

REGULATIONS OF THE CONCILIATION ORGANIZATION

“Consumers' Associations and
Fastweb S.p.A.”

Art. 1 DEFINITIONS

For the purpose of these Regulations, the following definitions apply:

1. Consumer/User: Physical or legal person who has executed with Fastweb a standard-form agreement for the provision of electronic communication services, and has filed a complaint according to the methods described below.
2. Conciliation Commission or Commission: The organization comprising two Conciliators, appointed according to the methods and terms set forth in these Regulations, responsible for carrying out the activities set forth in articles 2, 3, 4 and 5.
3. Conciliation Request or Request: The form that is used for filing a complaint (see following section) submitted and signed by the Consumer/User through the Consumers' Associations to which said Consumer/User has granted a mandate, or independently (in this case, assistance will be provided by one of the associations, parties to the Memorandum of Understanding, selected on a rotation basis) according to the terms and methods under article 4.
4. Complaint: The claim filed with customer service by phone (+192.193), fax (+02 45401177), by registered mail with return receipt (to the address: C.P. 126 20092 Cinisello Balsamo MI) or through the web site My Fast Page, “Assistenza” [Support] section.
5. Joint ADR Conciliation Procedure or Conciliation Procedure: A procedure for out-of-court resolution of disputes arising between the user and applicable exclusively to the Fastweb services.
6. Memorandum of Understanding: The Agreement executed by Fastweb and the signatory Consumers' Associations concerning the amicable resolution of disputes arising with the customers and to be considered as an integral part of these Regulations.
7. Regulations: This document, signed by Fastweb and the Consumers' Associations, parties to the Memorandum of Understanding.
8. Conciliation Administrative Office: The office, as referred to in article 3, where the Conciliation Commission is established.
9. Joint Regulatory Council: Established pursuant to article 141-ter of the Consumer Code, comprised of an equal number of representatives appointed by the companies of the sector and representing the Consumers' Associations, responsible for the activities pursuant to Resolution of 11/17/CONS.

GENERAL PROVISIONS

1. Fastweb S.p.A. (hereinafter also “Fastweb”) and the Consumers' Associations (hereinafter “Associations”), signatories of these Regulations, agree in defining the Conciliation Procedure for out-of-court resolutions of disputes arising with customers who have entered into a standard-form agreement, as identified in Resolution 173/07/CONS by the Autorità per le Garanzie nelle Comunicazioni [hereinafter Communication Regulatory Authority or Agcom] and Legislative Decree no. 206 of 6 September 2005 (Consumer Code) which transposes Directive 2013/11/EU concerning the alternative resolution of disputes with consumers
2. These Regulations are also drawn up following the indications stated in the Recommendations from the European Commission, dated 30 March 1998 and 4 April 2001, which set out the principles applicable to the bodies responsible for the out-of-court resolution of disputes with consumers, such as:
 - a. independence
 - b. transparency
 - c. cross-examination
 - d. efficacy
 - e. legality
 - f. freedom
 - g. representation
 - h. impartiality
 - i. equity
3. The Conciliation Proceedings, as governed by these Regulations and according to the principles set forth in Legislative Decree 130 of 6 August 2015, refer to disputes arising with regards to the use of goods and services provided by Fastweb, with the exclusion of issues not covered by the resolutions approved by Agcom and in all the other cases of customers' dissatisfaction as regards the relationship, as governed by the General Terms and Conditions of the Agreement and the Fastweb Charter Services.
4. Any reimbursements/indemnities, to be paid to the customers, shall be agreed upon by the two Conciliators based on the Fastweb Service Charter, the applicable regulations of the sector and any elements emerging during the negotiations.
5. An attempt to resolve disputes out-of-court, including the adoption of this Procedure, represents an admissibility condition required prior to exercising a legal action.

