

Protecting your privacy and always granting you full control over your personal data: this is our commitment.

As of 25 May 2018 one of the most innovative and relevant EU regulations will enter into force: the **EU General Data Protection Regulation (GDPR)** which will protect even more effectively your personal data protection rights, harmonising the rules in the various EU Member States, regardless of where the data processing takes place.

We, in Italiaonline, have always paid attention to the protection and rights of our Clients and Users and to the application of provisions already in force, and will implement and assure proper compliance with the new GDPR in our services: you will so be able to better and more effectively check your privacy and the modalities with which we will process and protect your data. You will be able to access, download and correct them directly or through us at any time and you will be provided with updates on all our platforms, in an integrated manner.

Respect, trust and cooperation have always comprised the core of the relations between Italiaonline and the users of its products and services: the adjustment to the GDPR offers to all of us an extraordinary opportunity to further tighten and strengthen this vital and profitable bond.

LET'S GET ACQUAINTED WITH THE MAIN TRAITS OF THE NEW EU REGULATION



What is the GDPR?

GDPR stands for General Data Protection Regulation and is a new EU legislation on the protection of individual's data, which will supersede or supplement national legislations and, for Italy, the Privacy Code (Legislative Decree 196/03)



When will the GDPR enter into force?

The Regulation will enter into force on 25 May 2018



What new rights does the EU Regulation introduce?

The Regulation focuses on the principle of transparency in the relations with users. A clear, simple and immediately comprehensible disclose on the purposes and modalities of data processing is in fact required.

Furthermore, it broadens the rights of individuals (data subjects) introducing the right to restriction of processing and the right to data portability (of course when technically applicable).

The right to be forgotten and to access one's data is furthermore confirmed with greater emphasis.



What categories of data are protected by the EU regulation

The Regulation clarifies that the protection covers individuals' data only and in particular personal data (even partial or near-anonymous, such as for example identification codes) sensitive data (concerning health, sexual habits, political and trade union, religious and philosophical orientations), biometric data, genetic data (e.g. dna) and data concerning criminal records or judicial charges.



What new obligations are envisaged under the Regulation for Data Controllers?

The Regulation introduces a series of new obligations for Data Controllers, among which the principle of ***Privacy by design and by default***, the principle of ***adequacy***, the obligation of ***impact assessment***, the obligation to appoint a **Data Protection Officer** and the obligation to keep a **record of processing activities**.



What does Privacy by design mean?

It means to assess and consider compliance with individuals' data protection, since the design of new processing operations. Italiaonline in fact applies this principle in the realization of its products providing for the limitation of non-strictly necessary processing and adequate security measures.



What does adequacy mean?

It means to provide for and apply technical, organisational and procedural measures adequate to the actual risks for individuals' data.



What does Impact Assessment mean?

It means to assess for every new processing or product which implies data processing, the risks for individuals' data and the necessary measures to protect them. This obligation is strictly connected to the principle of Privacy by design and adequacy.



Is the obligation to appoint a DPO always applicable?

No. Only in the cases expressly provided for by the EU regulation (Public Administrations, Organisations processing special data, among which sensitive data – health, sexual habits, political orientations – and organisations processing personal data on a large scale).



Do all have to keep a record of processing activities?

No. Only companies with more than 250 employees or those carrying out processing of sensitive data, special or criminal data, or those carrying out processing which may involve a risk for individuals' rights.



Is the GDPR applicable if Clients are profiled on the basis of cookies on one's website?

The collection of data through cookies and the use of advertising tools usually involves the processing of personal data; as a consequence the provisions of the Regulation shall be complied with by Controllers.



But what legal bases authorise the processing of data?

Contractual need

Data processed are processed because necessary for the provision of the service and shall be clearly defined in the contract entered into with the user.

Legitimate interests

This is a balancing of interests between that of a company which shall develop the specific services of the sector in which it operates (e.g. business information for the prevention of frauds or delivery of advertisement) versus the data subject rights.

In any case data processing shall be suspended if a user raises an objection or expressly asks that his data are no longer processed. But the only initial obligation for the Data Controller is to specify in the disclosure the legal basis for the processing.

Enforcing a right in court or exercising a right

The processing is possible when it aims at a possible judicial dispute.

Legal obligation

When the processing is provided for by a legal obligation (e.g. anti-money laundering activities).

Consent

The processing is always consented in presence of an unambiguous, informed, specific and free consent by the user through a clear affirmative act.

Individuals are entitled to withdraw their consent and this possibility shall be brought to their attention and clearly stated in the disclosure.

The consent shall come from a person at or above the age of sixteen or shall be given or authorised by a parent/tutor.

For certain processing (e.g. sensitive data categories), an explicit consent is necessary.



**ITALIAONLINE'S ADJUSTMENT PROCESS:
STEP BY STEP**

Italiaonline's core activity is the processing of data. We all interact with individuals, Clients, providers, partners, users: for this reason, we launched, since the past year, an adjustment process to the new GDPR, the EU Personal data protection regulation. Let's have a look together at the state of progress of activities, namely what has already been done and what will be done by the 25th of May 2018, the date of the entry into force of the new regulation.

What have we done so far:

- Within the Legal and Corporate Affairs Department, a Group Data Protection Officer has been appointed and granted by the Board of Directors with adequate powers and a support from the Privacy Committee (comprised of the Audit & Compliance Officer, the Chief Technology Officer and the Legal Affairs and Corporate Officer).
- A primary international law firm has been appointed as advisor.
- A Steering Committee has been appointed, with representatives of the various Group Departments and Companies, dedicated to the continuous control and monitoring of all steps of the process.
- As provided for by the Regulation:

- an application has been adopted to manage the processing list and the management of all Privacy documents;
- an updated census has been conducted of all outstanding processing;
- an inventory of systems and relating data has been realised.
- The organisational structure for Privacy protection has been designed, with the identification within every Department and Subsidiary, of a Privacy Officer, responsible for the use of the application adopted;
- The risk analysis has been completed, with the support of the legal Advisor, and the action plan defined for the purpose of the adjustment while a further assessment process, more technological, is under completion to identify possible improvements of the technical structure.

What will be completed by 25 May

- A complete review and optimization of privacy disclosures, with specific focus on the correct and complete disclosure for users of information portals and platforms, on their rights and the modalities to exercise and protect them.
- A complete review and optimization of privacy disclosures dedicated to providers and Clients, of their information included in portals and for custom websites realised for them by Italiaonline.
- An accurate review and update of standard contractual privacy clauses adopted for the different macro categories.
- The drafting and/or review of procedures and policies for the various further privacy activities (right to be forgotten, data portability, storage, etc.) provided for by the GDPR
- The definition and adoption of an organisational structure safeguarding Privacy Protection and the relating necessary internal appointments of nominees, privacy officers, authorised persons to process data (former “persons in charge of the processing”) and external processors and joint controllers.
- The preparation of a structured awareness and training plan for employees and agents on the culture of data protection and on security policies and legislations to safeguard and protect personal data.
- The assessment of the possible need for a further subsequent technical intervention plan.
- The adoption and regularization of a new PIA (Privacy Impact Assessment), i.e. of a process codified and structured in stages – a real operational tool – which will support the corporate organisation in the systematic monitoring, to identify and promptly reduce data breach risks.

All the above forms part of an involvement, cooperation and transparency process proposed by Italiaonline on a daily basis to all its Clients and to whoever is involved, either directly or indirectly, in the business of the largest Italian internet company: to build and undersign a real bond of trust, something precious to conquer and even more to maintain, to originate the maximum reciprocal value.

STAY IN TOUCH TO KNOW ALL UPDATES!