[doc. web n. 9751549]

Injunction order against the Municipality of Guidizzolo - 10 February 2022

Record of measures

n. 45 of 10 February 2022

THE GUARANTOR FOR THE PROTECTION OF PERSONAL DATA

IN today's meeting, which was attended by prof. Pasquale Stanzione, president, Prof. Ginevra Cerrina Feroni, vice president, Avv. Guido Scorza, member, 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 / CE, "General Data Protection Regulation" (hereinafter, "Regulation");

GIVEN the legislative decree 30 June 2003, n. 196 containing the "Code regarding the protection of personal data, containing provisions for the adaptation of the national system to Regulation (EU) 2016/679 of the European Parliament and of the Council, of 27 April 2016, relating to the protection of individuals with regard to to the processing of personal data, as well as to the free circulation of such data and which repeals Directive 95/46 / EC (hereinafter the "Code");

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, doc. web n. 9107633 (hereinafter "Regulation of the Guarantor no. 1/2019");

Having seen the documentation in the deeds;

Given the observations made by the Secretary General pursuant to art. 15 of the Guarantor Regulation n. 1/2000 on the organization and functioning of the office of the Guarantor for the protection of personal data, Doc. web n.1098801;

Rapporteur the lawyer Guido Scorza;

WHEREAS

1. The complaint.

With a complaint of the XX, regularized on the XX, presented pursuant to art. 77 of the Regulations, the publication of a resolution containing personal data of the complainant was complained of in the online Praetorian Register of the institutional

website of the Municipality of Guidizzolo (hereinafter "Municipality"). In particular, the decision n. XX of the XX with which the Municipality revoked the determination n. XX of the XX concerning "the exchange of Local Police Agents between the Municipality of Guidizzolo and the Municipality of Caprino Veronese" in which the name of the complainant, his professional qualification and numerous references to the fact that the complainant had filed complaints was expressly indicated and complaints against the employee receiving the revocation.

2. The preliminary activity.

With the note of the XX sent by the Municipality, and with the subsequent note of the XX from the Data Protection Officer of the Entity, the request for information formulated by the Office was acknowledged, with a note of the XX, prot. n XX, stating in particular that:

- "by resolution of the Municipal Council No. XX of the XX [the municipality] provided for the exchange of Local Police Agents between the Municipality of Guidizzolo and the Municipality of Caprino Veronese [and only after] the hiring into service [...] of the new agents, the Municipality of Guidizzolo [… was] aware that at the time of the exchange the Municipality of Caprino Veronese had not communicated to the Municipality of Guidizzolo the legal disputes of the Agent who had moved to Guidizzolo ";
- "to restore the correctness of the acts of the public administration [the Municipality of Guidizzolo prepared the revocation of] the act n, XX with the act n. XX of the XX [which ...] being a unilateral act having an impact on the relationship of work, [it was also necessary to contain] the pregnant reasons that make the act legitimate ";
- "in particular, these reasons, [...], concerned [... the] documents relating to the complaint [...] presented [by the complainant] by the Local Police Office of Caprino, against the agent who was then transferred to Guidizzolo [...] . [The details indicated in the resolution were deemed necessary] to motivate the revocation, as was equally necessary the reference to the person of the complainant [...] from the point of view of the reliability of the source. The legal basis is constituted not only by art. 3 L. 241/90 but also by art. 21-quinquies Law 241/90 ";
- moreover, "already on the XXth a newspaper article was received by the Municipality which reported the facts and names relating to our case".

With a note of the XX (prot.n.XX, the Office, on the basis of the elements acquired, the verifications carried out and the facts that emerged as a result of the investigation, notified the Municipality, pursuant to Article 166, paragraph 5 , of the Code, the

initiation of the procedure for the adoption of the measures referred to in art.58, par. 2, of the Regulation, concerning the alleged violations of art. 5, par. 1, lett. a) and c), 6, paragraph 1, lett. c) and e), 2 and 3, lett. b), as well as art. 2-ter, paragraphs 1 and 3 of the Code (in the text prior to the changes made by Legislative Decree 8 October 2021, n.139, in force at the time of the facts subject of the complaint), inviting the aforementioned owner to produce defensive writings or documents to the Guarantor or to ask to be heard by the Authority (art. 166, paragraphs 6 and 7, of the Code, as well as art. 18, paragraph 1, of the l. 24 November 1981, n. 689).