Art. 2 — ADR Organization

1. At the Registered Office of Fastweb, Milan, an ADR Organization called “Fastweb Consumers' Association” was established to carry out joint negotiation activities as set forth in the Consumer Code (ADR Procedure) under articles 141-bis et seq, which apply to the activities governed by these Regulations.
2. The ADR Organisation includes an Administrative Office which provides to the Conciliators the necessary organisational support to carry out their respective functions and activities, as set forth in subsequent art. 3 of these Regulations.
3. The ADR Organisation, through its website, provides all the information on the Procedure and Regulations and makes available the forms necessary to access the Procedure.
4. The ADR Organisation does not have its own legal personality and is sufficiently financially independent to carry out its tasks.

Art. 3 — Conciliation Administrative Office

The Conciliation Administrative Office is required to maintain confidential all the information acquired during the Procedure, in compliance with the provisions of the Privacy Consolidated Law, pursuant to Legislative Decree no. 196/ 2003, as amended.

The Conciliation Administrative Office is responsible for:

- a. assessing the formal regularity and admissibility of the claims which are registered through an electronic system, and to which it assigns a progressive number;
- b. informing the consumer, if he/she has activated autonomously the Procedure, about its start and about the Association assigned to him/her according to a rotation criteria, as set forth in these Regulations;
- c. using its resources in order to intervene in support of the Consumers' Associations when they are trying to contact the user/consumer who has autonomously activated the Procedure, and is not reachable.

- d. transferring to the Conciliators the documentation related to the request for a joint negotiation, indicating the date and registration reference number, also through the ADR platform and other digital systems;
- e. receiving from each Conciliator the final Report on the Conciliation Procedure;
- f. giving execution to the agreements entered into with the consumer/user at the conclusion of the joint negotiation;
- g. drawing up and keep a copy of all reports which must be sent to the parties at the end of the procedure;
- h. monitoring the motions and compiling statistics on the progress of the Conciliation requests. For every two years of activity, the “Fastweb Consumers' Associations (AACCC)” will provide the Regulatory Authority and Agcom with the above described analysis.

Art. 4 — Access to the Conciliation Procedure

1. The Consumer/User may request the resolution of a dispute through one of the Associations, parties to the protocol for the conciliation procedure, or autonomously, and if, after filing a complaint (by fax, Customer Service, registered mail with return receipt or through My Fast Page, “Support” section), he/she has received from Fastweb an unsatisfactory response, or no response at all within the 45 days term set out in the Fastweb Service Charter and in the General Contractual Terms and Conditions.

2. The customers who intend to initiate a Conciliation Procedure, availing themselves of one of the Consumers' Associations, parties to the protocol for the conciliation procedure, must contact the offices of the Consumers' Associations, parties to the protocol for the conciliation procedure, as indicated in the Fastweb site at the address www.fastweb.it. This free of charge Procedure does not affect the right of the Associations to request, in full autonomy, a membership fee from the User.

3. The Conciliation Request cannot be accepted and shall be declared non admissible in the following cases:

- a. If the dispute in question is already under pending proceedings before the Court or the Communication Regional Committee.

- b. If the Consumer has not attempted to resolve directly the dispute with the Professional by sending a complaint to one of the channels made available by the company.
- c. If submitted 12 months after filing the complaint.
- d. If the subject matter of the Conciliation Request is different from the subject matter of the complaint.
- e. If the party acts in order to protect an interest held by a third party.
- f. In the event of a Procedure initiated autonomously by the consumer, if the form does not have an email address for communications.

4. The Consumer/User can start, through the Association, the Conciliation Procedure by submitting the request using the appropriate conciliation request form, drawn up according to the principles of the Recommendations 2001/310/EC available in the section of the Fastweb portal dedicated to the Joint Conciliations. The Consumer/User issues to the representative of the Consumers' Association, member of the Conciliation Commission, a mandate designed to identify a proposal for the resolution of the dispute, and undertakes to communicate to the same representative the acceptance or rejection of said proposal.

5. The Consumer/User can also file the claim autonomously by completing the appropriate conciliation request form available on the website and sending it to Fastweb by registered mail with return receipt or by certified email. In this case, the Consumer/User will be assigned one of the Associations adhering to the ADR Organization, and parties to the related Protocol, selected through a rotation criterion. The admissibility and the Conciliation Proceedings will take place pursuant to Art. 4 and Art. 6 of these Regulations.

