

[doc. web n. 9693386]

Injunction order against the Puglia Region - 8 July 2021

Record of measures

n. 269 of 8 July 2021

THE GUARANTOR FOR THE PROTECTION OF PERSONAL DATA

IN today's meeting, which was attended by prof. Pasquale Stanzione, president, Professor Ginevra Cerrina Feroni, vice president, dr. Agostino Ghiglia and the lawyer Guido Scorza, members and the cons. Fabio Mattei, general secretary;

GIVEN the Regulation (EU) 2016/679 of the European Parliament and of the Council, of 27 April 2016, concerning the protection of individuals with regard to the processing of personal data, as well as the free circulation of such data and which repeals Directive 95/46 / EC, "General Data Protection Regulation" (hereinafter "RGPD");

GIVEN the d. lgs. June 30, 2003, n. 196 containing the "Code regarding the protection of personal data (hereinafter the " Code ");

GIVEN the general provision n. 243 of 15/5/2014 containing the "Guidelines on the processing of personal data, also contained in administrative deeds and documents, carried out for the purpose of advertising and transparency on the web by public entities and other obliged entities", published in the Official Gazette. n. 134 of 12/6/2014 and in [www.gpdp.it](http://www.gpdp.it), doc. web n. 3134436 (hereinafter "Guidelines on transparency");

GIVEN the Regulation n. 1/2019 concerning internal procedures with external relevance, aimed at carrying out the tasks and exercising the powers delegated to the Guarantor for the protection of personal data, approved by resolution no. 98 of 4/4/2019, published in the Official Gazette n. 106 of 8/5/2019 and in [www.gpdp.it](http://www.gpdp.it), doc. web n. 9107633 (hereinafter "Regulation of the Guarantor no. 1/2019");

GIVEN the documentation in the deeds;

HAVING REGARD to the observations made by the Secretary General pursuant to art. 15 of the Guarantor Regulation n. 1/2000 on the organization and operation of the office of the Guarantor for the protection of personal data, in [www.gpdp.it](http://www.gpdp.it), doc. web n. 1098801;

Professor Ginevra Cerrina Feroni will be the speaker;

WHEREAS

## 1. Introduction

This Authority has received a complaint, presented by Mr. XX, with which a violation of the legislation on the protection of personal data by the Puglia Region was contested.

Specifically, as emerged from the preliminary verification carried out by the Office, at the url:

1. [http: // ...](#) it was possible to freely view and download the Deliberation of the Regional Council n. XX of the XX, concerning «XX», contained in the Official Bulletin of the Puglia Region n. XX of the XX, p. XX;
2. [http: // ...](#) it was possible to freely view and download the Executive Determination of the Regional Advocacy-Administrative Sector n. XX of the XX having as object "XX".

The aforementioned documents published online reported in clear text, in the text and in the subject, the data and personal information of the complainant, such as the name and the related disability condition.

This is because in them reference was made - without adopting any measures aimed at obscuring and / or minimizing the dissemination of data - to a judgment relating to a previous publication of the same personal data of the complainant contained in a regional ranking published on the institutional website, whose treatment had already been the subject of a declaration of illegitimacy for violation of the legislation on the protection of personal data with the provision of prohibition and prescription of this Authority n. 8 of 1/8/2015 (in [www.gpdp.it](#), web doc. No. 3946725) against the Puglia Region.

## 2. Applicable law.

Pursuant to the relevant regulations, "personal data" is "any information concerning an identified or identifiable natural person ("interested")" and "the natural person who can be identified, directly or indirectly, with particular reference to a identifier such as the name, an identification number, location data, an online identifier or one or more characteristic elements of its physical, physiological, genetic, psychic, economic, cultural or social identity "(art. 4, par. 1, No. 1, of the GDPR).

In this context, it is represented that the dissemination of data relating to health is prohibited (Article 2-septies, paragraph 8, of the Code; see also Article 9, paragraphs 1, 2 and 4, of the RGD), i.e. of "personal data relating to the physical or mental health of a natural person, including the provision of health care services, which reveal information relating to his state of health" (art. 4, par. 1, no. 15; recital no. 35, of the GDPR). The processing of personal data must also take place in compliance with the principles indicated in art. 5 of the RGD, including those of "lawfulness, correctness and transparency" as well as "data minimization", according to which personal data must be - respectively - "processed in a lawful, correct and transparent

manner towards the interested party" as well as "Adequate, relevant and limited to what is necessary with respect to the purposes for which they are processed" (paragraph 1, letters a and c).