The Municipality has sent its defense briefs, with note prot.n. XX of the XX, representing that:

- "the specific peculiarity and [...] uniqueness of the case in question is the fact that it is the administrative provision specifically preordained and finalized, in its motivational content (factual and legal premises) and in its device content (deliberated): a resist the appeal by the administration of Caprino and / or the interchanged workers; to promote "judicial" action against the administration of Caprino for violation of the principle of loyal cooperation ";
- "the processing was necessary" to ascertain, exercise or defend a right in court ", taking into account that the revocation of the authorization (as an extension of the legal sphere) has the consequence of high probability, not to say certainty, of its appeal (as is actually demonstrated by the development of the facts that prove the appeal of the revocation);
- "in the present case, the processing concerned common personal identification data of the complainant (name and surname) and, since the revocation measure must be used as" the legal basis "motivational and justifying to resist the action in court (challenge of the revocation of the nulla osta as, moreover, it promptly occurred before the TAR), and to promote the action of ascertaining the violation of the principle of loyal collaboration between public administrations as per law 241/1990 [...] on the one hand , it was necessary to provide, in the body of the provision, all the useful elements to the recipients of the provision (the two interchanged employees and the Municipality of Caprino) in order to allow them to be able to prepare an adequate defensive strategy in the event of an appeal ";
- it was necessary to provide "the precise indications of both the facts that the administration considered relevant and pertinent for adopting the second degree measure, revocation of the authorization, both of the subject (the complainant [complainant])";
- "It was also necessary not only the usual publication of the provision in question in the Albo Praetorian on-line, for the purposes of legal effectiveness (pursuant to Article 124 of Legislative Decree 267/2000) but, above all, it was necessary to publication of the "original" of the provision, since the original provision, made effective following its publication in the Register,

is intended to be merged in a "certified copy of the original" in the Judge's file ";

- "the close and inseparable connection between administrative provision and judicial action has conditioned, in the specific case in question, the method of drafting and subsequent publication in the Register, making the duty to safeguard the original text of the provision prevail over the principle of minimization (anonymization of the personal data of the complainant) since it is necessary to provide the judge, following the action, a true copy of the original of the published provision ";

- "the recession of the minimization principle, which is never tolerable in ordinary circumstances, finds a (probably only) exception where the minimization principle correlates with the need to" build "a broad, comprehensive, in-depth motivation and, ultimately, capable both of "resisting" in court before the Judge, both in the event of an appeal against the provision by the recipients, and in the event of the action being promoted by the administration itself ";

- "in conclusion, if in the context of the exercise of the administrative activity of the first degree (which is the issue of the authorization) the principle of minimization would have imposed the obscuring of the complainant's first name surname, in the specific and peculiar context of the exercise of a second degree administrative activity (which is the revocation of the no impediment document already adopted and effective), the principle of minimization had to take into account the consequent procedural dynamics and the principle of "judicial proof" which requires the procedural allegation of a true copy of the original of the administrative measures adopted and made effective by publication ";

- "the disputed fact, if contextualized in the dynamic" administrative activity-procedural activity ", which makes it peculiar, is therefore devoid of the characteristics of illegality, lack of correctness, lack of transparency and violation of the principle of minimization, having - on the other hand - the administration not so much the power as the juridical duty, for the lawfulness, correctness and transparency of the action to be resisted or to be promoted in court, to explicate all the facts underlying the decision (second degree) and to explicate all the subjects to whom the facts refer, who must be placed in the position of being able to challenge the provision. This is the aim of legal advertising through publication in the Praetorian register ";

- "the publication for 15 consecutive days in the praetorian notice board, from the 20th to the 20th consecutive days from the XX) benefits from the "coverage" represented by the legal basis of art. 124 paragraph 2 of Legislative Decree 267/2000 ";

- “the duration of the disputed dissemination of common identification data must consequently be limited: to the only period of publication of the same common identification data in transparent administration (from day XX to XX). In this regard, it is recalled that the resolution of the Municipal Council no. XX del XX was published no later than day XX, date on which the head

of the Local Police Office, after consulting the Data Protection Officer, instructed the company Kibernetes to remove the full text of resolution no. XX from the institutional website of the Municipality " .