6. The Consumer/User shall authorise the representative of the designated Association, in compliance with the provisions under Legislative Decree no. 196 of 30 June 2003, as amended, to access all technical administrative documents concerning the dispute to which the Conciliation attempt refers, including the documentation of voice and data traffic.

7. With the submission of the Conciliation Request, the Consumer/User undertakes not to initiate in parallel or proceed with other actions of a judicial or out-of-court nature while waiting for a discussion by the Joint Negotiation Committee and for the consequent outcome, in compliance with these Regulations. The above without prejudice to the right of the parties to withdraw at any time from the ADR procedure, unless otherwise set forth in article 141-quater, paragraph 5, letter a.

8. In order to facilitate access to the Procedure by foreign Customers', it is possible to file the Conciliation Request also in English. The Protocol and the related Regulations are also available in English.

9. For the contract executed on-line, the Conciliation Request can be sent also through the ODR platform pursuant to Regulation EU no. 524/2013, managed by the European Commission, which can be contacted at the address: <https://webgate.europa.eu/odr>.

Art. 5 — The Conciliation Commission

1. The Conciliation Commission is comprised of a Conciliator representing Fastweb and a Conciliator representing one of the Consumers' Associations, parties to the Protocol, the names of which are entered onto the list prepared by the ADR Organization and kept with the Regulatory Council, article 3, paragraph 3, letter L of the Protocol for the Conciliation Procedure of the ADR Organization of the “Fastweb Consumers' ' Association”.
2. The Conciliators are required to fulfil the obligations set forth in articles 141 bis par. 4 and 5 and 141-ter of the Consumer Code, as regards the Proceedings for the Joint Negotiation, as set forth in these Regulations.
3. The Conciliators:
 - a. must be learned and qualified in the area of alternative resolution of disputes, having attended a certification course.
 - b. must have the necessary technical expertise on the issues indicated in article 1, or reject the appointment if they do not believe to be qualified on the subject matter of the Conciliation.
 - c. must operate in compliance with the applicable laws and the principles set forth in these Regulations.
 - d. must undertake to operate within the assigned terms and if for any reasons, should they become unable to operate, give prompt notice to the Fastweb Administrative Office which will then proceed to replace them.
 - e. if the Conciliator finds and/or may find him/herself in one of the incompatibility situations set forth in art. 141-ter of Legislative Decree no. 130, letter c) of 6 August

2015 and in a conflict of interest while managing the dispute, he/she must immediately inform the Fastweb Administrative Office, in compliance with the principles of legality, transparency, independence and impartiality. Any incompatibility cause shall be reviewed and assessed by the Regulatory Council.

- f. must not exercise any pressure on the parties and must be able to carry out his/her tasks with diligence and independence regardless of the value or type of the Joint Conciliation in question.
 - g. the Conciliators, who, during his/her three year mandate waives and/or undertakes another assignment for a new ADR Organization or Consumers' Association, operating in the same industry, is required to inform the Body of his/her new legal position; the Regulatory Council, once informed in detail by the Body, shall carry out the appropriate assessments.
 - h. are required to maintain confidential all information being processed during the joint negotiation procedure.
 - i. the physical persons in charge of the resolution of the dispute are also required to promptly communicate to the ADR Organization all the circumstances, emerged during the entire ADR procedure, that may affect their independence and impartiality or that may generate conflicts of interest with one or the other party of the dispute in question.
4. If the Consumer cannot be contacted, the Commission shall draw up a Report about reaching the time limits.

Art. 6 — Conciliation Proceedings

1. The Conciliation Proceedings are intended to have been initiated when the Request for Conciliation filed by the Consumer/User is recorded in the appropriate Registry as explained hereinafter. This request must be made using the appropriate form available on www.fastweb.it or at the offices and web channels of the Associations, parties to these Regulations, along with a copy of the ID of the Consumer/User. The submission of the request presumes full acceptance by the Consumer/User of these Regulations.
2. Each Conciliation Request is recorded in a special electronic Registry of the proceedings, and a progressive number is assigned to it. This number will be automatically generated by Fastweb at the beginning of the procedure.

