



Italian code: IUS/01

Credits: 6

Course Level and Program:

Master's Degree in Law - Business Jurist Track (LMG-01)

Course: Privacy Law

Main language of instruction: Italian

Other language of instruction: English

Head instructor

Professor Francesco CIRILLO - francesco.cirillo@unicusano.it

Course Description

The course on Privacy Law, structured into 18 lessons and divided into six modules, covers the following topics: introduction to privacy law, fundamental concepts in data protection, rights of data subjects, obligations of the data controller, institutional authorities involved, safeguards and sanctions, and emerging scenarios in data processing. E-tivities associated with the course enable students to apply acquired knowledge to practical cases derived from constitutional jurisprudence.

Objectives

The course aims to provide students with:

- Knowledge of the fundamental legal notions and institutions of privacy law, with particular reference to EU Regulation 2016/679 (GDPR).
- The ability to comprehend and consciously apply the main concepts of privacy and data protection law.
- Skills to consult and interpret primary legal texts in privacy and data protection, as well as jurisprudence and administrative authority decisions.
- An understanding of the positive regulation of studied institutions, especially regarding the obligations and rights of the controller, processor, data subject, and Data Protection Officer, including multi-level safeguards and self-regulation mechanisms.
- The ability to articulate acquired content using appropriate legal terminology.

Course structure

The course is divided into 18 lessons across six modules:

1. Introduction to Privacy Law: Historical overview, Italian case law, transition from directive to European regulation.
2. Fundamental Concepts: Scope, objectives, definitions, principles of lawfulness, consent, and special categories.
3. Rights of Data Subjects: Transparency, access, rectification, erasure, portability, opposition, and automated decision-making.
4. Obligations of the Data Controller: Accountability, privacy by design/default, records, impact assessment, and data security.
5. Authorities and Safeguards: European and national institutions, complaints, judicial remedies, and administrative sanctions.
6. Emerging Scenarios: Big data, e-health, blockchain, and neuroprivacy.

Competencies

- a) **Knowledge and understanding:** The course aims to provide students with a comprehensive understanding of privacy law principles, including the objectives of the General Data Protection Regulation (GDPR), the legal framework for personal data protection, and the rights and obligations of the key actors involved.
- b) **Applying knowledge and understanding:** Students will develop the ability to apply privacy law principles to analyse and resolve legal issues in real-world scenarios, including handling practical cases and interpreting decisions from judicial and administrative authorities.
- c) **Making judgements:** By the end of the course, students will have the capacity to critically evaluate privacy-related legal frameworks and assess compliance challenges, enabling them to make informed judgments on complex data protection matters.
- d) **Communication skills:** Students will acquire the ability to use precise legal terminology to effectively communicate privacy law concepts, both in academic and professional contexts, and to engage with stakeholders such as regulators, companies, and legal professionals.

- e) **Learning skills:** The course provides foundational knowledge and methodological tools to support continued study and professional development in privacy law, including preparation for advanced roles in data protection and compliance.

Syllabus

Module 1: Introduction to Privacy Law

1. Presentation of the course
2. Historical evolution of the concept of privacy
3. Privacy in Italian jurisprudence
4. From the EU directive to the General Data Protection Regulation (GDPR)

Module 2: Fundamental Concepts

5. Objectives and scope of the GDPR (material and territorial application)
6. Definitions under the GDPR
7. Principles of lawfulness, fairness, and transparency; consent
8. Special categories of data

Module 3: Rights of Data Subjects

9. Transparency and information rights
10. Rights of access and rectification
11. Rights to erasure ("right to be forgotten")
12. Data portability, objection rights, and automated decision-making

Module 4: Obligations of Data Controllers

13. Accountability
14. Privacy by design and by default
15. Roles and responsibilities: joint controllers, processors, and Data Protection Officers (DPOs)
16. Record-keeping, impact assessments, and data security

Module 5: Institutional Authorities and Safeguards

17. European and national regulatory authorities: independence, roles, and powers
18. The European Data Protection Board (EDPB)
19. Complaints, judicial remedies, and collective actions
20. Administrative sanctions and liability

Module 6: Emerging Scenarios in Privacy

21. Big data and user profiling

22. E-health and digital health data
23. Privacy and blockchain technologies
24. Neuroprivacy and neural data protection

Teaching Methods

The course employs both traditional and interactive teaching methods.

- Traditional Teaching: Pre-recorded audio-video lessons available in SCORM format, accompanied by slides and handouts.
- Interactive Teaching: Online activities such as web forums, messages, video conferences, chats, and asynchronous self-assessment tests to ensure comprehension.
- E-tivities involving the analysis of legal cases provide opportunities for applying theoretical knowledge.

Evaluation Methods

The final exam consists of a written test with 30 multiple-choice questions, aiming to assess students' knowledge and comprehension of fundamental privacy law principles and the ability to rework acquired concepts.

Bibliography

Study materials are available on the platform, including pre-recorded lessons, slides, and handouts. Recommended readings include:

- V. Cuffaro, R. D'Orazio, V. Ricciuto, "I dati personali nel diritto europeo," Giappichelli, 2019.
- The European Union Agency for Fundamental Rights, "Handbook on European Data Protection Law," 2018.