

Code of conduct and professional practice applying to processing of personal data for statistical and scientific purposes

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The Garante per la protezione dei dati personali

Having convened today, with the participation of Prof. Stefano Rodotà, President, Prof. Giuseppe Santaniello, Vice-President, Prof. Gaetano Rasi and Mr. Mauro Paissan, members, and Mr. Giovanni Buttarelli, secretary-general,

Having regard to Article 27 of Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995, under which Member States and the Commission shall encourage the drawing up of codes of conduct intended to contribute to the proper implementation of the national provisions adopted by Member States pursuant to the Directive, taking account of the specific features of the various sectors;

Having regard to Section 12 of the personal data protection Code (legislative decree no. 196 of June 30, 2003), which entrusts the Garante with the task of encouraging, within the framework of the sectors concerned and in accordance with the principle of representation as well as with the guidelines set out in the Council of Europe's recommendations on processing of personal data, the adoption of codes of conduct and professional practice in respect of certain sectors, verifying that they are compliant with laws and regulations, also in the light of the remarks submitted by the entities concerned, and contributing to ensure that they are disseminated and abided by;

Having regard to Section 106(1) of the Code, which entrusts the Garante with the task of encouraging adoption of one or more codes of conduct and professional practice for public and private entities, including scientific societies and professional associations, involved in processing data for statistical or scientific purposes;

Having regard to Section 106(2) of the said Code, concerning some issues that have to be addressed by the code of conduct and professional practice applying to processing of data for statistical and scientific purposes, on the basis of some safeguards;

Having regard to the provision of February 10, 2000 by the Garante per la protezione dei dati personali, published in the Official Journal of the Italian Republic no. 46 of February 25, 2000, whereby the Garante encouraged adoption of one or more codes of conduct and professional practice concerning processing of personal data for statistical and scientific research purposes and called upon all the entities entitled to participate in the adoption of said codes under the representation principle to notify the Garante thereof;

Having regard to the communications received by the Garante further to the aforementioned provision of February 10, 2000, in which several public and private entities, scientific societies and professional associations notified that they intended to participate in adoption of the codes, whereupon an ad-hoc working group was set up including, in particular, representatives from the following entities: Conferenza dei rettori delle università italiane; Italian Epidemiologists' Association; Italian Sociologists' Association; Italian Council for Social Science; Italian Economists' Society; Italian Biometrics Society; Italian Historical Demography Society; Italian Society for Hygiene, Preventive Medicine, and Public Health; Italian Statistics Society; Italian Society of Medical Statistics and Clinical Epidemiology; Association of the Institutions and Bodies Carrying out Market Surveys, Opinion Polls, and Social Researches;

Whereas the text of the code was disseminated broadly also via its publication on this Authority's website, as communicated by a notice in the Official Journal of the Italian Republic of May 20, 2004, in order to foster the widest possible discussion and allow gathering remarks and suggestions from all the entities concerned;

Having regard to the remarks and suggestions received further to the aforementioned notice;

Whereas compliance with the provisions laid down in the code of conduct and professional practice is a fundamental precondition for the processing of personal data by public and private bodies to be lawful and fair (Section 12(3) of the Code);

Having found that the code of conduct and professional practice is compliant with the laws and regulations on personal data protection, also by having regard to Sections 12, 104 and following ones of the Code,

Whereas under Section 12(2) of the Code, the code of conduct and professional practice is to be published in the Official Journal of the Italian Republic under the Garante's responsibility and included in Annex A to said Code pursuant to a decree by the Minister of Justice;

Having regard to the official records;

Having regard to the considerations made by the Secretary General pursuant to Section 15 of the Garante's Regulations no. 1/2000, as adopted by resolution no. 15 of June 28, 2000 and published in the Official Journal of the Italian Republic no. 162 of July 13, 2000;

Acting on the report submitted by Prof. Gaetano Rasi,

ORDERS

the annexed code of conduct and professional practice applying to processing of personal data for statistical and scientific purposes to be forwarded both to the Ufficio pubblicazioni leggi e decreti of the Ministry of Justice in order for it to be published in the Official Journal of the Italian Republic, and to the Minister of Justice in order for it to be included in Annex A) to the Code.