- "without prejudice to the disputed nature of the violation (dissemination of common data), the gravity of the violation must be excluded, taking into account the following circumstances: it was not a matter of dissemination of particular data; for the processing of the common identification data of the complainant, in his capacity as a public employee there is no prohibition of processing (provided for on the other hand for particular data); the dissemination of the aforementioned data concerned only: - no. 1 employee, in his capacity as agent of PL; the common personal data, identification, of managers and public POs must be published pursuant to Legislative Decree 33/2013 (Article 13 paragraph 1, letter c) and, taking into account the obligation to promote greater levels of transparency , also the personal data of employees, functionally hinged in an organizational unit, must be made public; the common identification data of the complainant were referred to: exact facts, relevant and selected from the judicial file to support the revocation decision ".

On the occasion of the hearing, requested by the Municipality pursuant to art. 166, paragraph 6, of the Code and held on XX (minutes prot. No. XX of XX), the Municipality reiterated what was previously declared, further specifying that: "the publication of the name of the interested party was lawful, as it was a procedure for mobility for exchange between two administrations, in the context of which some criminal proceedings became known which, if known before, would have induced the Administration not to take the decision to proceed with the mobility. It was therefore deemed necessary to adopt a revocation measure, in which reference must necessarily have been made to the identity [of the complainant], as well as to publish the same on the praetorian register, also due to the probable challenge of the same by the interested party and the consequent need to produce in court a copy conforming to the original published ".

3. Outcome of the preliminary investigation.

3.1 The regulatory framework.

The personal data protection discipline provides that public subjects may process the personal data of the data subjects if the processing is necessary, in general, to fulfill specific obligations or tasks provided for by the national sector regulations. In particular, in the context of the work context, public subjects may process the personal data of the interested parties, also relating to particular categories, if the processing is necessary, in general, for the management of the employment relationship and to fulfill specific obligations or tasks provided for by law or law of the Union or of the Member States (art. 6, par. 1, lett. c),

9, par. 2, lett. b) and 4 and 88 of the Regulation). The processing is also lawful when it is "necessary for the performance of a task of public interest or connected to the exercise of public authority vested in the data controller" (Article 6, paragraph 1, letter e), 2 and 3, and art. 9, par. 2, lett. g), of the Regulations; art. 2-ter of the Code, in the text prior to the changes made by Legislative Decree 8 October 2021, n. 139).

European legislation provides that "Member States may maintain or introduce more specific provisions to adapt the application of the rules of this Regulation with regard to processing, in accordance with paragraph 1, letters c) and e), by determining more precisely specific requirements for processing and other measures aimed at guaranteeing lawful and correct processing […] "(Article 6, par. 2, of the Regulation). In this regard, it should be noted that the "dissemination" of personal data (such as online publication), by public entities, is permitted only when provided for by a law or, in the cases provided for by law, by regulation (see Article 2-ter, paragraphs 1 and 3 of the Code in the text prior to the changes made by Legislative Decree No. 139 of 8 October 2021, in force at the time of the facts which are the subject of the complaint).

The data controller is then, in any case, required to comply with the principles of data protection, including that of "lawfulness, correctness and transparency" as well as "minimization", on the basis of which personal data must be "Processed in a lawful, correct and transparent manner towards the data subject" and must be "adequate, relevant and limited to what is necessary with respect to the purposes for which they are processed" (Article 5, paragraph 1, letter a) and c) of the Regulation).

3.2 The dissemination of personal data.

As a preliminary point, it should be noted that "personal data" means "any information concerning an identified or identifiable natural person", having to be considered "identifiable the natural person who can be identified, directly or indirectly [...]" (Article 4, par. 1, no. 1).

