in Italy, through a representative designated by said association. The list of Associations adhering to Trenitalia's Joint Conciliation Procedure can be consulted on the website www.trenitalia.com.

The undersigned undertakes to notify the Conciliation Office of the acceptance or rejection of any conciliation proposal identified by the Commission within 15 days of its communication.

Requests to be heard by the Conciliation Commission, through the Conciliator of the Association representing them:

☐ **NO**

☐ **YES**

The undersigned attaches hereto a copy of the following documentation regarding the subject matter of the dispute:

- 1) Tax code
- 2) Valid identification document
- 3) Ticket, PNR code, or ticket code/travel document number
- 4) Complaint/request for refund/compensation
- 5) Response to the complaint/request for refund/compensation
- 6) Other documentation (optional):

.....
.....
(please specify attached documents)

Notes:

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Important Notices:

The undersigned declares to be fully informed of the following:

- The applicant has the right, at any time, to refuse to participate in the Joint Conciliation Procedure, to withdraw from it, and to pursue ordinary judicial proceedings or other alternative dispute resolution mechanisms, subject to prior notice to be communicated to the Conciliation Office;
- If, prior to submitting this conciliation application, the applicant has already initiated judicial or extrajudicial actions concerning the same event, they must notify the Conciliation Office;
- The outcome of the conciliation may differ from the outcome that might be obtained through judicial proceedings;
- The applicant has the choice whether or not to accept any conciliation proposal that may be formulated by the Commission;
- The conciliation report shall have the effect of a settlement agreement pursuant to Article 1965 of the Italian Civil Code;
- Upon initiation of the Conciliation Procedure, all after-sales activities (refund requests, compensation claims, or complaints relating to the dispute brought to conciliation) shall be absorbed, and the relevant deadlines shall be considered closed as of the date the conciliation request is received; any rights accrued up to that date and not yet settled will be examined during the determination of the conciliation solution;
- All arguments, information, and proposals concerning the dispute are freely submitted by both the customer and Trenitalia on a confidential basis.

Place

Date

Signature

CONCILIATION PROCESS MANAGEMENT

Personal Data Protection Policy

(Pursuant to Articles 13 and 14 of European Regulation No. 679/2016)

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



I. Data Controller and DPO

In this section, we indicate our contact persons

- The Data Controller is Trenitalia S.p.A., with registered office in Piazza della Croce Rossa 1, Rome, Italy, represented by the pro-tempore Chief Executive Officer, and can be contacted at: titolaretrattamento@trenitalia.it.
- The Data Protection Officer can be contacted at the following email address: protezionedati@trenitalia.it.



II. Types of personal data

In this section, we indicate the types of data we have collected

The personal data being processed fall into the following categories:

Mandatory customary data: personal details, residential address, tax code, copy of identity document, contact details (email), economic and financial data, bank details, credit card number, credit card transactions, details present in the complaint attached to the conciliation request, journey details and data pertaining to regional train tickets: ticket number/Ticket ID; for tickets relating to other trains: PNR, train number.

Optional customary data: contact details (telephone and/or fax number) and home address.

Special categories of data: Based on the specific characteristics of the request for conciliation that has been submitted, Trenitalia may become aware of personal data that falls under the "special" category (e.g. choice of Consumer Association, state of health, belonging to protected categories). Due to the fact that such data has been manifestly and freely made available to Trenitalia, the claimant or user is not required to give explicit consent for the handling and processing of the complaint in question. Trenitalia would like to assure the claimant or user that such data will be processed exclusively for purposes strictly related and instrumental to the handling and processing of the complaint itself; in the absence of such personal data, Trenitalia will be unable to process your request, either in whole or in part.

In the event of proxy representation: Principal's details: personal data, residential address, tax code, copy of the identity document. **Proxy's details:** personal data, residential address, tax code, identity document details.

For conciliation requests sent via web form – Data collected automatically while browsing the website: to ensure the correct functioning of the website, computer systems are used that automatically collect certain information, which is directly connected to the use of computer protocols, to maintain the proper operation of the system. This information may include, for example: IP address, type of browser used, ISP, operating system, domain name and addresses of websites from which you accessed or exited (referring/exit pages) the site, information on pages visited within the website, access times, time spent on a single webpage, internal path analysis, etc.

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

In this section, we indicate why we have collected your data

Personal data will be processed for the following purposes:

a. Management of the Conciliation case/procedure; Nature of provision: (Mandatory); Legal basis: (Contractual and, strictly regarding the processing of data related to the collection of a copy of the identity document: Legal obligation); To improve conciliation request management in the case of communication difficulties and/or to speed up response times; Nature of data provision (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.



IV. Data recipients

In this section, we indicate who will process your data and to whom your data will be communicated

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 the personal data and to prevent unauthorised parties from accessing the 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, Ministries, Invitalia).

The up-to-date list of data recipients is available by contacting the Data Protection Officer at the following email address: protezionedati@trenitalia.it.



V. Dissemination of data

In this section, we guarantee that your data will not be disseminated

Your personal data will never be published, displayed or made available for consultation to unspecified parties.



VI. Data retention

In this section, we indicate the length of time your data will be stored

Personal data shall be stored for 10 years from the date the conciliation procedure was completed.



VII. Rights of the data subjects

In this section, we indicate the rights we guarantee

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 request from Trenitalia S.p.A. the following:

- Access: you may request confirmation as to whether or not data concerning you is being processed, as well as further clarifications regarding the information referred to in this policy;
- Rectification: you may request rectifications or additions to the data which you have provided to us, if they are inaccurate or incomplete;
- Erasure: you may request that your data be erased if they are no longer necessary for our purposes; if you withdraw your consent or you object to their processing; in the event of unlawful processing; or should a legal obligation to erase them arise;
- Limitation: you may request that your data be processed only for the purposes of data retention, with the exclusion of other processing, for the period necessary to rectify your data, in the event of unlawful processing for which you oppose deletion, if you are required to exercise your rights in court and the data stored by us may be useful to you and, finally, in the event of opposition to data processing and pending the verification of the prevalence of our legitimate reasons over yours.
- Objection: you may object at any time to the processing of your data, unless there are legitimate reasons for us to proceed with processing which prevail over yours, for example to conduct our operations or mount a defence in court.
- Portability: you may request to receive your data, or have them transferred to another data controller as stipulated by you, in a structured, commonly used and machine-readable format.

Furthermore, we would like to inform you that if you believe that your rights have been violated, you have the right to lodge a complaint with the Supervisory Authority, which in Italy is the Personal Data Protection Authority.

You may ask to exercise your rights in relation to Trenitalia S.p.A. at any time by contacting the Data Protection Officer at the email address protezionedati@trenitalia.it.

Date _____ Signature _____