Done in Rome, this 16th day of June 2004

THE PRESIDENT
Rodotà

THE RAPPOREUR
Rasi

THE SECRETARY GENERAL
Buttarelli

CODE OF CONDUCT AND PROFESSIONAL PRACTICE APPLYING TO PROCESSING OF PERSONAL DATA FOR STATISTICAL AND SCIENTIFIC PURPOSES

This Code was undersigned by:

- Conferenza dei rettori delle università italiane;
- Italian Epidemiologists' Association;
- Italian Sociologists' Association;
- Italian Council for Social Science;
- Italian Economists' Society;
- Italian Biometrics Society;
- Italian Historical Demography Society;
- Italian Society for Hygiene, Preventive Medicine, and Public Health;

- Italian Statistics Society;
- Italian Society of Medical Statistics and Clinical Epidemiology;
- Association of the Institutions and Bodies Carrying out Market Surveys, Opinion Polls, and Social Researches

PREAMBLE

We, the undersigned private and public entities, hereby adopt this Code pursuant to the provisions made in Section 106 of legislative decree no. 196 of June 30, 2003 containing the personal data protection Code (hereinafter referred to as the "decree"), on the basis of the following premises:

- 1) The provisions of this Code of conduct and professional practice are aimed at reconciling the individual's fundamental rights and freedoms, in particular the right to personal data protection and the right to privacy, with the requirements of statistics and scientific research as deriving from the principle of freedom of research set forth in the Constitution, which is a precondition for scientific development, improvement of individuals' life-styles, and the growth of a democratic society;
- 2) Researchers working, whether alone or jointly with others, within universities, research bodies and institutions, and scientific societies, shall abide by this Code in all stages of processing personal data for statistical and/or scientific purposes regardless of whether the respective bodies and scientific societies have undersigned this Code;
- 3) In implementing this Code, its addressees shall comply with the principles set out in the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms as ratified by Act no. 848 of August 4, 1955, in EC Directive 95/46 of the European Parliament and of the Council, in Council of Europe's Recommendations No. R(83)10 adopted on September 23, 1983 and No. R(97)18 adopted on September 30, 1997, and in other Community and international instruments concerning processing of personal data for statistical and scientific purposes. They shall abide by the principle whereby data should be relevant and not excessive, meaning that the planned processing should not be redundant compared with the purposes sought by having regard both to the available data and to the processing operations that have already been carried out by the relevant controller;
- 4) As for the matters that are not regulated by this Code, the provisions laid down in personal data protection legislation shall apply as also related to the data controller's public or private nature (see Sections 18 and following ones and 23 and following ones of the decree). In particular, no personal data that is processed for statistical or scientific purposes may be used to take decisions and/or measures in respect of the data subject, or else with a view to processing operations for purposes of a different kind;
- 5) Processing for statistical purposes shall mean any and all processing operations that are performed for purposes of statistical investigation and/or the production of statistical results, also by means of statistical information systems (Section 4 of the decree);
- 6) Processing for scientific purposes shall mean any and all processing operations that are performed for purposes of study and systematic research with a view to developing scientific knowledge in a specific sector (Section 4 of the decree);
- 7) Entities and bodies applying this Code shall abide by the impartiality and non-discrimination principle with regard to any other entities that process the data for statistical and/or scientific purposes. In undersigning this Code, special attention shall be paid, in particular, to the importance of said principle in connection with communications for statistical and/or scientific purposes of data that have been either deposited with public archives or processed on the basis of public funds;
- 8) The decree and this Code shall not apply to anonymous data;

9) The provisions laid down in the codes of conduct and professional practice referred to in Sections 118 and 140 of the decree shall apply to processing operations for purposes of commercial information and communication including the related market surveys.