In the present case, the determination relating to the revocation of the authorization regarding the exchange between employees of the Municipality of Guidizzolo and the Municipality of Caprino Veronese also contained the express indication of the name of the complainant, not directly involved in the procedure, his professional qualification and numerous references to the fact that the complainant had filed complaints and complaints against one of the colleagues who were the recipients of the revoked measure.

During the investigation, the Municipality, invoking the discipline on the publicity of the acts of local authorities on the praetorian register (art. 124, legislative decree 18 August 2000, n. 267 as well as art. 32, l. 18 June 2009, 69) and the

obligation to motivate administrative acts (Article 3 of Law 241 of 1990), intended to justify the reasons for which personal data relating to the complainant and numerous elements of detail on the matter, even if the complainant is not the addressee of the provision itself. The resolution adopted by the Municipality and subject to subsequent publication contained, in fact, the personal details of the complainant and the reference to the complaints presented by the latter against the colleague who was the recipient of the provision itself, for the declared purpose of explaining the reasons underlying the revocation.

In this regard, as clarified by the Guarantor on numerous occasions, even in the presence of a possible law that provides for the obligation to publish certain deeds and documents, the owner must in any case comply with the principles of data protection, including the principle of lawfulness, necessity as well as "data minimization" (Article 5, paragraph 1, letter c), of the Regulation; cf. part II, par. 3 (a), of 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" of the Guarantor of May 15, 2014 doc . web n. 3134436; see among the other provisions 16 September 2021, n. 321, doc. web n. 9718196; prov. 16 September 2021, n. 319, doc. web n. 9704048; prov. 16 September 2021, n. 318, doc. web n. 9718134; prov. June 24, 2021, n. 256, doc. web n. 9689607; prov. June 24, 2021, n. 255, doc. web n. 9686899).

Also with regard to the need to accompany the provision with an adequate motivation (Article 3 of Law 241/1990), the publication of the full version of the act is not necessary since it, remaining in the records of the administration that formed it, continues to be accessible, by qualified parties, in the ways and within the limits established by law (on this point, see the constant orientation of the Authority, precisely with regard to administrative documents formed in the context of procedures also involving the administration staff among others provision. 25 February 2021, n. 68, web doc. n. 9567429; provision. 25 February 2021, no. 69, web doc. no. 9565258).

Moreover, the publication of the determination in its full version lasted even beyond the 15-day deadline provided for by the sector regulations relating to advertising on the praetorian bulletin board, as it remained visible even later in the Transparent Administration section of the Municipality website until the twentieth century. As represented by the Municipality, in fact, "for a predefined IT setting [...] the deeds at the end of the publication in the Pretorio Register ended up in Transparent Administration with the full text".

With regard to this circumstance, it is recalled that, as clarified by the Guarantor since 2014, the provisions that regulate the obligations of publicity of the administrative action for the purpose of transparency must be kept distinct from those that

regulate forms of advertising for different purposes, considering the different applicable legal regime (see of May 15, 2014, cited above and also "Guidelines on the processing of personal data of workers for the purpose of managing the employment relationship in the public sphere" of June 14, 2007, web doc. no. 1417809 The reference made by the owner during the investigation to the specific needs of transparency (Legislative Decree No. 33 of 2013) in reference to the publication of data and information concerning public employees is not relevant, considering that the Municipality , for the reasons indicated above, it had no obligation under this sector regulation to publish the deed in question without having previously proceeded to anonymization of the personal data contained therein (art. 7-bis, paragraph 3, of the legislative decree n. 33/2013).

In this regard, the jurisprudence has clarified that in similar cases there is an "organizational fault", to be understood, in a regulatory sense, as a reproach deriving from the non-compliance by the entity with the obligation to adopt the necessary organizational and managerial precautions to prevent the commission of offenses (see Civil Cassation, section II, order no. 18292 of September 3, 2020, which confirmed a previous provision of the Guarantor, injunction order no. 193 of March 26, 2015, web doc no. 4000337).

