

Dear Mr./Mrs.

---

**Subject:** Appointment as Authorized Person for the Processing of Personal Data pursuant to Article 29 of EU Regulation 2016/679 and to Article 2-quaterdecies of Legislative Decree 196/2003, as amended by Legislative Decree 101/2018 on "Provisions for the adaptation of national legislation to the provisions of EU Regulation 2016/679".

EU Regulation 2016/679 of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data and on the free movement of such data (hereinafter GDPR EU 2016/679) ensures that the processing of personal data is carried out in accordance with the fundamental rights and freedoms of individuals, with particular reference to confidentiality and the right to protection of personal data.

Whereas, for the purposes of GDPR EU 2016/679 for:

- *"processing"* means, any operation or set of operations, performed with or without the aid of automated processes and applied to personal data or sets of personal data, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, comparison or interconnection, restriction, erasure or destruction;
- *"personal data"* any information relating to an identified or identifiable natural person (data subject); an identifiable person is one who can be identified, directly or indirectly, by reference in particular to an identifier such as a name, an identification number, location data, an online identifier, or to one or more features of his or her physical, physiological, genetic, mental, economic, cultural or social identity;
- *"health-related data"*: personal data pertaining to an individual's physical or mental health, including the provision of health care services, revealing information about his or her state of health;
- *"special categories of personal data"* means, personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, as well as dealing with genetic data, biometric data intended to uniquely identify a natural person, data relating to a person's health or sexual life or sexual orientation;

Noted that:

- the provisions of Legislative Decree 196/2003 on Data Processors are fully compatible with the structure and provisions of the GDPR EU 2016/679, particularly in light of the principle of "empowerment" of Data Controllers that provides for the adoption of measures to proactively ensure compliance with the regulation in its entirety, as highlighted by the Italian Data Protection Authority in the "Guide to the Application of the European Regulation on Personal Data Protection;
- on the basis of the Articles 29 and 32, paragraph 4, on the subject of technical and organizational security measures, the Guarantor Authority considers it appropriate for Data Controllers to maintain in place the organizational structure and methods of appointment of Data Processors as outlined over the years, including through the interventions of the Guarantor himself;
- pursuant to paragraph 2 of Article 2-quaterdecies (Attribution of functions and tasks to designated persons) of Legislative Decree 196/2003 as supplemented with the amendments introduced by Legislative Decree 101/2018, the Data Controller identifies the most appropriate ways to authorize persons operating under its direct authority to process personal data;

hereby, the undersigned Prof. Marco Elefanti, in the exercise of the functions of Personal Data Controller delegated to him by Fondazione Policlinico Universitario Agostino Gemelli IRCCS,

## **APPOINTMENT AUTHORIZED PROCESSING OF PERSONAL DATA**

Mr./ Mrs. \_\_\_\_\_

as a Person admitted by Fondazione Policlinico Universitario Agostino Gemelli IRCCS to voluntary attendance in accordance with the terms of the Procedure for the Management of Voluntary Attendance (PRO.147), which she declares that she is familiar with.

As an Authorized Person, you are required to comply with the following general rules regarding the processing of personal data, except for further guidance provided by the Controller:

- In processing personal data, you must operate by ensuring the utmost confidentiality of the information you come into possession of by considering all personal data confidential and, as a rule,

subject to a duty of confidentiality. Therefore, no information that has come to one's attention should be disclosed to third parties.

- The conduct maintained on each occasion of access must prevent the personal data of which it will come to know from being subject to the risk of loss or destruction, even accidental.
- The processing of personal data must be limited to the purpose and nature of Your voluntary attendance at the host operating unit and must be carried out in accordance with the instructions provided to you by the Head of the Operating Unit involved in the attendance;
- You will have access only to personal data whose knowledge is strictly necessary for the performance of your attendance.
- Any kind of processing of personal data must be carried out in accordance with what is prescribed herein, for which purpose, the data must not in any way be communicated outside the intended scope.
- Under no circumstances may material or documentation relating to the health status of Fondazione Policlinico Agostino Gemelli IRCCS's patients or other documentation pertaining to the same be taken outside.

The Authorized Person, in signing this, formally commits to the legal obligation of confidentiality of treatment/processing.

Please return this document signed for acknowledgement.

Kind Regards,

\_\_\_\_\_  
Personal Data Controller  
Prof. Marco Elefanti

Date \_\_\_\_\_

Signature \_\_\_\_\_

Authorized for Processing