

Privacy Policy

Purpose

As privacy is a fundamental right of citizens, enshrined in national and European legislation, Ascendi is committed to its protection in all aspects of its relationships with customers, users, suppliers, partners, employees and any other data subjects, under the terms defined in its Personal Data Protection Policy and in strict compliance with the provisions in the national legislation on data protection and in Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 (hereinafter “GDPR”).

The purpose of the Privacy Policy is to disclose Ascendi’s commitment to ensure the protection of the collected personal data, under the most appropriate conditions of confidentiality, availability and integrity, pursuant to the applicable legal standards and ensuring the trust of the data subjects.

In particular, this Privacy Policy regulates the collection and processing of personal data and the exercise of the rights concerning that data, ensuring the principles of transparency and information among data subjects and public opinion.

Background

At the Ascendi Group, the main Controllers are Ascendi O&M, S.A., with respect to the processing related to the toll collection activity, and Ascendi IGI, Inovação e Gestão de Infra-Estruturas, S.A., with respect to the processing related to road infrastructure operation and maintenance (hereinafter referred to as “Ascendi”).

The subcontracting of data processing or the transfer of personal data between Group companies falls under an intergroup agreement on personal data processing.

Ascendi domain platforms may contain links to websites and services of other entities with their own privacy policies. If these links are used, the specific privacy policy of that entity shall be applicable to user, as Ascendi is not responsible for the data processing carried out by third parties that are not controlled by Ascendi.

Definitions

For the purposes of this Policy, the terms “Personal Data”, “Processing”, “Controller” and “Processor” have the meanings given in Article 4 of the GDPR, as follows:

- **Personal data:** any information relating to an identified or identifiable natural person; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identification number or to one or more factors specific to the physical, physiological, mental, economic, cultural or social identity of that natural person.
- **Processing:** an operation or set of operations carried out on personal data or on sets of personal data, by automated or non-automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, comparison or interconnection, restriction, erasure or destruction.

- **Controller:** the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data.

- **Processor:** a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

Guidelines

1. Collection and processing of data
2. Data Transfer
3. Storage and Retention
4. Right of Data Subjects
5. Data Security
6. Changes to the Privacy Policy

1. Collection and processing of data

Ascendi collects and processes personal data exclusively for lawful purposes, in particular:

- Collection of outstanding toll charges and provision of related services, on the legal grounds of the toll collection legislation in force, namely Law 25/2006 of 30 June.

- Operation and maintenance of the roads under its management, on the legal grounds of compliance with the obligations arising from Concession, Sub-concession or Service Provision Contracts.

- Manage internal and external whistleblowing channels, analysing the communications submitted to them, in accordance with the principles of action and values established internally, especially transparency, integrity and compliance, and based on the whistleblower's consent and the applicable legislation and regulations, namely the general regime for the protection of whistleblowers established in Law 93/2021 of 20 December.

- other commercial activities, including electronic communications, provided that the respective data subject's explicit consent has been given, pursuant to Article 6(1)(a) of the GDPR.

The personal data collected depends on the context of the interactions between the data subject and Ascendi, and may include the following, among others:

Identification: name, taxpayer identification number (NIF); nationality, citizen card; driving license;

Contacts: address / postal code / town or city / country; e-mail address; fixed and/or mobile phone number;

Location data: vehicle passages at charging points;

Video: Ascendi facilities or travelling through motorway networks;

Voice: recording of calls;

Vehicle data: license plate number / vehicle identifier / registration certificate or equivalent;

Billing data: Notification / Billing document / Invoice / Receipt;

Data on outstanding payments: toll charges, administrative costs and fines;

Registration and browsing data: username / e-mail; password; access and interaction logs through websites, portals and mobile applications;

Bank data: IBAN;

Applications: CV, curricular information, professional experience, training and other.

Whistleblowing complaints: content of the complaint; relationship with Ascendi; supporting information. Optional: name; e-mail.

Ascendi assumes that the collected data was provided by the respective data subject or that its provision was authorised by the data subject, and that they are true, updated and accurate, without prejudice to the data subject's possibility of exercising the right to rectification.

2. Data transfer

Ascendi may transmit personal data to third parties provided that the data subject's prior consent has been obtained to this end, or else when, pursuant to the law:

- The transmission is carried out in the context of compliance with a legal obligation, resolution or authorisation of the competent data protection supervisory authority (CNPD - Comissão Nacional de Proteção de Dados) or court order;
- The disclosure is carried out to protect the vital interests of users or any other legitimate purpose established in the law;
- Ascendi subcontracts other entities for the provision of services in order to enable the operationalisation of internal processes and obligations, namely contractual, tax-related or legal;
- The personal data processing corresponds to a legitimate interest of Ascendi or third parties, unless the interests or fundamental rights and freedoms of the data subject prevail.

