

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

PARENT'S OR LEGAL GUARDIAN'S DATA

Name: _____

Surname: _____ Tax Code: _____

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

City: _____ (_____) Postal Code: _____

Address: _____ n. _____

received all necessary authorizations, including those from the other parent or legal guardian

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

UNDER-18 PERSON'S DATA

Name assigned to the civil registry office: _____

Surname: _____ Tax Code: _____

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

City: _____ (_____) Postal Code: _____

Address: _____ n. _____

WHEREAS

- a) **ATM manages** the public transport service in the Municipality of Milan and in other municipalities of the Metropolitan City, playing an essential role in the integrated and sustainable mobility for millions of people every day
- b) To promote the creation of an increasingly inclusive environment, inspired by the principle of the equal dignity of people, and to prevent potential situations of discrimination or forced coming out, ATM has introduced the possibility, **for people who self-certify as non-binary or transgender**, to request and obtain a travel card for STIBM subscriptions (hereinafter "**Card**") bearing, in place of the name recorded in the Civil

Official Registry, the name they have chosen for affirming one's 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 a Card with the Chosen Name.

NOW, THEREFORE, THE APPLICANT ACKNOWLEDGES AND AGREES

1. DEFINITION

The Chosen Name protocol allows people with an ATM travel card to have their Chosen Name recognized on a plastic **Travel Card** (issued in physical form), instead of the one resulting from the Civil Official Registry and more suitable for affirming their gender identity, in order to prevent and avoid situations of potential discrimination (for example, forced coming outs).

2. PURPOSE OF THE PROTOCOL

This Protocol governs and regulates the process of activation and administration of the **Chosen Name** for people who make such a request, as well as 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 age 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 of Duomo station.

5. HOW TO REQUEST THE CHOSEN NAME

- The person reads the necessary information and documents** (.pdf format) to request Chosen Name on atm.it
- The Applicant downloads, fills out and signs the following documents:**

- self-certification¹. In the document, the Applicant **declares that the under-18 person identifies as non-binary or transgender**, regardless of any transition process that it has already undergone or wish to undertake.
 - this Protocol
 - the privacy policy.
- c) **Requests must be sent to the email address nomedelezione@atm.it.**
- The mail must include the following attachments:
- the documents requested under item b);
 - a scan of a valid identification document of the under-18 person;
 - a scan of a valid identification document of the Applicant signing all the documentation
 - a .jpeg passport photo of the under-18 person (the photo is mandatory for new subscribers). No other documents are required.

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 Procol 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 up 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 compete 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 train the staff in charge for the management of the Chosen Name and the staff in charge for controls. ATM also undertakes to inform about the introduction of the Chosen Name other public transport operators operating in areas where the same subscriptions are valid.

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

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 he/she is also aware that the personal area on atm.it, the 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 under-18 person'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 travelling on local public transportation according within 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 under-18 person's name of birth. **The request must be sent to nomedelezione@atm.it. The request must include the following attachments:**

- the scan of a valid identification document
- the 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 at Duomo station (if the person 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 under-18 person's 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
- the scan of a valid identification document
- the scan of the Card with the Chosen Name

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

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.

11. PROCESSING OF PERSONAL DATA

ATM commits³ 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.

Privacy Terms and Conditions **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 under-18 person's 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.