

CONCILIATION REGULATIONS

Between

The Consumer Protection Associations signatories of the Statement of Understanding

and

Alitalia-Compagnia Aerea Italiana S.p.A.

Whereas

- **Alitalia- Compagnia Aerea Italiana S.p.A. (hereafter “Alitalia”) pursues the objective of improving the quality of services provided to its customers and the satisfaction of the latter, also promoting the implementation of conciliatory tools that render the settlement of any disputes simpler;**
- **The Consumer Protection Associations signatories of the Statement of Understanding (hereafter Consumer Protection Agencies) have for some time been involved in giving impetus and concrete implementation to new consumer protection mechanisms that favor out-of-court settlements of disputes between companies and consumers;**
- **Alitalia and the Consumer Protection Associations agree that the introduction of joint conciliation may constitute the most adequate means for the out-of-court settlement of disputes that arise with customers;**
- **Alitalia and the Consumer Protection Associations both deem it worthwhile to give passengers the most complete information regarding the conciliation procedure, both through Alitalia’s institutional channels as well as through communication initiatives and the diffusion of information material in the Country’s most important airports and on board its fleet, in collaboration with the Associations themselves;**
- **Alitalia and the Consumer Protection Associations agree to apply the following Conciliation Regulations for a one-year trial period. At the end of this period and on the basis of the results achieved, it will be permanently implemented and will constitute an integral part of the Charter of Services being drafted. This Charter will be the means to inform passengers of their rights and obligations in the most widespread manner, also with reference to the possibility of being able to present claims and take advantage of the conciliation procedure.**

Article 1

Nature and scope

1. These regulations discipline the conciliation procedure agreed upon between the Consumer Protection Associations signatories of the Statement of Understanding and Alitalia. The procedure will be applied on a trial basis for one year and can be used by the customers of Alitalia and its subsidiaries (hereafter the “Group companies”) for the out-of-court settlement of disputes that arise between passengers and the Group companies.
2. The procedure applies the so-called “Joint Conciliation” model in accordance and conformity with the principles sanctioned by Recommendations no. 257/98/CE and no. 2001/310/CE, as well as in continuity with the

consolidated and widespread practice of the settlement of existing disputes between large companies and consumer protection associations, a practice also guaranteed by the Consumer Code adopted with Legislative Decree 206/2005 of 6 September 2005 and subsequent supplements.

3. These Regulations are made available to the public, both on the Internet site www.alitalia.it in the “travel/pax rights” section, in the legal headquarters of Alitalia as well as the offices of the Consumer Protection Associations signatories of the Conciliation Regulations and own their relative Internet sites.

Article 2

Conciliation Office

1. The Conciliation Office, responsible for the activity disciplined by these Regulations, is situated in Alitalia’s registered offices in Piazza Almerico da Schio, 00154 Fiumicino (Rome).
2. The Conciliation Office has a Secretariat that provides the Conciliators and the parties the necessary organizational support in carrying out the respective functions and activities.
3. All activity of the Secretariat is functional to the regular execution of the conciliation proceedings; therefore, this guarantees respect for the confidentiality all of the information acquired and dealt with during the conciliation proceedings.
4. The Secretariat of the Conciliation Office carries out the following activities:
 - Receives the requests for activating the conciliation procedure and verifies the formal admissibility pursuant to these Regulations, notifying the Conciliation Commission;
 - Keeps and updates the list of conciliators and sends the relative documentation to the conciliators selected on the basis of the conciliation requests;
 - Prepares the convocation notice and sends it to the parties. This notice specifies the following:
 - a) The date and registration protocol of the request;
 - b) The dates in which the discussion of the dispute is scheduled;
 - c) The object of the dispute;
 - d) The office assigned to receiving the records of the proceedings;
 - e) The names of the conciliators on the Joint Commission
 - Keeps a copy of the conciliation reports that it sends to the parties at the conclusion of the proceedings.

Article 3

Conciliation Commission

1. The conciliation Commission is comprised of a Conciliator appointed by Alitalia and a conciliator appointed by one of the Consumer Protection Associations designated by the customer.
2. For the purposes of the procedure, only persons indicated in the relative list can be appointed as conciliators. This list includes the persons designated by Alitalia and the signatory Consumer Protection Associations. To be inserted in the list, the person must have attended the special training course for joint conciliation.
3. The Conciliation Commission composes the dispute according to fairness and with reference to the contractual commitments, legislation of the sector and consumer protection laws, ensuring accordance and compliance with the principles of independence, transparency, debate, impartiality and legality, as contained in Recommendations no. 98/257/CE (regarding the principles applicable to the bodies responsible for out-of-court settlement of disputes concerning consumer matters) and no. 2001/310/CE (regarding the principles applied to the extrajudicial bodies that participate in the consensual settlement of disputes regarding consumer matters).
4. The Commission normally meets in the conciliation office described in the preceding section 2.
5. Alitalia's conciliation procedure, in order to quickly and economically settle disputes, can also be carried out online on a web platform which guarantees both efficiency and the maximum respect of security standards, allowing conciliators to discuss the request *de visu* or online.
6. The consumers and Alitalia owe no compensation to the members of the conciliation commission.

