

# Privacy policy pursuant to art. 13 EU Reg. 679/16

regarding personal data managed in relation to reports concerning presumed irregularities or unlawful acts in compliance with the whistleblowing procedure adopted by ModenaFiere S.r.I.

### Summary privacy policy statement

Dear Reporter,

The purpose of the privacy policy is to provide maximum transparency regarding the processing of the information that you transmit to us, in order to allow us to manage in the best way possible your data and information sent to us about presumed irregularities or unlawful acts committed by employees, executives or other third parties operating in the interest of ModenaFiere S.r.l. In compliance with the obligations deriving from national legislation (Leg. Dec. 30 June 2003 no. 196, The Data Protection Code as amended) and European regulations (European Regulation for the protection of personal data no. 679/2016, GDPR), ModenaFiere S.r.l., with registered office in Viale Virgilio no. 58, (41123) Modena (MO), certified email: modenafiere@pec.official.it, the email for communications relating exclusively to the processing of personal data: <a href="mailto:privacy@modenafiere.it">privacy@modenafiere.it</a>, as Data Controller, has set up and updated this privacy policy in order to comply with and protect your confidentiality, putting in place every possible and proportionate effort not to harm the rights of users. ModenaFiere has a Data Protection Officer who can be contacted at the address dpo@modenafiere.it. Your data shall be processed in compliance with maximum confidentiality, also taking account of the provisions of Law 179/2017 and the operating guidelines provided by the Data Protection Agency, "Provisions for the authors of reports of crimes or irregularities of which they gain knowledge within the sphere of a public or private employment relationship" of 14/12/2018. As a consequence, we would like to point out that, in principle, your identity as the reporter ("whistle-blower") cannot be revealed, even if, in the event your report leads to criminal proceedings, the relative rules are applied and, therefore the secrecy of the information provided will be dealt at the discretion of the judicial authorities pursuant to art. 329 of the code of criminal procedure (c.c.p.) (which for greater clarity and transparency is reported at the foot of this policy statement). In the event your report leads to the initiation of criminal proceedings, your identity may not be revealed if accusation is based on separate and further investigations with respect to the report, even if consequent to it. If, instead, the accusation of the presumed person responsible is based, in whole or in part, on your report and knowledge of your identity is fundamental for the defence of the accused party, the report shall be used for the purpose of the disciplinary procedure only if you give consent to the revealing of your identity. ModenaFiere S.r.l. is, moreover, a legal entity governed by private law and, as such, is not subject to the regulations regarding access as per arts. 22 and following of Law 241/90 or those relating to the right civic access and obligations of publicity, transparency and dissemination of information on the part of public administrations pursuant to Leg. Dec. 33/2013.

Please note that transmitting a report is an act corresponding to the objectives and regulations of ModenaFiere S.r.l. and the Organisation Model adopted pursuant to Leg. Dec. 231/01, which has the primary aim of compliance with the principles of lawfulness, transparency and loyal collaboration. ModenaFiere S.r.l. believes in the capacity and responsibility of the people that work for it and, therefore, reports with libellous or defamatory content are qualified as disciplinary offences and prosecuted as such. For this reason, the protections provided for by the whistleblowing procedure, having ascertained, also with a sentence at first degree, your criminal liability for slander offences (art. 368 of the penal code (p.c.)) or defamation (art. 595 p.c.), which are also reported at the foot of this policy statement, in relation to the report made, cannot be invoked.

With the aim of ensuring maximum protection of your identity, taking account of the fact that violations may be committed by employees, but also by executives or by other individuals or entities operating for the ModenaFiere S.r.l. organisation, we inform you that the contacts details indicated sending reports are exclusively pertinent to the Supervisory Body set up pursuant to Leg. Dec. 231/01, which constitutes the external and independent entity subject to obligations of professional secrecy. This entity has been identified in the person of Lawyer Daniela Goldoni, with offices in Modena, Corso Canal Grande no. 96, <a href="maintenant-adaptive-daniela-goldoni@ordineavvmodena.it">daniela-goldoni@ordineavvmodena.it</a>. Please note that the Supervisory Body is an autonomous and independent entity and will process data exclusively for the performance of its supervisory role pursuant to Leg. Dec. 231/01 and for the management of the report itself, transmitting it to ModenaFiere S.r.l. in compliance with the provisions of the whistleblowing procedure.

