

## **Information notice on data processing activities related to the Shareholders' Meeting of TERNA S.p.A.**

### **INTRODUCTION**

The present information notice is provided by TERNA S.p.A. acting as data controller ("**Controller**" or "**Data Controller**"), in accordance with articles 13 and 14 of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data ("**GDPR**").

### **CONTACT DETAILS**

The Controller has its registered office in 70 Viale Egidio Galbani, Rome 00156, Italy.

The Controller has designated its representative on data protection matters ("**Delegato Privacy**"), who may be contacted at the e-mail address [privacy@terna.it](mailto:privacy@terna.it) by the data subject to exercise his or her rights and/or to submit further requests relating to the processing of his or her personal data.

The Data Protection Officer ("**DPO**") may be contacted at the e-mail address [dpo@terna.it](mailto:dpo@terna.it).

### **DATA SUBJECT TO PROCESSING AND SOURCE FROM WHICH THEY ORIGINATE**

The processed data belong to the category of common data and may include, for example, identifying data, personal details, contact details, audio and video recordings, information on the shares held, any restrictions on them and, in general, information on your participation in the Meeting.

The above-mentioned personal data are collected from you or from third parties, such as your representatives and financial intermediaries.

### **PURPOSE AND LEGAL BASIS OF THE DATA PROCESSING AND PROVISION OF PERSONAL DATA**

The Data Controller will process the personal data provided by you for the following purposes:

(a) the performance of mandatory fulfilments in relation to the process of managing and organizing your participation in the Meeting and for all further related meeting activities such as, for example, voting and interventions by delegated) ("Purpose of managing and organizing your participation in the Meeting").

The provision of your personal data to the Data Controller for the above-mentioned Purpose of managing and organizing your participation in the Meeting is optional; the lack of or partial provision of your personal data may make it impossible for the Data Controller to comply with the obligations prescribed by the regulations in force and to participate in the Shareholders' Meeting, also through a delegated.

The legal basis of the processing is represented by the fulfilment of the regulatory obligations on the subject by the Data Controller, pursuant to art. 6, par. 1, letter c) of the GDPR, in order to ensure the exercise by you - also by means of delegated or sub-delegated subjects - of the rights recognized by the applicable legislation in relation to the conduct of the Meeting.

Once provided, your personal data may also be processed for the following purposes:

b) to communicate your data to the other companies of the Terna Group, which act as autonomous data controllers, in order to meet internal administrative, financial and accounting requirements ("Purpose of intragroup circulation for internal administrative, financial and accounting purposes");

c) in order to exercise and establish a right and to satisfy any defensive needs in court and in the phases preceding litigation ("Defensive Purpose")

d) to fulfil any further regulatory obligation imposed on the Data Controller ("Compliance Purpose").

The legal basis of the processing for the Purpose of intra-group circulation for internal administrative, financial and accounting purposes is in the legitimate interest of the Controller pursuant to Article 6(1)(f) of the GDPR, consisting of internal administrative, financial and accounting needs, taking into account the provisions of recital 48 of the GDPR.

The legal basis of the processing for the Defensive Purpose consists of the legitimate interest of the Data Controller pursuant to Article 6(1)(f) of the GDPR, consisting in the need to satisfy defensive needs in court as well as out-of-court and in the phases preceding litigation.

The legal basis of the processing for the Purpose of compliance consists in art. 6, par. 1, lett. c) of the GDPR.

## **MEANS OF THE DATA PROCESSING**

Your personal data, including those related to audio and video recordings of the Shareholders' Meeting as well as to the real-time transcription by means of computerized stenotype, shall be collected and processed both on paper and electronic format – making use of automated means – and will be stored in a way as to enable identification of the data subject.

Data processing shall be carried out exclusively by authorized personnel which is subject to proper operational instructions by the Controller, notwithstanding implementation of technical and organizational security measures ensuring appropriate protection against unauthorized or unlawful processing activities as well as against loss, destruction or accidental damages thereof.