Furthermore, what is stated by the Municipality regarding the fact that the publication of the determination in question was carried out due to the general need, represented by the Municipality, "regarding the need to allow recipients to have complete knowledge of the decision-making process of revocation of the nulla osta [e] to have a copy conforming to the original in integral form ", or in any case" to resist "a possible legal action deriving from the appeal of the revocation measure, because, the knowledge and the use by persons involved in an administrative or judicial procedure, which however at the time the provision was adopted was only possible, is in any case guaranteed by specific laws, without requiring the online publication of deeds that fully report references to information and personal events of the interested parties or third parties.

In light of the foregoing considerations, therefore, and contrary to what the Municipality held in the defense briefs, the publication of the determination with the previous obscuring of the complainant's personal data would not have compromised the principle of adequate motivation pursuant to art. 3 of the l. 241/1990, nor future defensive needs in a possible dispute involving the administrative action of the entity, considering that the complete version of the same would have remained in the records of the administration and possibly accessible to interested parties under the conditions provided for by the law on based on specific assessments submitted to the administration (articles 22 and following of law no. 241 of 7/8/1990 and article 5 of legislative decree 33/2013).

Lastly, it should be noted that the circumstances for which the affair and the names of the subjects involved were already known within the local community cannot be considered sufficient to justify the publication of the complainant's personal data, having been reported by some press organs at local. As clarified in numerous decisions by the Guarantor, in fact, public entities may disclose personal data only where permitted by the legal framework of reference (Article 2-ter, paragraphs 1 and 3, of the Code, in the text prior to the changes made by Legislative Decree 8 October 2021, n.139) to nothing, noting that the same data may have been made public elsewhere for other purposes (see provision July 2, 2020, no.118, web doc. No.9440025; provision February 25, 2021, 68, web doc. 9567429).

In light of the foregoing considerations, it must be concluded that the Municipality has put in place an unlawful disclosure of the complainant's personal data, in violation of Articles 5, 6 of the Regulations and Article 2-ter of the Code (in the text prior to the changes made by Legislative Decree 8 October 2021, no. 139).

4. Conclusions.

In light of the aforementioned assessments, it is noted that the statements made by the data controller during the investigation the truthfulness of which one may be called to respond pursuant to art. 168 of the Code do not allow the findings notified by the Office to be overcome with the act of initiating the procedure and are insufficient to allow the filing of this proceeding, however, none of the cases provided for by art. 11 of the Guarantor Regulation n. 1/2019.

It is also represented that for the determination of the applicable law, from a temporal point of view, the principle of legality referred to in 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 account the provisions in force at the time of the committed violation.

From the documents of the investigation it emerged that the determination in its full text was published from the XX (date of issue of the same) up to the XX, date on which, according to what was declared by the Municipality, it was removed from the site and, therefore, in full validity of the provisions of the Regulations and the Code.

Therefore, the preliminary assessments of the Office are confirmed and the unlawfulness of the processing of personal data carried out by the municipality of Guidizzolo is noted, for having disclosed personal data relating to the complainant, contained in resolution no. XX of the X, in the absence of suitable regulatory conditions, in violation of art. 6 of the Regulations and Article 2-ter of the Code (in the text prior to the changes made by Legislative Decree 8 October 2021, no. 139), as well as the basic

principles of processing contained in art. 5, par. 1, lett. a) and c) of the Regulations.

The violation of the aforementioned provisions makes the administrative sanction provided for by art. 83, par. 5, of the Regulation, pursuant to art. 58, par. 2, lett. i), and 83, par. 3, of the same Regulation and art. 166, paragraph 2, of the Code.

In this context, considering, in any case, that the conduct has exhausted its effects, given that the publication of the resolution in question on the institutional website of the Municipality has ceased, the conditions for the adoption of further corrective measures referred to in 'art. 58, par. 2, of the Regulation.

5. Adoption of the injunction order for the application of the pecuniary administrative sanction and ancillary sanctions (articles 58, par. 2, lett. I and 83 of the Regulation; art. 166, paragraph 7, of the Code).

