

CONFIDENTIALITY AND NON-DISCLOSURE PROTOCOL

between **AZIENDA TRASPORTI MILANESI S.P.A.**, VAT No. 12883390150, with registered address in Milan, Foro Buonaparte, no. 61 – 20121 (hereinafter referred to as "**ATM**") and

PERSON'S DATA

Name assigned at the civil registry and surname: _____

Tax Code: _____

Place of birth: _____ () Date of birth: ____/____/____

Resident at: _____ () Postal Code: _____

Address: _____ n. _____

(hereinafter referred to as "**APPLICANT**").

WHEREAS

- a) **ATM manages the essential public transport service** in the Municipality of Milan and in other municipalities of the Metropolitan City, playing a central role in the integrated and sustainable mobility of the territory, for millions of people every day.
- b) To promote the creation of an increasingly inclusive environment, inspired by the principle of equal dignity of people, and to prevent potential situations of discrimination, discomfort, or forced coming out, ATM has adopted a protocol that provides the possibility **for people who self-certify as non-binary or transgender** to request and obtain a named card for STIBM subscriptions (hereinafter "**Card**") that shows, instead of the name recorded in the Civil Registry, a name more suitable for affirming their gender identity (hereinafter "**Chosen Name**").
- c) By this confidentiality and non-disclosure protocol (hereinafter "**Protocol**"), **the Applicant acknowledges and agrees to comply with the terms and conditions governing and regulating the request** for the issuance and activation of the Card with the Chosen Name.

NOW, THEREFORE, THE APPLICANT ACKNOWLEDGES AND AGREES

1. DEFINITION

The **Chosen Name** protocol allows people with an ATM subscription to have their Chosen Name recognized on the **Card** (issued in physical form), instead of the one recorded in the Civil Registry and more suitable for affirming their gender identity, to prevent and avoid situations of potential discrimination and discomfort (for example, forced coming outs).

2. PURPOSE OF THE PROTOCOL

This Protocol governs and regulates the process of activation and management of the **Chosen Name** for people who request it and the issuance of the **Card**, specifying the scope of effectiveness of the Chosen Name shown on the Card.

The Applicant hereby specifies the Chosen Name to be displayed on the Card below:

3. WHO CAN REQUEST THE CHOSEN NAME ON THE TRAVEL CARD

The request for activation of the Chosen Name, with the consequent issuance of the Card, can be submitted:

- **directly by the person**, if of legal age
- **by at least one parent or a legal guardian**, if the person is under 18 years old

4. CONTACT PERSONS

Information and documentation to apply for a Card with the Chosen Name can be found online on atm.it. **The request** should be sent by email, attaching the necessary documentation. **Those who already have a Card and need to change it**, can choose to receive it at home by mail or pick it up at the ATM Point in Duomo station. **Those who do not have a Card and apply for it for the first time**, must collect it at the ATM Point in Duomo station.

5. HOW TO REQUEST THE CHOSEN NAME

- The person reads the necessary information and documents** (.pdf format) to request the Chosen Name on atm.it.
- The Applicant downloads, fills out, and signs the following documents:**
 - self-certification¹. In the document, the Applicant **declares that they identify as non-binary or transgender**, regardless of any transition process that they have already undergone or wish to undertake
 - this Protocol
 - the privacy policy
- Requests must be sent to the email address nomedelezione@atm.it. The email must include the following attachments:**
 - the documents requested under item b);
 - a scan of a valid identification document;
 - a .jpeg passport photo (the photo is mandatory for new subscribers, not for those who already have a Card). No other documents or certificates are required.

¹ Articles 46 and 47 Italian Presidential Decree no. 445 of December 28, 2000.

6. PRINTING AND COLLECTION OF THE NEW CARD WITH THE CHOSEN NAME

After receiving the request, ATM:

- **will check** the compliance of all the documents;
- **will issue** a new Card with the name indicated in Article 2 of this Protocol and any new photo;
- **will contact** the Applicant to arrange the delivery of the new Card.

If the person requesting the Chosen Name **is already a subscriber**, the new Card replaces the old one. **The replacement is free of charge** (even if the old Card has expired). Any subscriptions loaded on the old Card will be transferred to the new one. The old Card will be **permanently dismissed**. The Applicant may choose to receive the new Card by mail (without shipping costs) or can collect it at the ATM Point in Duomo station.

New subscribers must collect the Card at the ATM Point in Duomo station. As with anyone applying for a subscription for the first time, the Applicant will be required to complete and sign the form for the activation of a new Card. The request **costs 10.00 euros**.