The above is without prejudice to the fact that disciplinary sanctioning power is attributed exclusively to ModenaFiere S.r.l., which has the task of sanctioning any reported person held responsible as a result of investigations, as well as submitting petitions and complaints for libellous or defamatory reports. In order to help you in the drawing up of your report, you will find a form on our website, <a href="https://www.modenafiere.it">www.modenafiere.it</a>, that provides you with useful support in verifying the grounds and completeness of the report.

Finally, please note that anonymous reports, lacking elements that make it possible to identify the relative author, shall be taken into consideration only if there is sufficient supporting evidence relating to facts of particular gravity. In the event of anonymous reports, the above-indicated protections provided for by the whistleblowing procedure cannot be ensured if your identity should be discovered subsequently.

You may freely exercise at any time **your rights** in relation to personal data, that is, request access to the personal data and the rectification or cancellation of them (without prejudice to what is specified above regarding the consequences of reporting) or the limitation of the processing of data concerning you or to oppose their processing, besides the right to portability. The complete text regarding your rights in relation to personal data (arts. 15-22 and 34 of EUR Reg. 679/17) is set out at the foot of this policy statement. To exercise said rights, contact us at the address, <a href="mailto:privacy@modenafiere.it">privacy@modenafiere.it</a> or, if you prefer, contact the DPO at the address, <a href="mailto:dpo@modenafiere.it">dpo@modenafiere.it</a>, who will arrange to pass on your request to the Supervisory Body so that they can inform the data controller according to the procedures and conditions established in the whistleblowing procedures indicated in this policy statement. The protection of your data is important for us, but if you are not satisfied, please note that you can make a complaint to the Italian Data Protection Agency.

If you wish to have more details regarding the processing of personal data, a more detailed privacy policy statement is set out below.

ModenaFiere S.r.l.

Update: March 2020

### Full privacy policy statement

Pursuant to and by the effects of arts. 13 of EU Reg. 679/16 (hereinafter referred to, for brevity, as "the GDPR") and the Data Protection Code (Leg. Dec. 196/2003), as far as compatible, **ModenaFiere S.r.l.**, as the data controller, as well as the Supervisory Body, Lawyer Daniela Goldoni, provide you with the following information relating to the processing of data transmitted by you through the transmission of a report relating to irregularities and/or unlawful acts committed by employees, executives or other individuals or bodies that operate in favour of ModenaFiere S.r.l.

Information is provided below with regards to said data.



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### A) IDENTITY AND CONTACT DETAILS OF THE DATA CONTROLLER

ModenaFiere S.r.l.

Registered office: Viale Virgilio no. 58, 41123 Modena

Certified email: modenafiere@pec.official.it

email: privacy@modenafiere.it

With regards to receipt of the report, your data shall be processed in autonomy and independence, by the Supervisory Body of ModenaFiere S.r.l., Lawyer Daniela Goldoni of the Court of Modena, whose contact details are given below:

office: Corso Canal Grande no. 96, 41121 Modena certified email: daniela.goldoni@ordineavvmodena.it

### B) CONTACT DETAILS OF THE DATA PROTECTION OFFICER (DPO)

The Data Protection Officer in relation to ModenaFiere S.r.l. has been appointed in the person of lawyer Valeria Bortolotti

office: Piazzale Paolo Teggia no. 9, interno S, 41049 Sassuolo

email: dpo@modenafiere.it

tel. +39 0536 18 17 817 - mobile phone +39 333 38 10 478

# C) TYPES OF DATA PROCESSED AND METHODS OF PROCESSING

The data processed are of a common nature (name and surname, contact details) that make it possible to identify you and to contact you whenever strictly necessary. ModenaFiere S.r.l. does not arrange for the acquisition of your personal data that can be traceable to the particular categories as per art. 9 para. 1 of EU Reg. 679/16 (personal data that reveal racial or ethnic origin, political opinions, religious or philosophical convictions, membership of trade union organisations or genetic data); if, however, you decide to transmit them, revealing your data spontaneously, they shall be processed in compliance with current legislation, as well as compliance with, among other things, the principle of minimisation.

The personal data shall be processed with computerised and paper tools in such a way as to guarantee suitable security and confidentiality.