The Guarantor, pursuant to art. 58, par. 2, lett. i) and 83 of the Regulations as well as art. 166 of the Code, has the power to "inflict an administrative pecuniary 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 each single case "and, 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).

In this regard, taking into account art. 83, par. 3, of the Regulation, in the present case - also considering the reference contained in art. 166, paragraph 2, of the Code - the violation of the aforementioned provisions is subject to the application of the same administrative fine provided for by art. 83, par. 5, of the Regulation.

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 Regulation.

In relation to the aforementioned elements, it was considered that the detected conduct had as its object the dissemination of personal data relating to events related to the employment relationship, despite the numerous precedents on the subject and, more generally, the indications given by the Guarantor to all public entities with 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" (provision no. 243 of May 15 2014 web doc. No. 3134436) and with the "Guidelines on the processing of personal data of workers for the purpose of managing the employment relationship in the public sphere" (provision no. 23 of 14 June 2007, web doc. . 1417809).

On the other hand, it was favorably taken into consideration that the owner has taken steps to remove the data subject to the complaint, giving full cooperation during the investigation, in order to remedy the violation and mitigate any possible negative effects. There are no previous relevant violations committed by the data controller or previous provisions pursuant to art. 58 of the Regulation.

Due to the aforementioned elements, assessed as a whole, it is considered to determine the amount of the pecuniary sanction, in the amount of € 2,000 (two thousand euros) for the violation of Articles 5, par. 1, lett. a) and c), 6 of the Regulations and art. 2-ter of the Code (in the text prior to the changes made by Legislative Decree 8 October 2021, no. 139), as an administrative pecuniary sanction, pursuant to art. 83, par. 1, of the Regulation, effective, proportionate and dissuasive.

Taking into account the time frame during which the aforementioned data were made available online, it is also believed that the additional sanction of the publication on the website of the Guarantor of this provision, provided for by art. 166, paragraph 7 of the Code and art. 16 of the Guarantor Regulation n. 1/2019.

Finally, it is noted that the conditions set out in art. 17 of Regulation no. 1/2019 concerning internal procedures with external relevance, aimed at carrying out the tasks and exercising the powers delegated to the Guarantor.

WHEREAS, THE GUARANTOR

pursuant to art. 57, par. 1, lett. f), of the Regulations, declares unlawful the conduct of the Municipality of Guidizzolo described in the terms set out in the motivation, consisting in the violation of articles 5, par. 1, lett. a) and c), 6 and the Regulations and art. 2-ter and of the Code (in the text prior to the amendments made by Legislative Decree 8 October 2021, n.139), in the terms set out in the motivation.

ORDER

to the Municipality of Guidizzolo, in the person of the pro-tempore legal representative, with registered office in Piazza Marconi, 1 - 46040 Guidizzolo (MN), Tax Code: 81000790204, pursuant to art. 58, par. 2, lett. i), and 83, par. 5, of the Regulation and 166, paragraph 2, of the Code, to pay the sum of € 2,000 (two thousand) as a pecuniary administrative sanction for the violations indicated in the motivation;

INJUNCES

to the aforementioned Municipality to pay the sum of € 2,000 (two 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. In this regard, it is recalled that the offender has the right to settle the dispute by paying - again according to the methods indicated in the annex - of an amount equal to half of the sanction imposed, within 30 days from the date of notification of this provision, pursuant to art. 166, paragraph 8, of the Code (see also Article 10, paragraph 3, of Legislative Decree no. 150 of 1/9/2011);

HAS

pursuant to art. 166, paragraph 7, of the Code, the publication of this provision on the website of the Guarantor, considering that the conditions set out in art. 17 of the Guarantor Regulation n. 1/2019 concerning internal procedures with external relevance, aimed at carrying out the tasks and exercising the powers delegated to the Guarantor.

Pursuant to art. 78 of the Regulation, 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, February 10, 2022

PRESIDENT

Stanzione

THE RAPPORTEUR

Peel

THE SECRETARY GENERAL

Mattei