



## Association of Data Protection Officers

Registered Office: Viale Monza, 44 - 20127 Milan (MI)- Italy

Operating Office: Via Brianza, 65 - 22063 Cantù (CO) - Italy

[info@assodpo.it](mailto:info@assodpo.it) - [www.assodpo.it](http://www.assodpo.it)

Tax code 97656960156

VAT No 08258580961 (for commercial activity only)

Annex 2: Code of Ethics of the Association

## Code Of Ethics

### PREAMBLE

The **Italian Association of Data Protection Officers**, in short *DPO ASSOCIATION* or *ASSO DPO* is a non-profit, apolitical and non-partisan association, whose Members are Data Protection Officers, Chief Privacy Officers, Data Privacy Specialists and Consultants, System Administrators, Data Controllers, Companies and others.

As set out in its Bylaws, the aim and purpose of the Association is:

- a. to provide the perfect and most suitable venue and environment where issues related to the application of European and Italian regulations on privacy and data protection can be discussed and explored. In particular, the Association aims to support and develop the activities of Data Protection Officers, Data Privacy Specialists, Consultants and Chief Privacy Officers, through discussion and exchange of information among Members, while maintaining the autonomy of each of them in the performance of their functions;
- b. to promote research and dissemination of knowledge in the field of legality checks and compliance with Privacy Laws, Ethics guidelines and Information Technology Laws;
- c. to promote the recognition and enhancement of the role of Data Protection Officers and foster their professional growth;
- d. to develop shared solutions to solve problems resulting from the enforcement of Data Protection and Privacy law and regulation and, in particular, those resulting from the performance of the various tasks regarding data protection and privacy in companies and organisations, possibly also through the development of 'standards' and 'best practices';
- e. to be a qualified body to interact with institutions and associations at all levels, in particular with the Data Protection and Privacy Authorities and with the Trade Associations, in order to discuss issues related to privacy legislation and its application, interpretation and evolution;
- f. to perform any act useful or appropriate for the achievement of the Association's purposes, including contract management;
- g. to organise cultural activities, conferences, seminars, debates, meetings, training, qualification and specialisation courses, scholarships, and various activities in the cultural and recreational fields relevant to the corporate purpose, both in Italy and abroad, also in cooperation with



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other institutional, scientific, cultural, economic, commercial bodies and organisations as well as leading training & development companies;

- h. to sign special agreements to the advantage of members. The Association may collaborate with and consult public and private bodies, entities, individuals and professionals by entering into special agreements signed by the President of the association after consultation with the Board of Directors. The Board of Directors (Executive Committee) governs this matter.

### **NATURE AND CONTENT OF THE CODE OF ETHICS**

#### *Art. 1 - Nature*

1. The Code of Ethics is a voluntary institutional agreement approved by the General Membership Meeting in order to ethically regulate relationships among Members, between the Members and the Association as well as third parties.
2. The Code of Ethics is an integral part of the Association's Bylaws. Joining ASSO DPO implies acceptance and full adherence to its Bylaws and to this Code of Ethics.

### **GENERAL PRINCIPLES**

#### *Art. 2 – Members' liability*

1. The provisions contained in this Code are intended to promote, implement and protect the principles set out in the following Articles 3 et seq., in the common interests of ASSO DPO and its Members.
2. Members acknowledge these principles and undertake to comply with them. They are ethically responsible to each other and to the Association for the application of these principles.

#### *Art. 3 - Integrity*

ASSO DPO pursues its purposes with honesty, fairness and responsibility, in full compliance with the law, rules and professional ethics. Financial resources are used by ASSO DPO with the utmost rigour.

#### *Art. 4 - Improvement tool*

ASSO DPO is also regarded by its Members as a tool to improve themselves culturally and professionally through a fruitful exchange of knowledge and experience.

#### *Art. 5 - Transparency*

ASSO DPO operates with transparency towards its Members and the outside world. Members are ensured the most complete information on the activities carried out by the Association, with particular reference to the use of financial resources.



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### *Art. 6 - Knowledge, skills and experience*

1. ASSO DPO continuously strives to acquire more and more knowledge, skills and experience.
2. ASSO DPO is committed to carrying out training and information initiatives for Members and the public, also in cooperation with other leading national training institutions.

### *Article 7 - Association's Name and Trademark Protection*

1. Members shall not engage in actions that could undermine or jeopardise the values, image and good name of ASSO DPO.
2. Members are bound to avoid any use of the name and logo of ASSO DPO in a manner that does not comply with the Association's purposes, and that may in any case damage the Association's reputation and good name. It will be the responsibility of the Association to regulate the use of the name and trademark by Members.