Chapter I - SCOPE AND GENERAL PRINCIPLES

Article 1. Definitions

1. For the purposes of this code, the definitions set out in Section 4 of the decree shall apply with the following additions:

- a) "statistical result" shall mean the information obtained by processing personal data in order to quantify components of a collective phenomenon;
- b) "statistical unit" shall mean the entity the processed data relate and/or can be related to;
- c) "indirectly identifying data" shall mean a set of modalities of characters that are or can be associated with a statistical unit in such a manner as to allow it to be identified with the use of reasonable time and resources pursuant to the principles referred to in Section 4;
- d) "public variable" shall mean the character or the combination of characters of a qualitative and/or quantitative nature that is the subject of a statistical survey related to information contained in public registers, lists, instruments, documents, or publicly available sources;
- e) "research body or institution" shall mean any private or public entity that pursues statistical and/or scientific research purposes within the framework of its institutional purposes, and whose scientific activity can be documented;
- f) "scientific society" shall mean an association among scholars in a given sector, including the respective professional associations.

2. Except where specified otherwise, any reference to processing operations for statistical purposes shall also include processing operations for scientific purposes.

Article 2. Scope of Application

1. This Code shall apply to all the processing operations carried out for statistical and scientific purposes - pursuant to the relevant sector-related methodological standards - in respect of which universities, other research bodies or institutions, and scientific societies, as well as researchers working within the framework of said universities and research bodies and institutions, and members of said scientific societies, act as data controllers.

2. This Code shall not apply to processing operations for statistical and scientific purposes that are related to activities aimed at safeguarding health as carried out by health care professionals and/or health care bodies, including such activities as are comparable in terms of significant personalised impact on the data subject. Said processing operations shall continue to be regulated by the relevant provisions.

Article 3. Prerequisites for the Processing

1. Any research shall be carried out on the basis of a project to be drawn up according to the relevant sector-related methodological standards, also in order to prove that the processing is performed for suitable, actual statistical or scientific purposes.

2. The research project referred to in paragraph 1 shall additionally

a) specify the measures to be adopted in processing personal data with a view to ensuring respect for this code as well as for personal data protection legislation;

b) designate the data processors, if any;

c) contain a statement whereby the entities concerned undertake to abide by the provisions of this code. A similar statement shall be also rendered by the entities - researchers, data processors, and persons in charge of the processing - involved in the continuation of the relevant research, and shall be kept pursuant to the provisions made in paragraph 3.

3. The data controller shall deposit the project with the respective university, research body, or scientific society. The latter shall be in charge of keeping it for five years as of the planned completion of the research, by ensuring its confidentiality - access to the project being only permitted for the purpose of applying personal data protection legislation.

4. When processing data suitable for disclosing health, the entities concerned shall comply with the confidentiality and security rules health care professionals are required to apply, or else with comparable confidentiality and security rules.

Article 4. Identifiability of Data Subjects

1. For the purpose of applying this Code,

a) a data subject shall be considered to be identifiable if a significantly likely association can be established - by using reasonable means - between the combination of the modalities of the variables relating to a statistical unit and the identification data of the latter unit;

b) the means that can be reasonably used to identify a data subject relate, in particular, to the following categories:

- economic resources;
- time resources;
- personal data filing systems and/or other information sources containing identification data jointly with a subset of the variables that are communicated and/or disseminated;
- filing systems also not including personal data where they provide additional information to the one that is communicated or disseminated;
- hardware and software resources to perform the processing required in order to relate non-personal information to an identified entity, also by taking account of the actual possibility to unlawfully achieve identification of said entity in light of the security systems and control software that have been implemented;
- knowledge of the procedures for sample extraction, statistical imputation, correction and protection as adopted with a view to data production;

c) in case of communication and/or dissemination, a data subject may be regarded as not identifiable if the identification risk - in terms of likelihood of identifying said data subject by having regard to the data that have been communicated and/or disseminated - is such that the means possibly required to effect identification are to be considered disproportionate compared with the (risk of) damage resulting therefrom to the data subjects' rights, also in the light of the benefit(s) that might be achieved.