### 3. Preliminary assessments of the Office on the processing of personal data carried out.

From the checks carried out on the basis of the elements acquired and the facts that emerged as a result of the investigation, as well as subsequent evaluations, the Office with note prot. n. XX of the XX has ascertained that the Puglia Region, with the integral publication on the institutional website of the Deliberation of the Regional Council n. XX of the XX and the Executive Determination of the Regional Advocacy-Administrative Sector n. XX of the XX, caused the dissemination of personal data and information, also relating to the complainant's state of disability, by carrying out a processing of personal data that does not comply with the relevant regulations on the protection of personal data contained in the RGD. Therefore, with the same note the violations carried out (pursuant to art. 166, paragraph 5, of the Code) were notified to the aforementioned Region, communicating the initiation of the procedure for the adoption of the measures referred to in art. 58, par. 2, of the RGD and inviting the aforementioned body to send to the Guarantor defensive writings or documents and, if necessary, to ask to be heard by this Authority, within the term of 30 days (Article 166, paragraphs 6 and 7, of the Code; as well as art.18, paragraph 1, of law no. 689 of 11/24/1981).

### 4. Defensive memories.

With the note prot. n. XX of the XX the Puglia Region sent to the Guarantor its defensive writings in relation to the notified violations.

In this regard, please note that, unless the fact constitutes a more serious crime, anyone who, in a proceeding before the Guarantor, falsely declares or certifies news or circumstances or produces false documents or documents, is liable pursuant to art. 168 of the Code, entitled "False statements to the Guarantor and interruption of the performance of the tasks or the exercise of the powers of the Guarantor".

Specifically, the entity highlighted, among other things, that:

- "[...] there is a specific obligation to publish the legal expenses settlement deeds:" the advertising regime applicable to the type of measures to which the disputed executive determination belongs - concerning the commitment and payment of sums due to qualification of professional skills in favor of an external lawyer who, according to the practice of the time (now obsolete), had previously been officiated by the Region in the absence of both any agreement on the consideration and the

preventive accounting commitment of the expenditure - is that of publication at the 'Register for legal advertising purposes [...]';

- "This publication - provided for by art. 16, paragraph 3 of the Decree of the President of the Regional Council n. 161 of 22 February 2008 ("Organization of the Presidency and the Board of the Puglia Region") - is carried out starting from 1 July 2011 electronically (Telematic Praetorian Register) pursuant to art. 32 of law no. 69, according to the implementation procedures defined by the relevant regional provisions ";

- "With respect to the failure to obscure the personal data present in the act, [yes] the violation is admitted, attributable to a material error. [Yes] It highlights, at the same time, the set of regional regulations, council resolutions, managerial decisions and administrative acts with an organizational and guiding content adopted by the Puglia Region well before the time of the facts, in compliance with the state and community legislation in force and the Guidelines on the protection of personal data developed in 2011 by the Guarantor Authority to support public entities in fulfilling the new obligations of publication and dissemination on the web of deeds and documents (applicable to the case *ratione temporis*). In particular, the following are recalled: Regional Regulation no. 5 of 25/5/2006 - "Regulation for the processing of sensitive and judicial data pursuant to art. 20 and 21 of Legislative Decree 196/03 "[...]; Management resolution no. 11 of 6/5/2011 - "Processing of personal data in administrative deeds and documents for the purpose of publication and dissemination on the web - Adoption of" First Guidelines "," Internal Operating Manual "," Management-type determination model "[... ]"; Management resolution no. 16 of 9/6/2011 - "Institution of the telematic register of the Puglia Region - Publication of executive decisions" [...] »;

- «With reference to the online publication in the Official Bulletin of the Puglia Region of the DGR n. XXXX, [it is] noted that the "office of the Section called to investigate the proposed resolution of the Regional Council proceeded at the time to draft the integral deed, with the full name and surname of the beneficiary of the liquidation for which it was proposed the related change in the financial statements and consequent authorization, because in absolute good faith, in addition to the name of the interested party, no other elements of univocal identification of the subject were provided, such as date and place of birth or tax code, etc. (...) and because for the completeness of the document it was necessary to reconstruct the story of the dispute and the acts adopted that had led to the recognition of the economic contribution (...) the same provision by the Active Social Inclusion Section was intended for examination for the accounting regularity of the Financial Statements and Accounting Section "";