## D) PURPOSES AND LEGAL BASIS OF THE PROCESSING

**Purposes of the processing:** The data provided shall be processed with the purpose of carrying out the necessary investigative activities aimed at verifying the validity of the facts referred to in the report and the adoption of consequent measures, both in disciplinary terms and, where appropriate, ascertainment of criminal liability connected with the subject matter of the report.

## Legal basis of the processing:

- art. 6 para. 1 lett. c) EU Reg. 679/16: processing is necessary in order to comply with a legal obligation to which the Data Controller is subject. Specifically, the legal obligation in the case in point derives from compliance with the provisions as per art. 6 of Leg. Dec. 231/01 (Persons in top positions and organisational models of the company) and 7 (companies subject to the management of others and organisation models of the company, as well as organisation and management models suitable for preventing crimes of the type in question). In addition, your data may be known by the Judicial Authorities in the event your report leads to criminal proceedings. In this case, the legal basis of the processing consists in the provisions as per the code of criminal procedure, including arts. 330 and following (c.c.p.) and all the provisions containing the powers of the Authorities to acquire means of proof and/or evidence for ascertaining the criminal liability of the individual/legal entity reported or of the reporter (whistle-blower) in the event that the latter is investigated for slander offences (art. 368 p.c.) and/or or defamation (art. 595 p.c.).

- art. 6 para. 1, lett. a) EU Reg. 679/16: the data subject has expressed consent to the processing of their data for one or more specific purposes; specifically, consent is necessary for the communication of the report, including your data, to the accused, in the event that knowledge of said data is indispensable for the relative defence in disciplinary proceedings. Said consent may be given both upon transmission of the report, or subsequently, also further to specific request in this sense, which may be submitted as necessary. In all events, you will, at any moment, be able to revoke consent to processing by sending specific communication to the data controller, via the supervisory body, to the email address, <a href="mailto:daniela.goldoni@ordineavvmodena.it">daniela.goldoni@ordineavvmodena.it</a> or, if you wish to refer directly to the Data protection Officer, to the address, <a href="mailto:dpomodenafiere.it">dpo@modenafiere.it</a>, who will arrange to pass on your request to the Supervisory Body so that it can refer to ModenaFiere S.r.l. in accordance with the procedures and conditions established by the whistleblowing procedure and outlined in this policy statement.

### E) NEED FOR PROVISION OF THE DATA AND CONSEQUENCES OF THE FAILED COMMUNICATION OF THE DATA

Provision of your personal data is not obligatory, but failed communication could make it impossible or extremely difficult to investigate the grounds of the report made, in the event that it is not detailed or based on precise and corresponding elements, does not relate to verifiable facts and/or does not contain useful elements for carrying out the aforesaid investigations; in addition, if you decide to transmit



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the report in anonymous form, not revealing your identity, it will not be possible to ensure the application of all the protections provided for by the whistleblowing procedure.

### F) RECIPIENTS OR CATEGORIES OF RECIPIENTS OF THE PERSONAL DATA

Your data shall be processed exclusively by persons specifically appointed by the data controller in their capacity as data processors and/or persons assigned to processing duly trained pursuant to art. 29 del of EU Reg. 679/16 involved in the investigative proceedings deriving from the reporting; said persons shall process your data only if necessary in relation to the purpose of provision of the data and only as part of the performance of their duties assigned by the data controller. Pursuant to art. 28 of EU Reg. 679/16, the Data Controller may make use of the services of third parties that process data on its behalf (for example, entities that provide assistance and/or consultancy relating to the use of IT systems on the part of ModenaFiere S.r.l.) or, depending on its requirements, legal, fiscal, accounting and tax consultants. In addition, the data may also be communicated to BolognaFiere, the company to whom the management and coordination of ModenaFiere S.r.l. is subject, in the event the facts referred to in the report show evidence of a violation of the guidelines of the group and/or of the Code of Ethics.

If the conditions apply, your data may also be communicated to public Entities (e.g. the Judicial Authorities, police forces, etc.). In all events, your personal data shall not be disseminated.