3. The term for the completion of the Conciliation Procedure is set for 90 days. In the event of disputes considered by both parties particularly complex, it is possible to agree on an extension up to 90 additional days.
4. The Commission shall verify, based on the submission of the Conciliation Request that the Consumer/User is fully informed of the fact that he/she is entitled to withdraw, at any time, from the Procedure, and of the option of accessing and use the Procedure without any legal assistance.
5. The meetings of the Conciliation Commission are not open to the public and can normally be carried out through an electronic exchange of communications. The information provided during the meetings must be kept confidential and the parties expressly waive their use in any other procedure before any other Authority.
6. In the event of a positive outcome, the Administrative Office draws up a Conciliation Report based on the identified proposal. The agreement is to be considered binding by the parties from the time of its actual execution. The parties must acknowledge that the contents of the Conciliation reflect their shared will. By signing this Conciliation Report, the parties mutually acknowledge not to have any other claim regarding the subject matter of the dispute.
7. In the event of a negative outcome in the attempt to reach a Conciliation, the Commission acknowledges this by signing, at the conclusion of the proceedings, a Failed Agreement Report drawn up by the Administrative Office.
8. 90 days after receiving the Request, if no extension is requested, the parties, following electronic reminders, are entitled to withdraw the claim for exceeding the deadline.
9. Pursuant to article 6, paragraph I of the resolution AGCOM 173/07/CONS and the protocol for the conciliation procedure signed by the parties, starting from the submission of the Conciliation Request, for both parties, the right to take action before a Court is suspended and will be reinstated 15 days after the conclusion of the proceedings. During this period, Fastweb will abstain from initiating any administrative proceedings, such as a suspension of the credit line or recovery of credit, except for the cases of alleged fraud or abuse as well as in the case of danger to the integrity and functioning of the electronic communication network.

Art. 7 Unitary Guarantee Council

In order to ensure full compliance with the provisions set forth in articles 141 et seq. of the

Consumer Code, a Joint Regulatory Council is established for managing Conciliations in the sector of electronic and postal communications, as set out by Agcom with Resolution no. 11/17/CONS, articles 4 and 5.

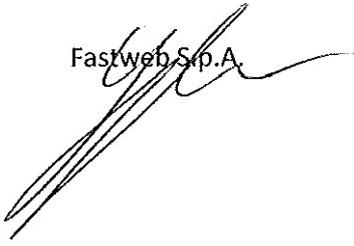
For further details, please refer to the Protocol for the Conciliation Procedure of the Fastweb ADR Organization - Consumers' Associations, parties to the National Council of Consumers and Users.

Art. 8 Additional information

These Regulations are available on the website of the Communication Regulatory Authority together with the report written annually on the progress of the Procedure.

Rome, 27 June 2017

Fastweb S.p.A.



Consumers' Associations



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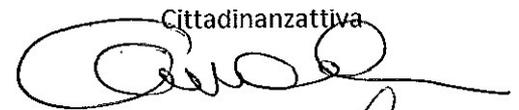
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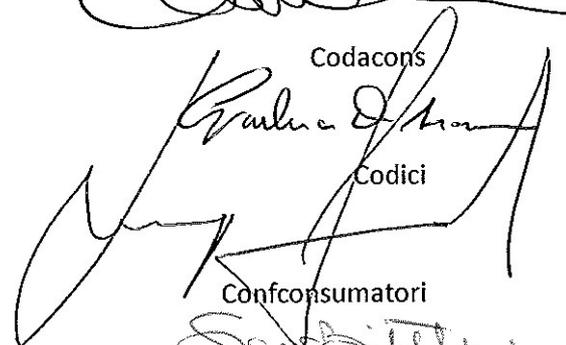
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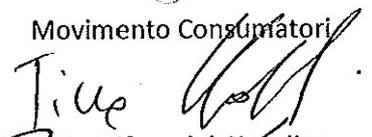
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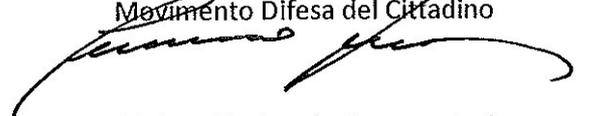
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Unione Nazionale Consumatori



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