When there are legal grounds for transmission of the data subject's personal data to third parties, Ascendi guarantees that these entities' access to the collected information shall be limited to that required to pursue the legitimate specific purpose.

The transmission of personal data, as described in this Privacy Policy, does not include the international transfer of personal data to countries outside the European Economic Area.

The personal data collected under the toll collection services may be transferred for processing for the same purposes, to concessionaires, sub-concessionaires or any road infrastructure operator for which Ascendi provides toll collection services.

Concerning the interconnection of toll collection portals, aimed at enabling the consultation, on a single platform, in a transversal and voluntary manner, of all outstanding toll charges and their payment, relative to the different portals, Ascendi O&M S.A., Portvias – Portagem de Vias, S.A., ViaLivre, S.A. And Via Verde Portugal – Gestão de Sistemas Eletrónicos de Cobrança, S.A. act as joint controllers, specifically, pursuant to Article 26(1) of the General Data Protection Regulation (GDPR).

For all due purposes, the joint controllers have signed a joint liability agreement pursuant to

Article 26(1) of the GDPR, establishing their responsibilities, the essence of which, in accordance with Article 26(2), can be consulted [here](#).

3. Storage and retention

If there is no legal term of retention, the data is stored and kept only for the minimum period required for the purposes for which they were collected and subsequently processed, after which they shall be treated appropriately, being destroyed or anonymised, except in the case of compliance with a legal obligation or court order.

Ascendi stores personal data in systems that are in a secure environment, protected from unauthorised access or misuse.

Ascendi is responsible for the systems that process personal data and their repositories, which are located in European Union countries.

4. Rights of data subjects

Ascendi ensures that data subjects may exercise their rights pursuant to the GDPR, in particular the right of access, the right to rectification, the right to erasure, the right to object, the right to restriction of processing, the right to data portability, the right not to be subject to automated decisions, and the right of representation.

In order to exercise these rights, the data subject may choose one of the following channels provided by Ascendi for the purpose:

- Ascendi website, by submission of the form available at <https://portal.ascendi.pt/en/apoio-a-clientes>, option "Processing of Personal Data -> Exercise my Rights";
- E-mail to the address RGPD@ascendi.pt;
- Letter addressed to the Data Protection Officer - C/O Ascendi's Data Protection Officer, Edifício Litografia Lusitânia, Praça Mouzinho de Albuquerque, 197, 4100-360 Porto, Portugal;
- In person by completing the form in paper format available during business hours at the Ascendi customer service office located at Rua de Agramonte 130, Porto, Portugal.

Data subjects may contact the Data Protection Officer, without prejudice to also being able to exercise their right to submit a complaint with the competent data protection supervisory authority, using the contacts provided for the effect by that entity.

5. Data Security

Ascendi does its utmost to protect the personal data it collects or processes against unauthorised access, loss or misuse. To this end, Ascendi implements suitable logical, physical and organisational measures, which are deemed necessary and sufficient to protect personal data against destruction, loss, alteration, dissemination, unauthorised access or any other form of accidental or unlawful treatment. The measures taken by Ascendi include the implementation of appropriate access controls and the encryption, pseudonymisation and anonymisation of personal data, whenever possible.

Access to personal data is only allowed under the terms described below, exclusively on a need-to-know basis, and, when processed by third parties, preceded by subjection to strict contractual confidentiality obligations.

When the access is established via electronic means, the user is responsible for ensuring that

the terminal being used (computer smartphone, etc.) is adequately protected against harmful software, computer viruses and worms. Furthermore, the user is responsible for taking adequate computer security measures (e.g., secure browser configuration, use of up-to-date antivirus software, security barrier software and non-use of software of doubtful origin), without which the risk of personal data and passwords being accessed by unauthorised third parties is enhanced.

6. Changes to the Privacy Policy

Ascendi reserves the right to modify the Privacy Policy as a result of new legislative and/or regulatory requirements, for security reasons or for the purpose of adapting this Policy to the instructions of the data protection supervisory authorities.

Any change shall be disclosed immediately via the appropriate channels and referenced through the version number and date of update.

If the change to the Privacy Policy directly affects the consent given by the data subjects, Ascendi shall request a new consent for the processing of the personal data in accordance with the new Privacy Policy.

Last Updated: 15 September 2023