Article 4

Access to the Conciliation procedure

1. The conciliation procedure is applicable to claims relative to trips taken starting from 1 July 2010 and that indicate a deviation from the obligations and/or commitments taken on by Alitalia and by the Group companies in official documents, in addition to those deriving from existing legislation (for illustrative purposes Regulation (CE) no. 261/2004, the Convention on Montréal, the General Conditions of Carriage, Antitrust measures, information available on the website) and that effectively enjoyed by the passengers.
2. The conciliation procedure is free of charge and can be activated directly by the customer or the Association designated by him/her, by filling out the special form available on the Association and Alitalia websites as well as the offices of the same parties.
3. The customer can access the procedure both in the case in which he/she received a response from Alitalia to his/her claim deemed unsatisfactory and in the case in which he/she did not receive any written reply within the deadline of 60 days from the date the claim in question was sent.
4. The conciliation request must be sent within 60 business days starting from the date of receipt of the response to the complaint or, in the case of a lack of reply within the established 60 day period, within the following 60 business days.
5. The conciliation request, duly filled out and signed, can be sent by fax to a special toll-free number or to a special e-mail address directly by the customer to one of the signatory of associations and then be sent by the latter to the conciliation office in the same manner.
6. When the customer presents his/her conciliation requests directly and does not indicate the Consumer Protection Association to which he/she wants to confer mandate, the request will be assigned, by the Conciliation Office Secretariat, to one of the signatory Associations according to scheduling criteria that can be examined by each Association in the special register kept by the Secretariat itself.

Article 5

Conciliation Proceedings

1. The Procedure is considered as established once the Conciliation Office receives the Conciliation request.
2. Following seven business days from the receipt of the request, the Conciliation Office Secretariat will prepare a dossier, notifying the consumer protection association of any additional documentation and setting the date for the conciliatory hearing, to be held no later than 15 working days from the receipt of the request. This

deadline shall be waived for a period not to exceed 15 working days only for reasons related to the actual complexity of the dossier.

3. From the moment the notice for the fulfillment of the conciliation attempt is received, the parties can send the Conciliation Office their argumentation with the relative information and any documentation useful for the settlement of the dispute.
4. The procedure is normally completed within 45 business days from the date that the request is received by the Conciliation Office.

Article 6

Hearing before the Joint Conciliation Commission

1. At the first conciliatory hearing, the Conciliation Commission shall verify, on the basis of the conciliation request signed, that the consumer has been completely informed of the fact that:
 - The Commission does not decide on the dispute in question, but helps the parties reach an agreement that is satisfactory for both;
 - At any time, and with the same modality described for the presentation, he/she has the right to refuse to participate in the procedure, abandon it and resort to other mechanisms for the out-of-court settlement of the dispute;
 - All argumentation, information or proposal relative to the dispute is covered by the right to confidentiality;
 - The result of the conciliation may or may not be more favorable than the result that might be reached by seeking a court settlement;
 - He/she can accept or refuse the solution agreed upon in the Joint Commission within 10 business days starting from the date that the communication was received.
2. The Commission examines the case and related documentation and listens to the consumer's reasons, when the latter has made an explicit request in the application form. The documentation and data provided must be treated as confidential information.
3. The Commission, on his own initiative or upon request, even by only one of the parties, can schedule an additional hearing to further examine the case, no later than the thirtieth day from the date the application was presented
4. After having examined the case, the Commission evaluates if it is possible to formulate a conciliatory settlement proposal to the consumer. If the answer is yes, the Commission drafts a special "conciliatory procedure report" in which it indicates the timeframe for fulfilling the obligations contained therein.
5. The "conciliatory procedure report" is presented to the consumer by the representative of the Association if a mandate was conferred in this sense or, in the absence of a mandate, it is sent directly to the consumer by the Conciliation Office Secretariat. In any case, the Conciliation Secretariat must be notified of acceptance, via fax

at the special toll-free number or special e-mail address, within 15 business days after which time the proposal shall be considered as rejected.

6. The Commission, after having examined the case, can decide that there is no hypothesis /settlement proposal.

Article 7

Conclusion of the conciliation procedure

1. In the case in which the Commission has worked out a settlement proposal, as referred to in article 6, section 4, the procedure shall be considered as concluded when the conciliatory procedure report has been signed. The signing can be made also via fax or e-mail. The procedure is also considered as concluded when the customer's rejection has been received by the Conciliation Office.
2. When the customer accepts the settlement, the conciliatory procedure report has the legal effect of a settlement agreement, pursuant to article 1965 and subsequent articles of the Civil Code.
3. It is the Secretariat's responsibility to deliver or send each of the parties a copy of the report signed by the two conciliators.
4. In the hypothesis indicated in article 6, section 6, the procedure shall be considered as concluded with the signing, by the members of the commission, of a "lack of conciliation report", which in no way prejudices other actions to protect the customer's rights.

Article 8

Report on the activity carried out

Alitalia and the Consumer Protection Agencies, signatories of the Conciliation Regulations, publish the monthly report on the Conciliation activity carried out in conformity with these Regulations. This report is available on the website of Alitalia and the signatory Associations and is sent to the ENAC (Civil Aviation Agency) and the Guarantor Authority for Competition and Market.

Article 9

Final provisions

These Regulations are subject to adoption by the consumer protection associations enrolled in the CNCU and shall be reviewed for the first time within six months in order to evaluate the results of the trial period and verify the will of the parties regarding the permanent adoption of the regulations.

All subsequent modifications must be agreed upon between Alitalia and the signatory associations, therefore including those who sign on subsequently.

The Procedure shall take effect starting 20 July 2010.

Fiumicino, 19 July 2010

ALITALIA SPA

THE CONSUMER PROTECTION ASSOCIATIONS