Article 5. Criteria to Assess the Identification Risk

1. For the purpose of communicating and disseminating data, the following criteria shall be taken into account in assessing the identification risk:

- a) aggregated data shall be combinations of modalities either with a frequency that is not lower than a given threshold or with an intensity resulting from the sum of the values taken by as many statistical units as the said threshold. The minimum value that may be set for the threshold in question shall be three;
- b) in assessing the threshold level account shall be taken of the confidentiality level of the information;
- c) statistical results related exclusively to public variables shall not be the subject of the threshold rule;
- d) the threshold rule may be disregarded if the statistical result does not reasonably allow identifying statistical units in light both of survey type and of the nature of the associated variables;
- e) statistical results related to the same population may be disseminated in such a manner as to prevent establishing links between them and/or with other known sources of information that might enable identification;
- f) confidentiality shall be assumed to be adequately protected if all the statistical units of a given population show the same modality in respect of a variable.

Chapter II - INFORMATION NOTICES, COMMUNICATION, AND DISSEMINATION

Article 6. Information Notice

1. In collecting data for a statistical purpose, the data subject shall be notified - within the framework of the information referred to in Section 13 of the decree - of the possibility that his/her personal data may be stored and processed for other statistical and/or scientific purposes, which shall be adequately specified - to the extent that this is known - also by having regard to the categories of recipient.
2. In collecting data for a statistical purpose, provision of information to the individual the data are collected from may be deferred in respect of the specific purposes and the mechanisms of the processing for which the data are intended, where this is found to be necessary in order to achieve the objective of the survey - by having regard to the topic and/or the nature of said survey - and the processing does not concern sensitive and/or judicial data. In these cases, the information provided to data subjects shall be completed directly the reasons for deferring it cease to apply, unless this proves unreasonable and/or entails the use of positively disproportionate means. The entity in charge of the survey shall draw up a document - which shall be kept for three years as of conclusion of the survey and made available to data subjects exercising the rights as per Section 7 of the decree - setting out the specific reasons why provision of the information to data subjects was deferred, the information items that were deferred, and the mechanisms implemented to inform data subjects once the reasons for deferring the information ceased to apply, or else the grounds on which the information in question was withheld.
3. If the objectives of the survey, the nature of the data, and the circumstances of the collection are such - with regard to scientifically reliable parameters - as to allow an entity to be held liable on behalf of another one in its capacity as family member and/or cohabiter, the data subject may be informed by the agency of the respondent, providing the processing does not concern sensitive and/or judicial data.
4. If the data are collected from third parties or the processing for statistical and/or scientific purposes concerns data that have been collected for other purposes, and the provision of information entails a disproportionate effort compared with the right to be protected, the data controller shall ensure publicity of the processing in the following manner:
 - by publishing an ad in at least a newspaper with nationwide circulation, or broadcasting a report via a radio and TV company with nationwide reach, as regards processing operations concerning a high

- number of entities distributed all over the national territory;
- by publishing an ad in a newspaper with regional (provincial) circulation, or broadcasting a report via a radio and TV company with regional (provincial) reach, as regards processing operations concerning a high number of entities distributed over a regional (provincial) area;
 - by publishing an ad in information media that are customarily addressed to the relevant data subjects as regards processing operations concerning specific categories that are identified on the basis of particular population features and/or particular training, occupational, or similar conditions.

The data controller shall notify the Garante in advance of the publicity mechanism it has adopted.

5. If the data controller deems it inappropriate to avail itself of the publicity mechanisms referred to in paragraph 4, partly by having regard to the nature of the collected data and/or the processing mechanisms, or else of the expenses to be incurred in connection with the relevant survey, it may decide on implementing suitable publicity mechanisms that shall be notified in advance to the Garante; the latter may always require certain measures and/or precautions to be taken.

