

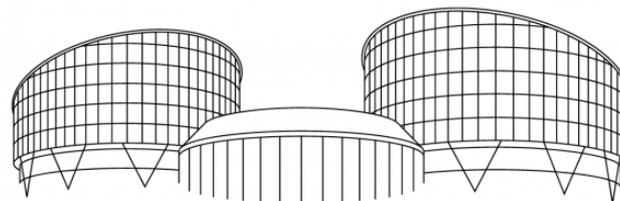
Italy in a nutshell

- ❖ How is the country preparing for the new regulation on GDPR.
- ❖ The Italian Data Protection Authority's privacy guidelines.

European Convention on Human Rights (CEDU) - article 8



Protection of the Personal Data and Privacy



EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME
“Right to respect for private and
family life”



Fundamental rights
for the dignity and the
liberty

Italian Constitution

the inviolable rights are the following

Article 13

- *personal freedom*

Article 14

- *confidentiality of correspondence*

Article 15

- *privacy of the home*



Protection of the Personal Data

The Italian doctrine defines the privacy as

ius excludendi alios

because the right of the privacy supposes the exclusion of other people from the personal and private life unless if there is not the consent of the party.

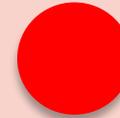
- it as an extension of the right of the privacy,
- is a piece of information that identifies a natural person and provides details about lifestyle, personal relationships, health, financial status