### G) TRANSFER OF DATA TO FOREIGN COUNTRIES OR INTERNATIONAL ORGANISATIONS

ModenaFiere S.r.l. does not transfer data to countries that do not form part of the European Union or to international organisations. If there should be a change in the future in this regard, ModenaFiere S.r.l. undertakes to certify the presence of adequate guarantees in relation to the processing, making relative information available.

### **H) RETENTION PERIOD**

It's not possible to determine the period of data storage beforehand; it can be stated, however, that said data shall be processed for the time necessary for the carrying out of any procedures triggered by the management of the report (disciplinary, criminal, accounting). In this regard, it is declared that, where the conclusion of the procedures derives from a settlement, or another element intervenes from which an economic flow derives, the data shall be stored for 10 years for administrative and accounting purposes.

With the aim of ensuring the constant monitoring of the effectiveness of the Model, at the end of the proceedings triggered by the report, the report and the consequent measures taken may be stored, subject to anonymisation (that is, cancellation of your personal data), for the purpose of having a record of significant events in relation to the ModenaFiere S.r.l. organisation.

### I) RIGHTS AS PER EU REG. 679/16

You may freely exercise your rights at any time in relation to personal data, that is, request access to the personal data and the rectification or cancellation of them (without prejudice to what is specified above regarding the consequences of reporting) or the limitation of the processing of data concerning you or to oppose their processing, besides the right to portability. The complete text regarding your rights in relation to personal data (arts. 15-22 and 34 of EUR Reg. 679/17) is set out at the foot of this policy statement.

To exercise said rights, contact the Data Controller through the Supervisory Body at the address <a href="mailto:daniela.goldoni@ordineavvmodena.it">daniela.goldoni@ordineavvmodena.it</a>, or if you prefer, contact the DPO directly at the address, <a href="mailto:dpo@modenafiere.it">dpo@modenafiere.it</a>, who will arrange to pass on your request to the Supervisory Body so that they can inform the data controller according to the procedures and conditions established in the whistleblowing procedures and indicated in this policy statement.

The protection of your data is important for us, but if you are not satisfied, please note that you can make a complaint to the Italian Data Protection Agency.

Kind regards,

ModenaFiere S.r.l.

Last update: March 2020

### LEGISLATIVE REFERENCES

### I. RIGHTS OF THE DATA SUBJECT - EU REG. 679/2016 (extract)

- Article 15 Right of access by the data subject (C63, C64)

  1. The data subject shall have the right to obtain from the controller confirmation as to whether or not personal data concerning him or her are being processed, and, where that is the case, access to the personal data and the following information:
- a) the purposes of the processing;b) the categories of personal data concerned;
- by the categories of personal data domestics, of the recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations; d) where possible, the envisaged period for which the personal data will be stored, or, if
- not possible, the criteria used to determine that period;
  e) the existence of the right to request from the controller rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or
- to object to such processing;
- by the right to lodge a complaint with a supervisory authority;
  g) where the personal data are not collected from the data subject, any available information as to their source;
- h) the existence of automated decision-making, including profiling, referred to in Article 22(1) and (4) and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.
- 2. Where personal data are transferred to a third country or to an international organisation, the data subject shall have the right to be informed of the appropriate safeguards pursuant to Article 46 relating to the transfer.

- 3. The controller shall provide a copy of the personal data undergoing processing. For any further copies requested by the data subject, the controller may charge a reasonable fee based on administrative costs. Where the data subject makes the request by electronic means, and unless otherwise requested by the data subject, the information shall be provided in a commonly used electronic form.
- 4. The right to obtain a copy referred to in paragraph 3 shall not adversely affect the rights and freedoms of others

Article 16 – Right to rectification (C65)
The data subject shall have the right to obtain from the controller without undue delay the rectification of inaccurate personal data concerning him or her. Taking into account the purposes of the processing, the data subject shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

### Article 17 - Right to erasure ("right to be forgotten") (C65, C66)

- The data subject shall have the right to obtain from the controller the erasure of personal data concerning him or her without undue delay and the controller shall have the obligation to erase personal data without undue delay where one of the following grounds applies:
- a) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed:
- b) the data subject withdraws consent on which the processing is based according to point (a) of Article 6(1), or point (a) of Article 9(2), and where there is no other legal ground
- for the processing; c) the data subject objects to the processing pursuant to Article 21(1) and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to Article 21(2);
- d) the personal data have been unlawfully processed;
  e) the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject;
- f) the personal data have been collected in relation to the offer of information society services referred to in Article 8(1).