At present, the Chosen Names **are available on physical Cards only, not on full digital passes**. If a physical Card with the Chosen Name is converted into a digital Card, **the digital Card will display the name registered in the Civil Register, no longer the Chosen Name**.

7. SCOPE OF VALIDITY OF THE CHOSEN NAME AND USE OF THE CARD

Upon request by ATM staff carrying out the checks, **the person holding the Card is required to show the Card with the Chosen Name. Only in cases where the subscription or Card is invalid, the staff is required to request ID and the person must show it.**

ATM is committed to training the staff in charge of the management of the Chosen Name and the staff in charge of controls. ATM also undertakes to inform other public transport operators operating in areas where the same subscriptions are valid about the introduction of the Chosen Name.

The Applicant declares to be aware that the Chosen Name is recognized solely and exclusively for the purposes of this Protocol. The Applicant declares that they are also aware that their personal area on atm.it, their account on the ATM app, and any formal acts, certifications, and documentation with tax, fiscal, or legal value (for example: receipts, tax documentation, fines, violation reports), **will continue to display only the Applicant's personal data as they result in the Civil Registration**, without any reference to the Chosen Name.

Like all Cards, the Card with the Chosen Name is strictly personal and non-transferable.

Any passes loaded on the Card can only be used by the cardholder.

The Chosen Name and the new Card are temporary and transitory. As with all Cards, they are valid exclusively for traveling on local public transportation according to the limits and duration specified by the subscription.

8. VALIDITY OF THE CARD

Like all Cards, the Card with the Chosen Name **is valid for 4 (four) years** from the date of issuance. The Applicant **will promptly notify ATM** of any situation that may affect the validity of the Card.

9. WAIVER OF THE CHOSEN NAME

The Applicant may waive the Card with the Chosen Name at any time, **without providing a reason**. At the same time, the Applicant may request a new Card with the name assigned at birth. The request must be sent to **nomedelezione@atm.it**. The request must include the following attachments:

- a scan of a valid identification document;
- photo of the Card with the Chosen Name.

Once the completeness of the documents has been verified, ATM will contact the Applicant to arrange the collection of a new Card at the ATM Point in Duomo station (if the Applicant still possesses the previous old Card with the legally registered name, ATM will reactivate it). ATM will deactivate the Card with the Chosen Name and will retain the official personal data as recorded in the identification documents. The issuance of a new Card is free of charge.

10. COURT RULING ON THE RECTIFICATION OF LEGALLY REGISTERED GENDER

The Applicant agrees to promptly notify ATM of any final court ruling on the rectification of the legally registered gender issued by the competent Court, **to allow ATM to update the official personal data**.

In the event of such a ruling, subscribers with the Chosen Name must send via email to **nomedelezione@atm.it** the following documents:

- the declaration of the final court ruling²
- a scan of a valid identification document;
- a scan of the Card with the Chosen Name.

If the new legally registered name established by the ruling is different from the Chosen Name, ATM will issue a new Card. Otherwise, the Card with the Chosen Name will remain the same and valid.

² Articles 46 and 47 Italian Presidential Decree No. 445 of December 28, 2000.

11. PROCESSING OF PERSONAL DATA

ATM commits,³ to processing the personal data provided in this Protocol exclusively for the only purposes related to the procedures specified herein, ensuring the maximum confidentiality. **The Applicant signing this Protocol declares:**

- **to have read and understood** the content of the privacy notice⁴
- **gives consent** to the processing of the personal data requested.

THE PRIVACY NOTICE is an integral and substantial part of this Protocol.

12. EFFECTIVENESS OF THE PROTOCOL

This Protocol is effective from the moment of its signing:

- until the expiration of the Card; or
- until the communication, by the Applicant, of the final court ruling on the rectification of the legally registered gender issued by the competent court (even if the Card has not yet expired); or
- until the Applicant communicates the will to revoke the activation of the Chosen Name in accordance with Article 9.

13. FINAL PROVISIONS

This Protocol is governed, in all respects, by Italian law. Any disputes arising from this Protocol will be subjected to the exclusive jurisdiction of the Court of Milan.

Read, approved, and signed.

Milan, the day _____

THE APPLICANT

Pursuant to Articles 1341 and 1342 of the Italian Civil Code, the Applicant declares to have understood and expressly accepts **Article 13 (FINAL PROVISIONS)** of this Protocol.

THE APPLICANT

³ Pursuant to and for the purposes of EU Regulation no. 679/2016 (hereinafter, "GDPR") and Italian Legislative Decree 196 of June 30, 2003 "Personal Data Protection Code" as amended and supplemented.

⁴ Drafted pursuant to Articles 13 and 14 of the GDPR.