The Italian legal system

European
directive
95/46/EC

Legislative decree no.
196 dated 30th June
2003

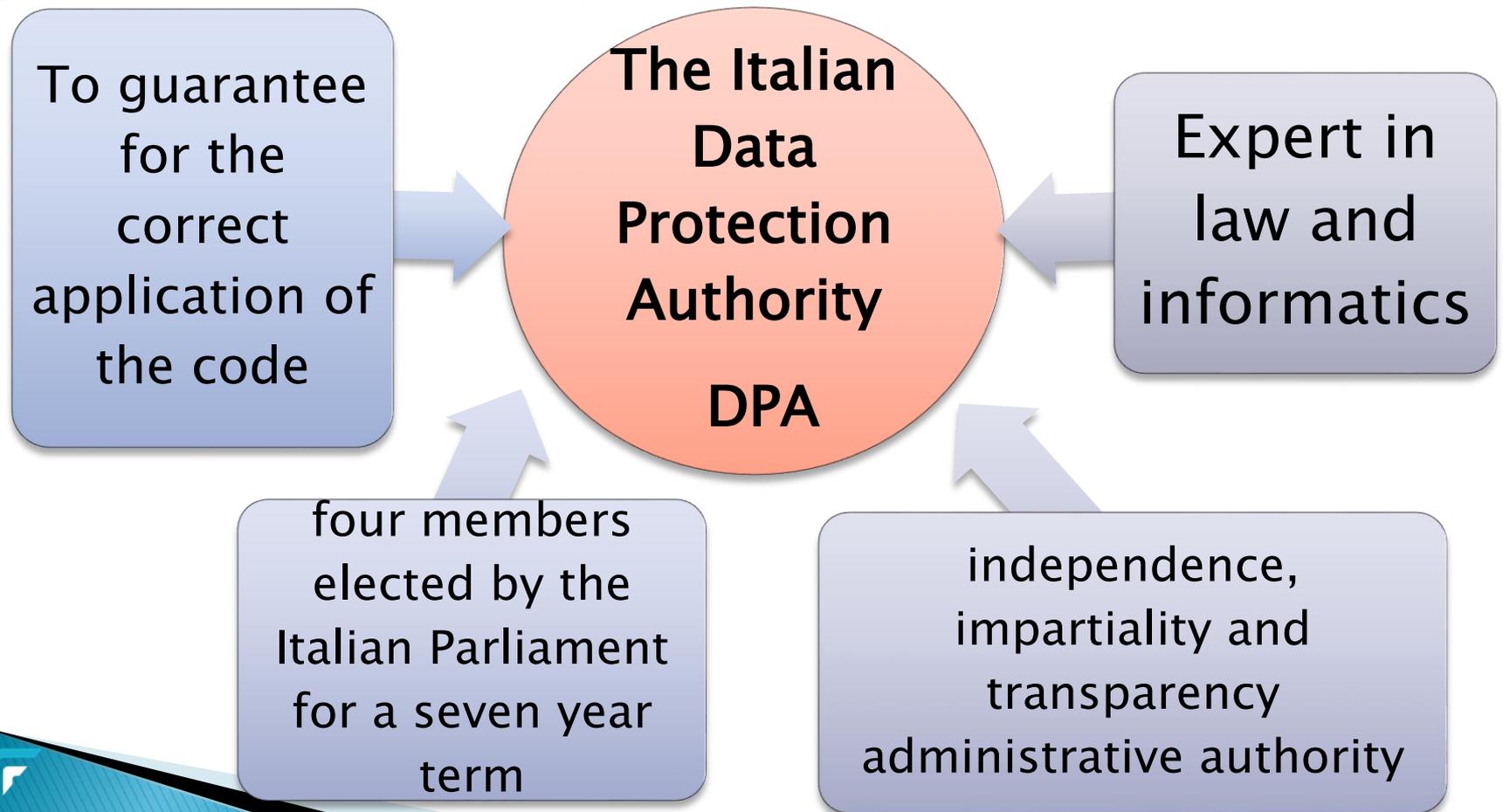
Italian Personal Data
Protection Code



First reform
about the
protection of
the personal
data
L.675\1996

Italian Personal Data Protection Code

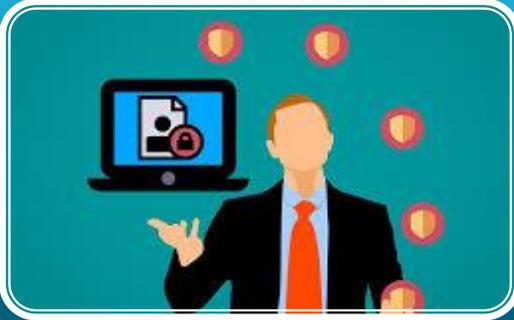
Article 1 – anyone has the right to obtain protection of their personal data



