



CONCORSO PUBBLICO, PER TITOLI ED ESAMI, A N. 1 POSTO DI CATEGORIA D - AREA AMMINISTRATIVA-GESTIONALE, CON RAPPORTO DI LAVORO SUBORDINATO A TEMPO INDETERMINATO PRESSO L'UNIVERSITÀ DEGLI STUDI DI MILANO - DIREZIONE GENERALE - UFFICIO DI SEGRETERIA TECNICA DEL RESPONSABILE PROTEZIONE DATI E DEL COMITATO ETICO - BANDITO CON DETERMINA DIRETTORIALE N. 10126 DEL 16/06/2021, IL CUI AVVISO È STATO PUBBLICATO SULLA G.U. N. 51 DEL 29/06/2021 - CODICE 21636

La Commissione Giudicatrice del concorso, nominata con Determina Direttoriale n. 12250 del 20/07/2021, composta da:

Dott.ssa Manuela Romeo	Presidente
Dott. Vincenzo del Core	Componente
Dott. Ignazio Felcher	Componente
Dott. Paolo Sanna	Componente Aggiunto
Sig.ra Tiziana Patrizia Bandera	Segretaria

comunica i quesiti relativi alla prova orale:

Gruppo di quesiti n. 1

1. La pubblicazione di dati sul sito web ai fini di trasparenza.
2. Gestione del Data Breach da parte del Titolare del Trattamento.
3. Le basi giuridiche che legittimano il trattamento dei dati in Università.
4. Lettura e traduzione di un testo in inglese:

10. Those aspects lead to conclude that consent (Art. 6(1)(a) GDPR) appears to be the sole appropriate legal basis for the above-described processing to be lawful. Indeed, to address the security risks, to allow the data subject to keep control over his/her data, and to decide actively of the use of his/her credit data, the specific consent of the data subject should be obtained before storing his or her credit card data after a purchase. This consent will enable the controller to demonstrate the individual's willingness to facilitate his/her further purchases through the specific website or application, which cannot be presumed by the simple fact he/she concluded one, or several, isolated transactions.

11. This consent cannot be presumed, it must be free, specific, informed and unambiguous¹¹. It must be delivered by a clear affirmative action, and should be requested in a user-friendly way, such as through a checkbox, which should not be pre-ticked¹², directly on the form used for the data collection. This specific consent must be distinguished from the consent given for terms of service or of sales and not be a condition to the completion of the transaction.

12. According to the Article 7(3) GDPR, the data subject shall have the right to withdraw his or her consent for the storing of credit card data for the purposes of facilitating further purchases at any time. The withdrawal must be free, simple and as easy for the data subject, as it was to give consent. It must lead to the effective deletion by the controller of credit card data stored for the sole purpose of facilitating further transactions.



Gruppo di quesiti n. 2

1. Tutela della riservatezza del segnalante e del segnalato nell'ambito dell'istituto del "whistleblowing".
2. Diritto di accesso e protezione dati personali.
3. I diritti dell'interessato.
4. Lettura e traduzione di un testo inglese:

3. For this purpose, these recommendations aim to encourage a harmonised application of data protection rules regarding the processing of credit card data within the European Economic Area (EEA), and to guarantee a homogeneous protection of data subject's rights, in full respect of the fundamental data protection principles as required by the GDPR.

4. More specifically, these recommendations deal with the storing of credit card data by online providers of goods and services, for the sole and specific purpose of facilitating further purchases by data subjects². They cover the situation where a data subject buys product or pays for a service via a website or an application, and provides his/her credit card data, generally on a dedicated form, in order to conclude this unique transaction.

2. It should be noted that they do not cover payment institutions operating in online stores, nor public authorities. Neither the storage of credit card data for any other purpose, for instance for compliance with a legal obligation, or to establish a recurring payment in cases of contract of continuing performance or subscription for a long-term service (e.g. a contract which stipulates the supply of a certain good every month, or the subscription for a music or movie streaming service).

Gruppo di quesiti n. 3

1. Privacy policy e cookies di un sito web universitario.
2. Gli adempimenti privacy del titolare.
3. La contitolarità.
4. Lettura e traduzione di un testo inglese:

7. When it comes to a processing necessary for the purposes of the legitimate interest of the controller or a third party⁴, the EDPB notes that for the controller to be able to rely on Article 6(1)(f) GDPR, the three conditions laid down by this article must be satisfied⁵. This legal basis requires, first, the identification and qualification of a legitimate interest pursued by the controller or by a third party. The interest of the controller or third party may be broader than the purpose of the processing and must be present and effective at the date of the data processing⁶.

8. The legitimate interest legal basis requires, second, the need to process personal data for the purposes of the legitimate interest pursued. For what regards this last condition, provided that the controller has a legitimate interest as outlined above, it is not evident that the storage of the credit card data to facilitate future purchases is necessary to pursue that legitimate interest. Indeed, the actual conclusion of another purchase depends on the consumer choice and is not determined by the possibility to realize it "in one click".

Milano, 1 Ottobre 2021



UNIVERSITÀ DEGLI STUDI DI MILANO

Dott.ssa Manuela Romeo - Presidente

Dott. Vincenzo Del Core - Componente

Dott. Ignazio Vittorio Felcher - Componente

Dott. Paolo Sanna - Componente Aggiunto

Sig.ra Tiziana Patrizia Bandera - Segretaria