## **DATA RETENTION**

In accordance with data minimization and storage limitation principles (art. 5, par. 1, lett. c) and e) GDPR), your personal data shall be stored for no longer than is necessary for the purpose referred to above.

After the period necessary to pursue such purpose has elapsed, personal data shall be permanently erased or rendered anonymous.

The Data Controller reserves the right, in any case, to retain your personal data also to meet any defensive needs and to comply with any regulatory obligation imposed on the Data Controller itself.

## **COMMUNICATION OF PERSONAL DATA**

Your personal data may be communicated or made accessible for the purpose referred to above to:

- employees and collaborators of the Controller acting under its authority before, during and after the holding of the Shareholders' Meeting, in accordance with the provisions of Articles. 29, 32, par. 4 of the GDPR and 2-quaterdecies of Legislative Decree no. 196/2003 ("Codice Privacy");;
- other entities of the Terna Group in order to carry out administrative and accounting activities related to the contractual relationship to which you are party;
- third-party companies or other persons that carry out activities on behalf of the Controller which operate, for instance, in the fields of: computer or electronic systems, assistance, consultancy, quality, printing and enveloping, financial and insurance services, debt collection, auditing and certification, massive processing of documents and, in any case, contractually committed to guaranteeing the same level of confidentiality and protection of personal data processed imposed on the Controller;
- bodies, institutions and authorities (e.g. Courts, Stock Exchange, Consob, etc.), where required by the applicable legislation.

## **RIGHTS OF THE DATA SUBJECT**

With reference to processing activities concerning your personal data, you can exercise the rights foreseen by articles 15 et seq. of the GDPR by means of a written request addressed to the Controller (see above under "CONTACTS"), most notably:

- **Right of access** – the right to obtain from the Controller confirmation as to whether or not personal data concerning him or her are being processed and, whereas that is the

case, access to the personal data and the other information (e.g. the purposes of the processing, the recipients or categories of recipient to whom the personal will be disclosed etc.) foreseen by article 15 of GDPR;

- **Right to rectification** – the right to obtain from the Controller without undue delay the rectification of inaccurate personal data concerning him or her and, taking into account the purposes of the processing, to have incomplete personal data completed, including by means of providing a supplementary statement;
- **Right to erasure** – the right to obtain from the Controller the erasure of personal data concerning him or her without undue delay where one of the grounds foreseen by article 17, par. 1 of GDPR applies (e.g. unlawful processing, personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed) unless processing is necessary pursuant to par. 3 of the same article (e.g. for compliance with a legal obligation which requires processing by Union or Member State law to which the Controller is subject);
- **Right to restriction** – the right to obtain from the Controller restriction of processing where one of the conditions foreseen by article 18 par. 1 of GDPR applies (e.g. processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead): where processing has been restricted such personal data shall - with the exception of storage - only be processed with the data subject's consent or for the establishment, exercise or defense of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member States;
- **Right to data portability** – where the processing is carried out by automated means, the right to receive the personal data concerning him or her, which he or she has provided to the Controller, in a structured, commonly used and machine-readable format and to transmission of those data to another data controller without hindrance from the Controller, without prejudice to the right to erasure (see above) and to the extent that right to data portability shall not adversely affect the rights and freedoms of others;
- **Right to object** - You have the right to formulate a request to object to the processing of your personal data in which you give evidence of the reasons justifying the objections; the Data Controller reserves the right to evaluate this request, which may not be accepted if there are compelling legitimate grounds for the processing that override your interests, rights and freedoms.

Eventually, you have the **right to lodge a complaint with the Italian Data Protection Authority (*Garante per la protezione dei dati personali*)** – based in 11 Piazza Venezia, Rome 00127, Italy; Phone: (+39) 06.696771, Certified e-mail: [protocollo@pec.gpdp.it](mailto:protocollo@pec.gpdp.it) – pursuant to article 77 of GDPR, as per instructions described on the website [www.garanteprivacy.it](http://www.garanteprivacy.it).