



**ASSO DPO'S ORGANISATION
AND ACTIVITIES,
MAIN LOCAL GDPR
IMPLEMENTATION**



ASCPD

Asociația Specialiștilor în Confidențialitate
și Protecția Datelor

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ASSO DPO's organisation and activities & Main local GDPR implementation

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29 January | 2021



Who we are

- ASSO DPO is the **Italian Association of Data Protection Officer** established in 2013 with the aim to represent a point of reference for discussing and analysing local and international data protection issues.
- The Association supports the various data protection roles, such as data protection consultants, data protection officer, advisors and those professionals working in the data protection environment, through exchange of information, webinars, workshops and the annual International Congress.
- It is **registered in the list of the Professional Associations held by the Ministry of Economic Development (MISE)** according to Law 14 January 2013 no. 4 (Provisions relating to unorganised professions), and is entitled to issue the Certificate of Quality and Professional Qualification of the Services to those members registered under said law.
- It is a **CEDPO member since 2018**.

How we are organised

- ASSO DPO is governed by the **Managing Board**, whilst the scientific activity is managed by the **Scientific Committee**.
- **Membership type:**
 - ❖ **Standard:** only individuals with at least 3 years of working experience in data protection,
 - ❖ **Supporting member:** only legal entities willing to support the association's purposes and to participate actively to the association initiatives,
 - ❖ **Educational:** only individuals with less than 3 years of experience and students,
 - ❖ **Honorary members:** individuals who have made substantial contribution to the improvement of data protection and privacy awareness. They do not have the right to vote in meetings of the members.

Managing Board

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President



Vice-president
& relations
with territorial
contacts



Coordinator
of the
Scientific
Committee



Technologies
& web



Treasurer

Organisational Secretariat

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Event & Communication
Manager

Scientific Committee



PUBBLICA AMMINISTRAZIONE

APPROFONDISCI



SETTORE PRIVATO

APPROFONDISCI



SANITÀ

APPROFONDISCI



CYBER SECURITY

APPROFONDISCI



RPA & AI

APPROFONDISCI



INTERNAZIONALE

APPROFONDISCI

Key figures

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Main local GDPR implementation

- GDPR was implemented in Italy by **legislative decree 10 August 2018 n. 101** which amended the legislative decree 30 June 2003 no. 196 (the Italian Data Protection Code).
- Some provisions contained in legislative decree no 101 are not included in the legislative decree no. 196, as they refer to the review and amendment by the Garante of some legal deed which need to be aligned with the current legislation in force and to further amendment of other legislations and/or clarifications.
- Furthermore, legislative Decree no. 101 states that **the Garante's decisions adopted in the past still apply** if they are aligned with the provisions of the GDPR and of the legislative decree no. 196 as amended.
- **Garante's activity on data protection awareness:** new website, infographics, training addressed to DPO working in the public sector (T4Data), training addressed to SMEs (SmeData).

Main local GDPR implementation

- **Genetic data, biometric data and data concerning health:** the legislative decree no. 196 contains specific provisions regarding the processing of health data by healthcare professional and clinical trials, providing the Garante with the power to adopt specific safeguard measures at least every two years.

These measures have not been adopted yet, but in the meanwhile on 5 June 2019 the Garante's adopted a decision providing specific measures when special categories of data are processed in the employment context, or by associations, foundations, churches and religious associations or communities, or by private investigators, or when genetic data is processed, or when data is processed for scientific research purposes. Further clarification in the health sector were given in March 2019 too.

Main local GDPR implementation

- **Minors:** consent to the processing of minors' personal data in relation to information society services directly offered to them is valid for children aged 14. For children below 14, consent must be given by the holder of parental responsibility.
- **Data Protection roles:** the legislative decree no. 196 provides that the data controller and the data processor in the context of their organisational structure may give specific tasks and functions to designated individuals operating under their authority.

Main local GDPR implementation

- **Deceased persons:** the rights provided by art. 15-22 of the GDPR may be exercised by a person who has an own interest or is acting as a representative to safeguard the deceased person or for family's protected interests.
- **Deontological rules:** five annexes to the Data Protection Code regarding the processing of personal data for journalistic activities, defensive investigations or to defend a right before a Court, archiving in the public interest or for historical research purposes, statistical or research purposes in the field of the national statistical system, statistical or scientific research purposes.

Main local GDPR implementation

- **Limitation of data subjects' rights:** the legislative decree no. 196 provides some limitations to data subjects' rights when there can be a conflict with national law (eg. anti-money laundering), the prerogatives of the parliamentary commissions of inquiry, defensive investigation activities, the exercise of a right in court or the identity of a whistle-blower.
- **Penalties:** The Italian Data Protection Code provides both administrative fines according to the GDPR and criminal penalties (up to six years imprisonment).

THANKS

Associazione ASSO DPO

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