Article 7. Consent

1. Processing for statistical and/or scientific purposes may be carried out by a private entity without the data subject's consent if it does not concern sensitive and/or judicial data and the information notice provided pursuant to Section 13 of the decree contains a section that sets out whether the data are to be disclosed on a mandatory basis or not, specifically detailing the reasons why the data in question are to be provided on a voluntary basis.

Article 8. Data Communication and Dissemination

1. It shall be allowed to disseminate statistical results, also by publishing them, exclusively in aggregated format, or else in a manner preventing data subjects from being identified also based on indirectly identifying data - except where the dissemination concerns public variables.

2. Personal data that are processed for a given statistical purpose may be communicated, after eliminating identification data, to a university, research body or institution, and/or a researcher for other statistical purposes that shall be clearly set out in writing in the relevant request. In drawing up the relevant research project as per Article 3, the requesting entity shall undertake not to process the data for purposes other than those referred to in the said request as well as not to communicate the data further to third parties; additionally, it shall enclose a copy of the communication request with the project. The requested party, being the controller of the initial processing, shall deposit both the communication request and the related project with the respective university, research body or scientific society, which shall be responsible for keeping them under confidentiality conditions for five years as from the planned completion of the research.

3. Should the requesting party declare that the statistical result cannot be achieved otherwise and expressly set out the relevant grounds in the request as per paragraph 2 above, it shall be permitted to also communicate the identification data. The requested party, having evaluated the aforementioned grounds, shall provide the data in compliance with the data relevance and necessity principles. Article 9 hereof shall be left unprejudiced.

4. The provisions referred to in paragraphs 2 and 3 shall also apply to communication and subsequent transfer, even on a temporary basis, of personal data to universities, research bodies or institutions, and/or researchers that are resident either in a EU Member State or in a country affording adequate protection of personal data.

5. If the processing for a given statistical purpose entails transfer of personal data, also on a temporary basis, to a non-EU Member State affording no adequate protection of personal data, said transfer shall be

allowed on the basis of safeguards for data subjects' rights that are comparable with those set out herein, to be adduced by the recipient body and/or researcher by means of a contract to be drawn up in accordance with the standards authorised by the Garante pursuant to Section 40 of the decree, also on the proposal of scientific bodies and/or societies.

Article 9. Processing of Sensitive and Judicial Data

1. As a rule, sensitive and/or judicial data processed for statistical and/or scientific purposes shall be anonymous.
2. Where the lawful, specific statistical or scientific purposes aimed at by the processing of sensitive and/or judicial data cannot be achieved without identifying data subjects, also on a temporary basis, the data controller shall take specific measures to keep the identification data separate ever since collection, unless this proves impossible because of the features of the processing or else entails use of clearly disproportionate means.
3. Where the data as per paragraph 1 are contained in lists, registers, and/or databases that are kept with the help of electronic means, they shall be processed by using either encryption techniques or identification codes and/or other solutions that, in the light of the number and type of the processed data, make said data temporarily unintelligible also to those entities that are authorised to access them and allow identifying data subjects only if this is necessary.
4. Where the entities referred to in Article 2(1) are private bodies, they may process sensitive data for statistical purposes if
 - a) the data subject has given his/her consent freely on the basis of the items that are required to be included in the information notice;
 - b) the consent is given in writing. If the sensitive data are collected in such a manner - e.g. telephone interviews, operator-assisted interviews, etc. - as to make it especially burdensome to obtain consent in writing, said consent may be documented in writing on condition that it is given expressly. In this case, the documents related to provision of the information to the data subject as well as to obtaining his/her consent shall be kept by the data controller for three years;
 - c) the processing has been authorised by the Garante either following a specific request pursuant to Section 26(1) of the Decree or based on a general authorisation applying to certain categories of data controller and/or processing operation that has been issued pursuant to Section 40 of the Decree, also on the proposal of scientific bodies and societies.
5. Processing of judicial data by the entities referred to in Article 2(1) that are private bodies shall only be allowed if it is authorised expressly by the law and/or a provision issued by the Garante in pursuance of Section 27 of the Decree.
6. Where the entities referred to in Article 2(1) are public bodies, they may process sensitive and/or judicial data
 - a) for scientific purposes, in compliance with Section 22 of the Decree, on condition that they specify and publish the categories of data and operation that are absolutely relevant and necessary by having regard to the purposes sought in the individual cases, and update this information regularly in pursuance of Section 20, paragraphs 2 and 4, of the Decree;
 - b) for statistical purposes, in compliance with Section 22 of the Decree, providing the conditions referred to in Section 20, paragraphs 2-4, of the Decree are fulfilled.