- "Even in this case, there may be a clerical error [...], largely attributable to the multiplicity of passages of the deliberative acts

of the Executive with the approval of accounting regularity and to a poor formalization - at the time of the facts - of the procedures";

- "The regional administration has therefore taken steps to adopt a regulatory framework aimed at structuring the process of deliberative acts and the procedures aimed at ensuring their legitimacy and confidentiality of any data processed: in particular, with the D.G.R. n. 2100/2009 approving the "Guidelines for the preparation of the proposed resolutions of the Regional Council" [...] it was intended to provide uniform rules for the drafting of the draft measures to be submitted for examination by the Regional Council, then integrated with subsequent D.G.R. n. 382/2020 for the management of the Council's resolutions in digital mode. Among the rules set by these Guidelines is that of the "Confidentiality Guarantees" referred to in the relevant art. 8 which, in application of the "minimization" principle mentioned above, for the purposes of protecting personal data within the deliberative acts of the Regional Council alternatively provides: 1) the preparation, alongside the full text of the act and any attachments - to be kept in the records of the Structure and filed in Diogene - a copy of the deed and any attachments with "omissis" for publication in all the foreseen locations (Albo Pretorio; Transparent Administration; BURP; etc.); 2) the preparation of a single deed, containing in a specific Annex subtracted from publication all the data and information that cannot be disclosed ";

- "the disputed violation, relating to common personal data (name and surname), albeit connected to information from which it is indirectly inferred the existence of a disability condition of the interested party, concerned only one interested party, for a related matter prior to the application of the GDPR. This objective datum argues in the sense, probably, of a modest realization of the risk of disclosure of the data, outside the same interested party who could consult the documents by entering his name as a search key. With reference to the duration of the violation, it is reported that the same ended for both acts on XX, with the removal and timely obscuring of the personal data contained in the provisions concerned (see next point on art.83, par 2, letters c) and f)) ".

Furthermore, on the 20th, the hearing requested by the Puglia Region pursuant to art. 166, paragraph 6, of the Code on the occasion of which, in addition to what has already been reported in the defense briefs, it was represented among other things that:

- «[the conduct concerned] common data published in the absence of willful misconduct. We reiterate the timely intervention of the Region, carried out without delay on the same day of receipt of the notification of violation by the Guarantor (XX), also

recalling the numerous technical and organizational measures adopted over time by the Region to ensure compliance with the Regulation (EU ) 2016/679. This is in order to highlight the Region's commitment to the protection of personal data ";

- "the Puglia Region had not been aware of the violation by the complainant, who did not contact the body in advance, but directly to the Guarantor and several years after the violation. In any case, the Region intervened as quickly as possible (within approximately 8 hours from the notification of the violation) in the resolution of the violation, making the necessary obscurations to the personal data contained in the measures subject to notification. If the complainant had hopefully interacted with the regional administration at the time of the facts, the significance of the violation in question would have been, from a temporal point of view, extremely small ";

- "it is necessary to keep in mind the complexity of the regional administrative structure, not only from the point of view of the number of employees and the amount of documents produced, but also of the sectors / matters of competence, and the breadth and heterogeneity of the relative reference legislation, as the legal basis for the processing of personal data carried out in the regional context ";

- "In recent years the Region has aimed at the progressive development of a widespread culture on privacy within the Administration, in particular through the elaboration of directives and guidelines addressed to the regional Structures, the preparation of opinions on specific issues and the organization of specific training courses aimed at personnel in relation to the relevant aspects regarding the protection of personal data [...]. With specific reference to the issue of online publication of administrative documents, in addition to issuing specific directives and recommendations to the regional Structures (see Note from the Secretary General of the Presidency and Regional DPO of the XXth - Doc. No. 6 attached to the defensive writings sent with note prot. XX of XX), within the present month of June a specific training event has been scheduled regarding the relationship between transparency and legal advertising, through online publications, and protection of personal data, with particular reference to the regional administrative documents published in the institutional website (see prot. note XX of XX1 - Doc. N. 4 attached to our email confirming request for hearing of XX). In addition, a sample audit was carried out aimed at the structures concerned to verify the state of implementation of the directives issued ";

- "As for the disclosure of the complainant's data, please note that the precedents of the Guarantor concern the period of 2016 which was followed in 2018 by the application of Regulation (EU) 2016/679 against which the Region has already implemented further specific organizational measures that have resolved the inconveniences that occurred in the same type of procedure,

as demonstrated by the documentation already sent to the Guarantor and acquired in the proceedings ".