How Italy “gets ready” to the GDPR



The Italian Data Protection Authority



DPO
Data
Protection
Officer



Record of
Data
Processing
Activities



Notification
for
Data
Breach

DPO – Data Protection Officer

Italian Data Protection Authority

the missed designation of the DPO is a violation
of the safety measures

administrative sanction

art. 162 paragraph 2-bis of the
Personal Data Protection Code

penalty sanction

art. 169 Personal Data Protection
Code

Data Breach

GDPR

the violation must
be notified within
72 hours

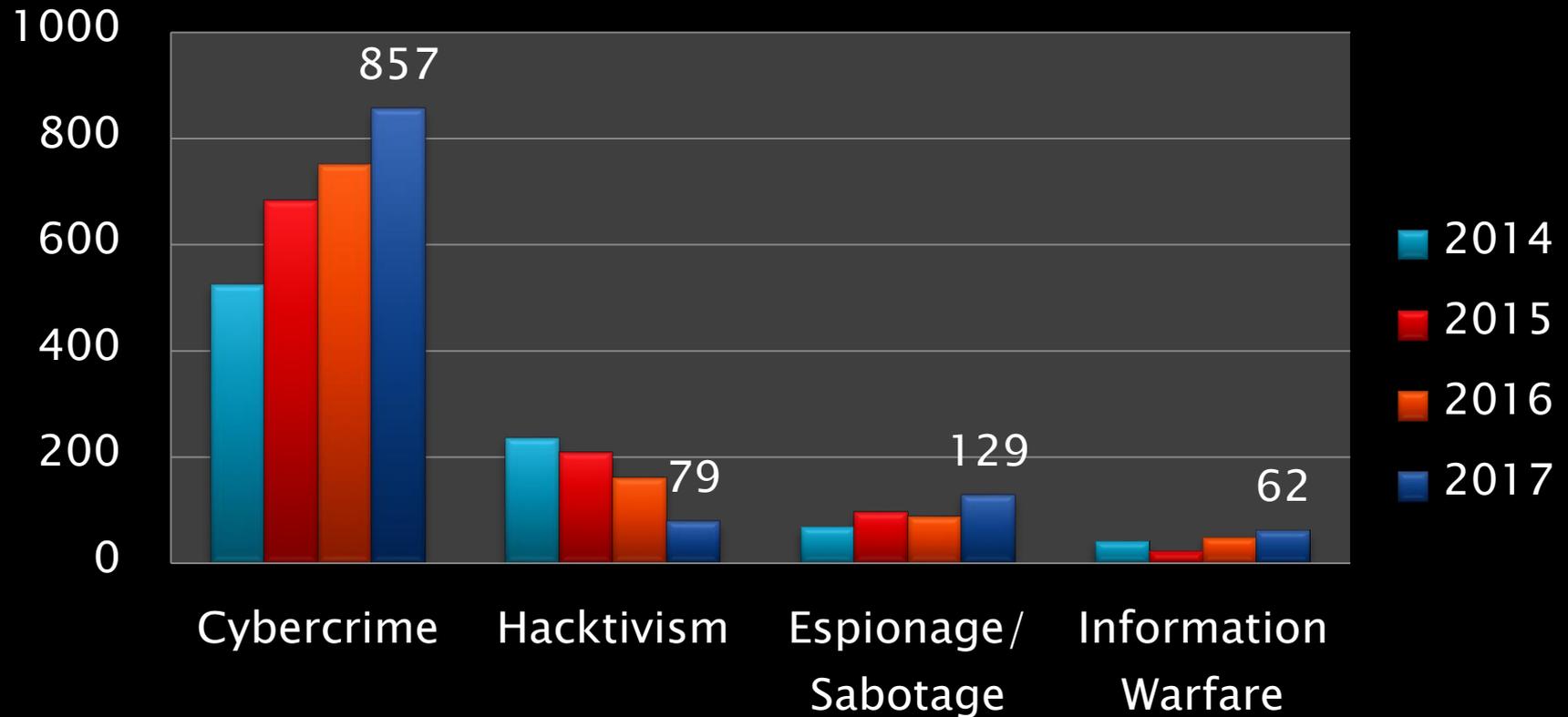


Italian Data
Protection
Authority



Italian association for the computer safety – Clusit

Data breach, categories



Italian case about Data Breach



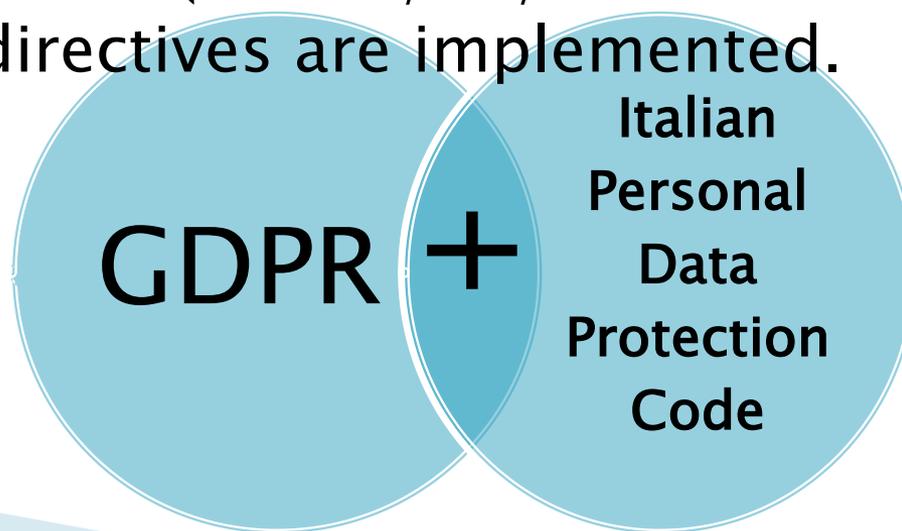
the company informed only 402 clients for whom there was an access to their personal area



Italian Data Protection Authority : in case of data breaches, the company should have warned all the customers who were victims of the theft of personal data and not only 402 customers.



It is essential to carefully evaluate every reason for conflict between national and European provisions, for this reason, the Italian Parliament approved in October 2017 *the 2016–2017 European delegation law* (Act 25/10/2017 No. 163) with which 28 European directives are implemented.





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