Article 10. Genetic Data

1. Processing of genetic data shall only be allowed in the cases and according to the arrangements set forth in an ad-hoc authorisation issued by the Garante pursuant to Section 90 of the Decree.

Article 11. Provisions Applying Specifically to Medical, Bio-Medical, and Epidemiological Research

1. Medical, bio-medical, and epidemiological research shall fall within the scope of application of this code to the extent set forth in Article 2(2) hereof.

2. The research referred to in paragraph 1 shall be carried out in compliance with international and Community guidelines and provisions applying to this subject matter, such as the Convention on Human Rights and Biomedicine of 4 April 1957, as ratified by Act no. 145 of 28 March 2001, Council of Europe's Recommendation No. R(97)5 adopted on 13 February 1997, on the protection of medical data, and the World Medical Association Helsinki Declaration on the principles for medical research involving human subjects.

3. In any research as per paragraph 1, the information notice shall enable data subjects to make a distinction between research activities and health care-related activities.

4. In expressing his/her consent to medical and/or epidemiological surveys, the data subject shall be requested to declare whether he/she is willing to be informed of any unexpected findings made in his/her regard during the research. If so, the data subject shall be informed in accordance with the mechanisms set out in Section 84 of the decree. If consent cannot be requested because of the reasons specified in paragraph 5 below, the aforementioned findings shall be communicated all the same to the data subject, in compliance with Section 84 of the decree, where they are of major importance with a view to safeguarding the data subject's health.

5. In any research as per paragraph 1, the data subject's consent shall not be required if the following conditions are met pursuant to Section 110 of the decree:

a) it is not possible to inform the data subject on ethical grounds - the data subject being unaware of his/her condition - or else on methodological grounds - it being necessary not to inform the data subject about the assumptions underlying the research and/or the circumstance that he/she was selected therefor - or because it is organisationally unfeasible;

b) the research programme has been the subject of a reasoned favourable opinion issued by the competent ethics committee;

c) the processing has been authorised by the Garante also pursuant to Section 40 of the decree, also upon the proposal of relevant scientific bodies and societies.

Article 12. Supervision

1. Universities, research bodies and/or institutions, and scientific societies shall keep the documents related to the research projects that have been submitted as well as to the undertakings endorsed by researchers pursuant to Article 3(1) and (2) and Article 8(2) hereof.

2. The entities referred to in paragraph 1

a) shall ensure that this Code is disseminated among and complied with by any and all entities that, both inside and outside the relevant organisation, are involved for whatever reason in the processing of personal data that is carried out within the framework of the researches, also by taking suitable measures on the basis of the respective by-laws and regulations; and

b) shall notify the Garante of any breaches of the code coming to their knowledge.