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- 2. Where the controller has made the personal data public and is obliged pursuant to paragraph 1 to erase the personal data, the controller, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform controllers who are processing the personal data that the data subject has requested the erasure by such controllers of any links to, or copy or replication of, those personal data.
- 3. Paragraphs 1 and 2 shall not apply to the extent that processing is necessary
- a) for exercising the right of freedom of expression and information; b) for compliance with a legal obligation which requires processing by Union or Member State law to which the controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority ested in the controller; c) for reasons of public interest in the area of public health in accordance with points (h)
- and (i) of Article 9(2) as well as Article 9(3);
  d) for archiving purposes in the public interest, scientific or historical research purposes
- or statistical purposes in accordance with Article 89(1) in so far as the right referred to in paragraph 1 is likely to render impossible or seriously impair the achievement of the objectives of that processing; or e) for the establishment, exercise or defence of legal claims.

### Article 18 - Right to restriction of processing (C67)

- 1. The data subject shall have the right to obtain from the controller restriction of processing where one of the following applies:
- a) the accuracy of the personal data is contested by the data subject, for a period enabling the controller to verify the accuracy of the personal data;
- b) the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead;
- c) the controller no longer needs the personal data for the purposes of the processing. but they are required by the data subject for the establishment, exercise or defence of legal claims:
- d) the data subject has objected to processing pursuant to Article 21(1) pending the verification whether the legitimate grounds of the controller override those of the data
- 2. Where processing has been restricted under paragraph 1, such personal data shall, with the exception of storage, only be processed with the data subject's consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or
- 3. A data subject who has obtained restriction of processing pursuant to paragraph 1 shall be informed by the controller before the restriction of processing is lifted

# Article 19 – Notification obligation regarding rectification or erasure of personal data or restriction of processing (C31)

The controller shall communicate any rectification or erasure of personal data or restriction of processing carried out in accordance with Article 16, Article 17(1) and Article 18 to each recipient to whom the personal data have been disclosed, unless this proves impossible or involves disproportionate effort. The controller shall inform the data subject about those recipients if the data subject requests it.

## Article 20 - Right to data portability (C68)

- The data subject shall have the right to receive the personal data concerning him or her, which he or she has provided to a controller, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided,
- a) the processing is based on consent pursuant to point (a) of Article 6(1) or point (a) of Article 9(2) or on a contract pursuant to point (b) of Article 6(1); and b) the processing is carried out by automated means.
- 2. In exercising his or her right to data portability pursuant to paragraph 1, the data subject shall have the right to have the personal data transmitted directly from one controller to another, where technically feasible.
- 3. The exercise of the right referred to in paragraph 1 of this Article shall be without prejudice to Article 17. That right shall not apply to processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.
- 4. The right referred to in paragraph 1 shall not adversely affect the rights and freedoms

# Article 21 - Right to object (C69, C70)

- The data subject shall have the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him or her which is based on point (e) or (f) of Article 6(1), including profiling based on those provisions. The controller shall no longer process the personal data unless the controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.
- 2. Where personal data are processed for direct marketing purposes, the data subject shall have the right to object at any time to processing of personal data concerning him or her for such marketing, which includes profiling to the extent that it is related to such direct marketing.
- Where the data subject objects to processing for direct marketing purposes, the personal data shall no longer be processed for such purposes.
- 4. At the latest at the time of the first communication with the data subject, the right referred to in paragraphs 1 and 2 shall be explicitly brought to the attention of the data
- subject and shall be presented clearly and separately from any other information.

  5. In the context of the use of information society services, and notwithstanding Directive 2002/58/EC, the data subject may exercise his or her right to object by automated means using technical specifications.

  6. Where personal data are processed for scientific or historical research purposes or
- statistical purposes pursuant to Article 89(1), the data subject, on grounds relating to his or her particular situation, shall have the right to object to processing of personal data concerning him or her, unless the processing is necessary for the performance of a task carried out for reasons of public interest.