- "Any previous violations concern provisions in force prior to the application of Regulation (EU) 2016/679, the provisions of which have been the subject of a challenge by the Guarantor. Likewise, in relation to the publication of the provisions of the twentieth and twentieth centuries, only the provisions of Legislative Decree no. 196/2003 in the version in force at the time. With regard, in particular, to the 2016 provision, as is known, what is lacking in the act that entered into force but not yet applicable, is in fact the ability to demand compliance through the coercive instrument of the sanction. Furthermore, it is believed that no recidivism by the entity can be configured as, as noted by consolidated ordinary and administrative jurisprudence, art. 8-bis of the l. n. 689/1981 does not apply if the administrative violations subsequent to the first are committed in short times and attributable to a single unitary programming which, as in the present case, can be found in the short time available to the structures to circulate the sanctions adopted by the Guarantor. In fact, the types of acts, proceedings and structures involved are correlated, albeit different, and the limited time span between the conduct implemented, has resulted in insufficient communication between the distinct structures of the Region ".

#### 5. Outcome of the investigation relating to the complaint presented

In the specific case submitted to the examination by the Guarantor, the object of the complaint by the complainant appears to be the dissemination of their personal data, including health data related to their disability condition, by the Puglia Region, contained in the Deliberation of the Giunta Regional n. XX of the XX and in the Executive Determination of the Regional Advocacy-Administrative Sector n. XX del XX - previously cited - published online.

Specifically, in the aforementioned documents reference was made - without adopting any measures aimed at obscuring and / or minimizing the dissemination of data - to a judgment relating to a previous publication of the same personal data of the complainant contained in a regional ranking published on the institutional website. , whose treatment has already been the subject of a declaration of illegitimacy for violation of the legislation on the protection of personal data with the provision of prohibition and prescription of the Guarantor n. 8 of 1/8/2015 (in [www.gpdp.it](http://www.gpdp.it), web doc. No. 3946725) against the Puglia Region.

The Puglia Region both in the defense briefs and in the hearing confirmed the successful publication and online dissemination of the complainant's personal data, justifying it by recalling the obligation of publication envisaged for the aforementioned documents and arguing that the dissemination was only common data ( although admitting the related presence of "information

[i] from which the existence of a disability condition of the person concerned is indirectly inferred"). In any case, the entity attributes the failure to obscure the complainant's personal data to a mere material error, reiterating that it has promptly provided for the removal of personal data from the website as soon as it receives the communication from the Guarantor ("within approximately 8 hours from the notification of violation »).

In this regard, however, the exceptions raised by the Region are not acceptable where it is claimed that the subject of disclosure is only common data and that there is "a specific obligation to publish the documents" which are the subject of the dispute.

The Guarantor, in the Guidelines on transparency has in fact highlighted, since 2014, that public bodies "before making administrative documents and deeds available on their institutional websites (in full or extracted form, including attachments) containing personal data, [must] verify [are] whether the sector legislation expressly provides for this obligation [...]. Where [then] the administration finds the existence of a regulatory obligation that requires the publication of the deed or document on its institutional website, it is necessary to select the personal data to be included in such deeds and documents, verifying, case by case, if the conditions are met for the obscuring of certain information "(second part, par. 1).

This implies that - without prejudice to the discretion of the entity regarding the correct motivation of the administrative measure - before publication on the institutional website, the administration should at least have obscured the personal data of the interested party, considering the suitability of the information contained in the documents subject to disclosure to reveal the relative state of health and disability.

This also taking into account that - as evidenced by this Authority on several occasions - data suitable for revealing the state of health is not only an indication of the pathology, but any information "from which one can infer, even indirectly, the state of illness or the existence of pathologies of the subjects concerned, including any reference to the conditions of invalidity, disability or physical and / or mental handicap "(see Guidelines on transparency, cit., part one, par. 2 and part two, par. 1; as well as provisions cited therein in note no. 5).

For these reasons, the elements and detailed observations contained in the defense briefs and in the hearing report, although worthy of consideration for the purpose of assessing the conduct, do not, however, allow for overcoming the findings notified by the Office with the note prot. n. XX of the XX and are not sufficient to allow the filing of this proceeding, however, none of the cases provided for by art. 11 of the Guarantor Regulation n. 1/2019. This also taking into account that since 2014 the



Authority, in the Guidelines on transparency, has provided all public entities with specific indications on how to reconcile the transparency and publicity obligations of administrative action with the right to data protection. personal data of the interested parties, also with reference to the prohibition of disclosure of data suitable for revealing the state of health (see part one, par. 2; part two, par. 1; as well as measures cited in note no. 5).

