

ROUNDTABLE ON PRIVACY

How to balance Privacy and Business Objectives: Italy's and International Data Protection trends in a challenging economy

Rome, Italy, October 13-14, 2009

With Italian-English and English-Italian simultaneous interpretation

1st DAY: Briefing Draft Programme

Rome, October 13th

Palazzo Rospigliosi, Via XXIV Maggio 43

8.30 Registration and welcome coffee

9.30 Introductions

Stewart Dresner, Chief Executive Privacy Laws & Business, Secretariat European Privacy Officers Network
Gerolamo Pellicanò, Lawyer, CBA Studio Legale e Tributario

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| Session 1: International Data Protection Laws and Trends |
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10.00 **Latest Data Protection trends in the European Union regarding options for International Transfers of Personal Data**

- Declaration of adequacy by the European Commission for some countries
- United States Safe Harbor
- Contracts
- Binding Corporate Rules
- Exceptions

Karin Retzer, Attorney, Morrison & Foerster - Brussels

10.30 **Data breach rules for all sectors ahead**

The anatomy of a data breach

- EU data breach law? Update on negotiations and progress of the ePrivacy Directive review in Brussels
- The threat landscape
- The risk of breach to organizations
- How to deal with it from a regulatory/technological standpoint

Susan Daley, Government Relations Manager Northern Region, Symantec Corporation

Guidance or law for action when an organisation loses Personal Data or has it stolen?

- The Privacy Laws & Business survey of 22 countries
- Business risk and consequences for an organisation's reputation
- How can technologies help companies to manage Personal Data efficiently

Stewart Dresner, Chief Executive, Privacy Laws & Business, Secretariat, European Privacy Officers Network

11.15 Coffee break

11.45 Recent trends and policies on Privacy for multinational companies in Italy

- Group's ethics policies and Italian Law on Privacy
- How to manage network monitoring
- How to manage the International Transfer of Data
- System administrators and system of delegation

Giovanni B. Monteverde, General Counsel, ALSTOM Italy

Andrea Furbini, Counsel, Philip Morris Italia

- Privacy issues related to company organization: Telecom Italia and the companies belonging to the group
- The new frontiers of Privacy
- Problems in Transfer of Personal Data abroad
- Focus on behavioural advertising

Alessandro Talotta, Chief, Regulatory Affairs, Telecom Italia

12.45 Question time session

13.00 Networking Lunch

Session 2: Italy's Data Protection Law and Key Privacy Issues

14.30 The Italian law on Privacy and the Data Protection Code

- The objectives of the Code and main law enforcement issues
- How Privacy affects business activities and corporate culture
- Main social and economic scenarios: from working environment, to e-commerce, to the web

Gerolamo Pellicanò, Lawyer, CBA Studio Legale e Tributario

15.00 The new bill on Direct Marketing and Privacy: from opt-in to opt-out

Benedetto della Vedova, Member, Italian Chamber of Deputies and President, Parliamentary Intergroup for Privacy

Marketing, Communication and Privacy: new legislative initiatives and innovative strategic tools

- Current trends in the collection and use of Personal Data
- The risk of class action in Italy
- Web and direct marketing and users' behaviour
- Ecommerce: how to build confidence in the Italian market

Alessandro Musumeci, Central Director Informative Systems Operations, Ferrovie dello Stato

Luca Bolognini, President, Italian Institute for Privacy and Founder, European Privacy Association

15.50 Legal compliance and company requirements: the current Italian standards on Privacy policies

- How to comply with the regulations: practices, procedures and organisational improvements
- New skills and techniques that Privacy Directors could use to keep their system secure
- How much to spend in Privacy after the credit crunch
- When does it make most sense to use consultants or outside services
- The value of Privacy Certification: costs and benefits

Stefano Grassi, Direttore della Struttura Tutela Aziendale, Poste Italiane

16.10 E-Administration and Citizen Data Protection: E-gov Plan 2012

- Connections between Privacy Code and Digital Administration Code in Italy
 - Data Security in Document Dematerialization: legal and practical solutions
 - Certified Electronic Mail for citizens and companies: project development at national and local level
- Giovanni Manca, Security Manager, CNIPA*

16.30 The Magistrate's point of view

Giuseppe Corasaniti, Magistrate, Courthouse of Rome and Professor of Legal Informatics, La Sapienza University of Rome

16.50 Questions to the speakers and discussion of issues to raise with the Garante at the Roundtable

17.50 Conclusions

18.00 Close

20.30 Networking Dinner

Greeting address by Francesco Pizzetti, the President of the Italian Data Protection Authority

14th October: Roundtable with the Italian DPA (the Garante)

2nd DAY

Conference Room at the Italian DPA – Rome, Piazza Montecitorio 121

8.30 Registration and welcome coffee

9.15 Chairman's Introduction

Stewart Dresner, Chief Executive Privacy Laws & Business, Secretariat European Privacy Officers Network

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| <i>Session 1</i> |
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9.30 Employee surveillance by managers (Garante's Guidelines)

- Employees' health records
- Employers' use of video and monitoring of employees' use of IT systems
- Employees' use of e-mail and the internet
- Managers' use of geographical location monitoring and supervision of mobile working

Giuseppe Staglianò, Head of Complaints Handling Unit

Garante's Guidelines and codes of conduct

- Video surveillance
- Business information concerning legal persons and individuals
- Credit bureaux

Roberto Lattanzi, formerly Head of Legal Matters Dept. (private sector matters)

10.30 Garante's attitude towards Binding Corporate Rules (BCR)

- Limitations of the BCR mutual recognition agreement
- Extent of Garante's flexibility
- Time schedule for BCR applications from within Italy and from other countries
- Problem of assessing BCR applications in other languages

Cons. Filippo Patroni Griffi, Secretary General of the Italian DPA

11.00 Question time

11.15 Coffee break

11.45 Enforcement and more effective sanctions

- Formal complaints
- Inspections and other forms of enforcement
- Inspections – planning, objectives, methods, results, further action
- Sanctions
- Circumstances in which the results are published
- Garante's cooperation with other agencies, for example the Guardia di Finanza (financial police) in conducting inspections

*Francesco Modafferi, Head of Inspection Department
+ High-level representative from Guardia di Finanza*

12.15 The role of the Italian DPA

- Similarities with and differences from other European Union countries
- Role of the Italian DPA
- The Italian DPA's priorities

Francesco Pizzetti, President of the Italian DPA

12.45 Question time session

13.15 Lunch

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| <i>Session 2</i> |
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14.30 Simplifications to the Data Protection Code over the last five years

- Notification to the Garante is now simpler
- Marketing rules
- Data security issues: the security annexe to the code

Giuseppe Busia, Senior official at Italian DPA

15.00 Question time

15.15 Data Security

- Security of databases
- Role of system administrators and the Garante's published decision on them in December 2008

Cosimo Comella, Head of ICT Department

16.00 Question time session

17.00 Close