- 1. The data subject shall have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her.
- 2. Paragraph 1 shall not apply if the decision:
  a) is necessary for entering into, or performance of, a contract between the data subject and a data controller.
- b) is authorised by Union or Member State law to which the controller is subject and which also lays down suitable measures to safeguard the data subject's rights and freedoms and legitimate interests; or
- c) is based on the data subject's explicit consent
- 3. In the cases referred to in points (a) and (c) of paragraph 2, the data controller shall implement suitable measures to safeguard the data subject's rights and freedoms and legitimate interests, at least the right to obtain human intervention on the part of the controller, to express his or her point of view and to contest the decision.
- 4. The decisions referred to in paragraph 2 shall not be based on special categories of personal data referred to in Article 9(1), unless point (a) or (g) of Article 9(2) applies and suitable measures to safeguard the data subject's rights and freedoms and legitimate interests are in place.

### Article 34 - Communication of a personal data breach to the data subject (C68-C88)

- 1. When the personal data breach is likely to result in a high risk to the rights and freedoms of natural persons, the controller shall communicate the personal data breach to the data subject without undue delay
- 2. The communication to the data subject referred to in paragraph 1 of this Article shall describe in clear and plain language the nature of the personal data breach and contain at least the information and measures referred to in points (b), (c) and (d) of Article 33(3). 3. The communication to the data subject referred to in paragraph 1 shall not be required
- if any of the following conditions are met:
  a) the controller has implemented appropriate technical and organisational protection
- measures, and those measures were applied to the personal data affected by the personal data breach, in particular those that render the personal data unintelligible to any person who is not authorised to access it, such as encryption;
- b) the controller has taken subsequent measures which ensure that the high risk to the rights and freedoms of data subjects referred to in paragraph 1 is no longer likely to
- c) it would involve disproportionate effort. In such a case, there shall instead be a public communication or similar measure whereby the data subjects are informed in an equally effective manner.
- 4. If the controller has not already communicated the personal data breach to the data subject, the supervisory authority, having considered the likelihood of the personal data breach resulting in a high risk, may require it to do so or may decide that any of the conditions referred to in paragraph 3 are met.

# II. PENAL CODE

- 1. Anyone who, with a denunciation, complaint, demand or request, even anonymously or under a false name, directed to a judicial authority or other authority that has an obligation to report, or to the International Criminal Court, blames someone for a crime whom he or she knows to be innocent; he or she fabricates evidence against someone, and shall be punished with imprisonment from two to six years.
- The penalty shall be increased if the accused blames someone of a crime for which the law prescribes a penalty of imprisonment exceeding a maximum of ten years, or another more serious penalty.

  3. The imprisonment shall be from four to twelve years if the act results in a prison
- ntence exceeding five years, from six to twenty years if the act results in a life sentence

### Art. 595 - Defamation

- 1. Anyone who, outside of the cases indicated in the previous article, in communicating with more than one person, damages the reputation of another, shall be punished by one year's imprisonment or by a fine of up to one thousand and thirty-two euros.

  2. If the defamation consists in imputing a specific fact, it shall be punishable by up to two
- years' imprisonment or by a fine of up to two thousand and sixty-five euros.

  If the offense is disseminated by the press or any other form of publicity, or in a public
- document, it shall be punishable by imprisonment of between six months and three years or by a fine of at least five hundred and sixteen euros.
- 4. In the event of defamation against a member of a political, administrative or judicial authority, or one of its representatives, or against an Authority established in collegiate form, the sentences shall be increased

# III. CODE OF CRIMINAL PROCEDURE

### Art. 329 - Obligation of secrecy

- Investigative acts carried out by the Public Prosecutor and the criminal police are covered by secrecy until the accused is entitled to have knowledge of them and, in any case, not beyond the closing of preliminary investigations.
- 2. If it is necessary for ongoing investigations to continue, notwithstanding the provisions of Article 114, the Public Prosecutor may allow the publication of individual documents or parts thereof by reasoned decree. In such case, the published documents shall be filed with the Clerk's Office of the Public Prosecutor.

  3. Even when the documents are no longer covered by secrecy according to paragraph
- 1, the Public Prosecutor may, if necessary, for investigations to continue, decide by reasoned decree on the following:
- a) the obligation of secrecy for individual documents, if the accused agrees or if knowledge of such document may obstruct investigations concerning other persons; b) the prohibition of publishing the content of individual documents or specific information concerning certain activities