In this context, the preliminary assessments of the Office are confirmed and the unlawfulness of the processing of personal data carried out by the Puglia Region is noted, as the online publication of the full text of the Regional Council Resolution no. XX of the XX and the Executive Determination of the Regional Advocacy-Administrative Sector n. XX of the XX, once again caused a dissemination of the data and personal information of the complainant, including the related disability described above, already the subject of a previous prohibition and prescription provision of the Guarantor (provision no. 8/2015). This conduct does not comply with the relevant legislation on the protection of personal data, as the disclosure on the institutional website of the complainant's health data occurred in violation of the prohibition on the dissemination of health data provided for by art. 2-septies, paragraph 8, of the Code and art. 9, para. 1, 2 and 4, of the RGPD, as well as in violation of the principle of "minimization" of data, considering that they have not been "limited to what is necessary with respect to the purposes for which they are processed", pursuant to art. 5, par. 1, lett. c), of the GDPR;

Taking into account, however, that the conduct has exhausted its effects, as the data controller has removed the complainant's personal data from the institutional website, without prejudice to what will be said on the application of the pecuniary administrative sanction, the conditions for the adoption of further corrective measures pursuant to art. 58, par. 2, of the GDPR.

6. Adoption of the injunction order for the application of the pecuniary administrative sanction (Articles 58, paragraph 2, letter i; 83 RGPD)

The Puglia Region appears to have violated Articles 5, par. 1, lett. c); 9, para. 1, 2 and 4, of the RGPD, as well as art. 2-septies, paragraph 8, of the Code.

In this regard, art. 83, par. 3, of the RGPD, provides that «If, in relation to the same treatment or related treatments, a data controller or a data processor violates various provisions of this regulation, with willful misconduct or negligence, the total amount of the pecuniary administrative sanction does not exceeds the amount specified for the most serious violation '.

In the present case, the violation of the aforementioned provisions is subject to the same administrative fine as provided for by art. 83, par. 5, of the GDPR, which therefore applies to the present case.

In this regard, it is not possible to accept the exception formulated by the Region for which "in relation to the publication of the provisions of the twentieth and twentieth centuries, only the provisions of Legislative Decree no. 196/2003 in the version in force at the time [...] ". This, since it is also necessary to take into account that, even if the documents object of the complaint published online actually date back to March XX and November XX, for the determination of the applicable rule, in terms of time, the principle of legality must be recalled in particular. to art. 1, paragraph 2, of the l. n. 689/1981 which establishes as "Laws that provide for administrative sanctions are applied only in the cases and times considered in them". This determines the obligation to take into consideration the provisions in force at the time of the violation committed, which in the case in question - given the permanent nature of the alleged offense - must be identified at the time of cessation of the unlawful conduct, which occurred after the date of 25/5/2018 in which the RGD became applicable. In fact, from the preliminary investigation it emerged that the illegal online dissemination lasted - according to what is reported in the defensive memoirs of the Region - until March XX.

The Guarantor, pursuant to art. 58, par. 2, lett. i) and 83 of the RGD as well as art. 166 of the Code, has the corrective power to "inflict a pecuniary administrative sanction pursuant to Article 83, in addition to the [other] [corrective] measures referred to in this paragraph, or instead of such measures, depending on the circumstances of every single case ". In this context, "the College [of the Guarantor] adopts the injunction order, with which it also disposes with regard to the application of the ancillary administrative sanction of its publication, in whole or in excerpt, on the website of the Guarantor pursuant to Article 166, paragraph 7, of the Code "(Article 16, paragraph 1, of the Guarantor Regulation no. 1/2019).

The aforementioned administrative fine imposed, depending on the circumstances of each individual case, must be determined in the amount, taking into account the elements provided for by art. 83, par. 2, of the GDPR.