CHAPTER III - SECURITY AND RULES OF CONDUCT

Article 13. Data Collection

1. The entities referred to in Article 2(1) shall pay specific attention to both selecting the staff in charge of data collection and setting out organisational and methodological arrangements for the survey, in order to ensure compliance with this code and safeguard data subjects' rights.
2. The staff in charge of collection shall abide by both the provisions laid down herein and the instructions received. In particular, they shall
 - a) disclose their identities and functions and the purposes of collection, also by means of appropriate documents;
 - b) provide the information as per Section 13 of the decree and Article 6 hereof as well as such other explanations as can allow data subjects to answer adequately and knowledgeably, and refrain from any conduct that might be regarded as deception and/or undue pressure;
 - c) not collect personal data from the same data subjects at the same time on behalf of several data controllers, except where expressly authorised to do so;
 - d) timely rectify mistakes and inaccuracies affecting the information gathered in the course of data collection; and
 - e) take special care in collecting sensitive and/or judicial data.

Article 14. Data Retention

1. Pursuant to Section 99 of the decree, personal data may be retained for statistical or scientific purposes also for longer than is necessary to achieve the purposes for which they have been collected and/or subsequently processed. In such cases, the identification data may be retained until they are found to be necessary with a view to
 - a) continuous longitudinal studies;
 - b) control, quality, and coverage studies;
 - c) laying down sampling designs and selecting survey units;
 - d) setting up archives of statistical units and information systems; and
 - e) other cases in which this is found to be indispensable based on adequate documentation for the purposes to be achieved.
2. In the cases referred to in paragraph 1, the identification data shall be kept separately from any other data so as to allow for different access levels, except where this is found to be impossible on account of the specific features of the processing, or else entails the use of clearly disproportionate means compared with the right to be protected.

Article 15. Security Measures

1. In adopting the security measures applying to data and systems as per Sections 31 and following ones of the decree and the technical specifications contained in Annex B thereto, the controllers of processing operations performed for statistical purposes shall also take care of access levels to the personal data in the

light of both the nature of the data in question and the tasks discharged by the entities involved in the processing.

Article 16. Exercise of Data Subjects' Rights

1. If the rights as per Section 7 of the decree are exercised with regard to data that are processed for statistical and scientific purposes, the data subject may access the archives concerning him or her in order to request that they be updated, rectified and/or supplemented, providing such operations do not prove impossible because of either the nature or the status of the processing or else entail the use of clearly disproportionate means.
2. Should the aforementioned changes produce no significant effects on the statistical results related to the processing, the data processor shall record the changes requested by a data subject in ad-hoc sections and/or registers without amending the data initially entered in the archive.

Article 17. Rules of Conduct

1. Data processors and persons in charge of the processing that can lawfully access the personal data processed for statistical and/or scientific purposes on grounds related to their work and/or research(es) shall also abide by the following provisions:

- a) personal data may only be used for the purposes set forth in the research project as per Article 3 hereof;
- b) personal data must be kept in such a manner as to prevent their loss, removal and/or any other use that is not compliant with both the laws and the instructions received;
- c) non-publicly available personal data and news that become known in the course of performing statistical activities and/or activities that are instrumental thereto may not be disseminated or used in whatever manner for one's own or another's private purposes;
- d) any and all activities performed shall be adequately documented;
- e) the professional skills related to personal data protection shall be continuously adjusted to methodological and technological evolution;
- f) communication and dissemination of statistical results shall be fostered by having regard to the informational requirements of both the scientific community and public opinion in compliance with personal data protection legislation;
- g) any and all conduct that is not in line with the rules of conduct set out herein shall be immediately reported to either the data processor or the data controller.

Article 18. Adjustments

1. Compliance of the provisions set out herein with international and/or other instruments adopted in connection with the protection of personal data that are processed for statistical and scientific research purposes shall be verified regularly also following reports submitted by the signatory parties. This shall be aimed at amending the code as required in order to bring it into line with the aforementioned instruments, or else at issuing a new code of conduct pursuant to Section 12 of the decree if said amendments are such as to produce substantial effects on the regulations contained herein.

Article 19. Entry into Force

1. This Code shall apply as of October 1st, 2004.