### *Art. 8 - Independence*

In the pursuit of its purposes, the Association does not allow external influences of any kind with regard to the scientific and cultural development of its projects, the publishing of the relevant results as well as the relationship with institutions.

## **STANDARDS OF CONDUCT**

### ***Relationships among Members and between Members and the Association***

#### *Art. 9 – Relationships among Members*

Members shall comply with the general principles set out in Articles 3 et seq. in their relationship to each other and to ASSO DPO.

#### *Art. 10 – Association membership*

1. Members make every effort to actively participate in the activities of the Association and they shall contribute to the achievement of the purposes of ASSO DPO.
2. Without prejudice to professional secrecy, each Member is asked to share his or her knowledge, skills and experience in privacy matters.

#### *Art. 11 - Confidentiality*

1. Members shall respect the value and ownership of any information they happen to learn, as well as any information of any nature and in any form that is collected or processed during the activities of the Association, and they shall not disclose the pieces of information acquired without prior



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authorisation by the person who has provided them, unless required to do so for legal or ethical reasons.

2. To this end, Members:

- a) shall use any information acquired during the activities of the Association with the utmost caution;
- b) shall not use the information obtained either for personal advantage or in a manner that is contrary to law or that is or may be detrimental to the purposes and values of ASSO DPO.

### *Art. 12 - Member's data*

By submitting your application for membership and after your acceptance into the Association (in all the ways provided for by the Association's Bylaws), you automatically consent to the possible publication on the Association's institutional website of your personal data that are strictly necessary for your identification, i.e. name and surname, (company name for legal persons), postal address, registration number. These data are published on the Register of Members kept by the Board of Directors in order to enable Members (if they wish to do so) to check their membership status and membership expiration date.

### *Art. 13 - Scope of operations and external dissemination*

The principles set out in this Code shall govern the relationships between ASSO DPO and any third party. Wherever possible, all those who come in contact with ASSO DPO (in whatever capacity) shall comply with the provisions of this Code.

### *Art. 14 - Relationship with Institutions*

ASSO DPO strives for an active dialogue with institutions, in particular with the Data Protection Authority and civil society organisations by conducting constructive discussions on the issues outlined in the institutional purposes.

### *Art. 15 - Different forms of funding*

1. ASSO DPO shall obtain the necessary funds for its activities not only from membership fees but also from other forms of funding and contributions (e.g. by accepting sponsorships for the organisation of individual events or for the institutional website), provided that these other forms do not divert attention from the Association's purposes and that they do not conflict with the values laid down in this Code.
2. ASSO DPO also undertakes to provide contributors with a clear and truthful description of the purposes of the Association, of its goals, of the time frames and methods of implementation of the projects and events to be funded, as well as the activities carried out thanks to the funds raised.
3. ASSO DPO is committed to ensuring that financial resources are obtained in an ethical, professional and transparent manner, in the sole interest of ASSO DPO and never for personal advantage.



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4. In the annual reports provided to the members a detailed list of the contributions received, the persons/entities who made them, and the use made of them will be included.
5. ASSO DPO does not acquire funds through borrowing.

### **IMPLEMENTATION OF THE CODE OF ETHICS**

#### *Article 16 - Sanctions*

1. The Board of Directors ensures compliance with this Code of Ethics. Pursuant to Art. 11 of the Association's Bylaws, the Board of Directors may resolve to expel a Member or to suspend him/her in the event of serious violations of the provisions of this Code.
2. Within 45 days of the notification of the precautionary suspension, the suspended Member has the right to file a petition with the Ethics & Discipline Committee, which shall rule on this matter within 60 days of receipt of the petition, in accordance with the statutory provision referred to in the previous paragraph.

#### *Art. 17 - Article 17 - Role of the Ethics & Discipline Committee*

1. Pursuant to Art. 21 of the Bylaws, the Ethics & Discipline Committee is called upon to interpret the provisions of this Code of Ethics, to settle any disputes concerning association relationships and to express a non-binding opinion on the provisions of this Code.

#### *Art. 18 - Ways of disseminating the Code of Ethics*

1. This Code is published on the ASSO DPO website.
2. The values and principles that ASSO DPO intends to affirm through its Code of Ethics will be conveyed and incorporated in all information and training events and activities and shared through all available internal communication tools.

### **ADOPTION AND UPDATING OF THE CODE OF ETHICS**

#### *Art. 19 - Adoption and updating of the Code of Ethics*

1. The adoption of this Code is resolved by the General Membership Meeting, in accordance with Art. 18 of the Association's Bylaws.