In this sense, it should be considered that the detected conduct in violation of the regulations on the protection of personal data had as its object the dissemination of data relating to health belonging, therefore, to particular categories of personal data referred to in art. 9 of the RGD, referring to a single interested party and continued, for Resolution G: R. n. XXXX, for more than four years and, for the executive determination of the Regional Lawyer-Administrative Sector n. XX, for more than seven years. However, it is acknowledged that the Region "had not been aware of the violation by the complainant, who did not contact the body in advance, but directly to the Guarantor and several years after the violation" and that the same "in any case intervened with the maximum timeliness (within approximately 8 hours from the notification of the violation) in resolving the

violation ", collaborating with the Authority during the investigation of this proceeding in order to remedy the violation - the character of which is culpable and the result of a unintentional error - mitigating possible negative effects. In the reply to the Guarantor, various technical and organizational measures implemented by the body were also described pursuant to Articles 25-32 of the GDPR.

When the reiteration of the behavior, while accepting the objection raised by the Region in relation to art. 83, par. 2, lett. e), of the RGPD, for which "previous violations [of the entity] concern provisions in force prior to the application of Regulation (EU) 2016/679, the provisions of which were the subject of a challenge by the Guarantor" and that "the types of , the procedures and structures involved are correlated, albeit different, and the limited time span between the conduct set up has led to insufficient communication between the distinct structures of the Region ", it is believed necessary to take into account the circumstance in any case that the processing concerning the dissemination of data on the complainant's disability had already been the subject of a previous declaration of illegitimacy against the Puglia Region for violation of the legislation on the protection of personal data of this Authority (see provision no. 8 of 8/1/2015, web doc. no. 3946725) and that the Region has already been sanctioned in the past by the Guarantor, again for unlawful dissemination of personal data online even if of different kinds (cf. prov. n. 124 of 29/5/2019, doc. web n. 9163335).

Due to the aforementioned elements, assessed as a whole, it is deemed necessary to determine pursuant to art. 83, para. 2 and 3, of the RGPD, the amount of the pecuniary sanction, provided for by art. 83, par. 5, of the RGPD, to the extent of € 30,000.00 (thirty thousand) for the violation of Articles 5, par. 1, lett. c); 9, para. 1, 2 and 4, of the RGPD, as well as art. 2-septies, paragraph 8, of the Code, as a pecuniary administrative sanction deemed effective, proportionate and dissuasive pursuant to art. 83, par. 1, of the same RGPD.

In relation to the specific circumstances of this case, relating to the unlawful dissemination of health data on the web, it is also believed that the ancillary sanction of the publication of this provision on the website of the Guarantor, provided for by art. 166, paragraph 7, of the Code and by art. 16, paragraph 1, of the Guarantor Regulation n. 1/2019.

Finally, it is believed that the conditions set out in art. 17 of the Guarantor Regulation n. 1/2019.

WHEREAS, THE GUARANTOR

detected the unlawfulness of the processing carried out by the Puglia Region in the terms indicated in the motivation pursuant to Articles 58, par. 2, lett. i) and 83 of the GDPR, as well as 166 of the Code

## ORDER

to the Puglia Region, in the person of the pro-tempore legal representative, with registered office Lungomare Nazario Sauro, 33 - 70126 Bari (BA) - C.F. 80017210727 to pay the sum of Euro 30,000.00 (thirty thousand) as a pecuniary administrative sanction for the violations mentioned in the motivation;

## INJUNCES

to the same Region to pay the sum of € 30,000.00 (thirty thousand), according to the methods indicated in the annex, within 30 days of notification of this provision, under penalty of the adoption of the consequent executive acts pursuant to art. 27 of the l. n. 689/1981.

Please note that the offender has the right to settle the dispute by paying - again in the manner indicated in the annex - of an amount equal to half of the sanction imposed, within the term referred to in art. 10, paragraph 3, of d. lgs. n. 150 of 1/9/2011 provided for the submission of the appeal as indicated below (Article 166, paragraph 8, of the Code).

## HAS

- the publication of this provision on the website of the Guarantor pursuant to art. 166, paragraph 7, of the Code and by art. 16, paragraph 1, of the Guarantor Regulation n. 1/2019;
- the annotation in the internal register of the Authority pursuant to art. 17 of the Guarantor Regulation n. 1/2019.

Pursuant to art. 78 of the RGPD, of the arts. 152 of the Code and 10 of Legislative Decree no. 150/2011, against this provision, it is possible to appeal before the ordinary judicial authority, under penalty of inadmissibility, within thirty days from the date of communication of the provision itself or within sixty days if the applicant resides abroad.

Rome, July 8, 2021

## PRESIDENT

Stanzione

## THE RAPPORTEUR

Cerrina Feroni

## THE SECRETARY GENERAL

Mattei