

POSTERS ON THE INTERNET

Athens, 24-12-2018

Prot. No.: G/EX/10366/24-12-2018

SUBJECT: Open availability and further use of its documents, information and data

Personal Data Protection Authority (A.P.D.P.X.)

DECISION

THE PRESIDENT

OF THE PERSONAL DATA PROTECTION PRINCIPLE

Taking into consideration:

1. The provisions of Law 3448/2006 (Government Gazette A' 57/15.03.2006) "For the further use public sector information and the regulation of matters of competence Ministry of the Interior, Public Administration and Decentralization", such as were amended by Law 4305/2014 (Government Gazette A' 237/31.10.2014), which incorporate the Directive of the European Parliament and of the Council 2003/98/EC of the 17th of November 2003 on the further use of public sector information and Directive 2013/37/EU of 26 June 2013 amending the Directive 2003/98/EC.
2. The provisions of Law 2472/1997 (Government Gazette A' 50/10.04.1997) "Protection of the individual from the processing of personal data", such as apply, where incorporate Directive 95/46/EC of 24 October 1995 on the protection of natural persons against the processing of personal data and for the free circulation of these data, to the extent that the these provisions are not contrary to the provisions of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on protection of natural persons against data processing

of a personal nature and for the free movement of such data and

the repeal of Directive 95/46/EC (General Regulation on the Protection of Data) (LL 119/04-05-2016).

3. The provisions of article 19 par. 7 of the aforementioned Law 2472/1997, of the article 2 par. 4 of Law 3051/2002 "Constitutionally Enshrined Independent Authorities" (Official Gazette A' 220/20.09.2002), and of article 2 of the Regulation of Operation of the Authority (with No. 209/2000, Official Gazette B' 336/17.03.2000), as applicable.

4. The one with no. prot. DID/F.40/407/08.01.2015 circular of the Ministry of Administration of Reform and Electronic Government (ADA: OOOPMX-MBJI) with the subject:

"Implementation of the provisions of Chapter A of Law 4305/2014 (Government Gazette 237/A')

regarding the "open availability and further use of documents, information and

given the public sector, the modification of the provisions of the first

chapter of Law 3448/2006, adaptation of the national legislation to the provisions of

of Directive 2013/37 of the European Parliament and of the Council and

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further strengthening of transparency in the public sector".

5. The recommendation of the ODE of the "Transparency" program regarding the registration and evaluation of all the documents, information and data that

are in the possession of the Authority, by category, for the purpose of opening them

disposition.

6. The one with no. prot. C/EX/3663/25-06-2015 Decision of the Authority on the subject: "Open availability and further use of documents, information and data of the Authority

Protection of Personal Data (P.D.P.I.H.)" (ADA: 7ΛO3IMO-

ΣΘ3) which was issued in application of the provisions of article 14 par. 3 of the p.d.

28/2015 (Government Gazette 1 34/23-03-2015) "Codification of provisions for access to

public documents and data" (art. 10 par. 3 of Law 3448/2006, as

amended by Law 4305/2014 and in force) and those issued pursuant to
par. 4 of the same article, with no. prot. G/EX/8495/23-12-2016 and with no. first
C/EX/9252/22-12-2017 Decisions of the Authority.

A P O F A S I Z O Y M E

1. In application of the provisions of article 14 par. 4 of the p.d. 28/2015 (Official Gazette A' 34/23-03-2015) "Codification of provisions for access to public documents and elements" (art. 10 par. 4 of Law 3448/2006, as amended by Law 4305/2014 and in force), we distribute all the documents, information and data in the possession of the Authority on intended disposal categories as follows:

Category A: Data sets to be made available in an open and machine-readable manner format for any further use, applying the principle of open availability of public information.

Data sets belonging to category A

- Regulatory Acts of the Authority.
- Instructions of the Authority.
- Decisions – Notices issued by the Authority regarding employment positions in Authority (e.g. Announcements – Invitations for expressions of interest for secondments or transfers to the Authority).
- Application forms (of any kind) to the Authority.

Category B: Datasets to be made available subject to conditions through licensing or fees.

Data sets belonging to category B

- Decisions/Opinions of the Authority.
- Annual Reports of the Authority.
- Any kind of informative material that is posted on the Authority's website and contains

personally

bulletins,

news/press releases).

--News/Events - Speeches, with their content posted on

website of the Authority (unpublished proposals, slides) and material (unpublished

presentation texts, slides, photos, videos) from informative events

anonymization

(informative

data,

at least

with

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and actions organized by the Authority (European Data Protection Day

Data, conferences, anniversaries of the Authority, etc.).

The above data sets are posted on the Authority's website for the purpose

update and will be made available subject to conditions or fees, for each (or for limited)

further use, through licensing (or a relevant announcement in a clear place on

website of the Authority). For the determination of the terms and the amount of the imposed

fees will be followed by the decision according to article 13 par. 2 of Law 3448/2006, as

replaced by Article 13 of Law 4305/2014.

Category C: Data sets subject to the restrictions set out in

article 3 par. 1 of Law 3448/2006, as amended and in force, and are not available for

further exploitation and use.

Data sets belonging to category C

---General Archive of incoming and outgoing documents of the Authority (simple

classified and confidential) which includes:

----All kinds of citizen applications.

----Any kind of communication/correspondence with public data controllers

or private sector, subject to the control of the Authority.

----Special file of received notifications and responses of the Authority.

----Orders to carry out control, minutes, control findings.

----Individual administrative acts issued by the Authority.

----Any kind of official communication/correspondence of the Authority with collaborators

national and international organizations/bodies/authorities/bodies/committees and groups in general work.

----Financial management file and personnel management file.

----Special record of participation in the Authority's informative actions (e.g. student poster/video contest).

---Register of article 13 par. 3 of Law 2472/1997, which includes the natural persons who have indicated that they do not wish to receive communication through of conventional mail for purposes of promotion of goods or services (observed by specific purpose, according to the mentioned article, to be made available to those in charge processing, upon their request, in order to consult the Registry and delete from their lists those who are registered in it). The art due Registry contains personal data and is not available for purposes further use.

2. The posting of this decision on the program's website

"Clarity", on the website www.data.gov.gr and on the website of the Authority.

The President of the Authority

Konstantinos Menoudakos

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Sharing:

Ministry of Interior and Administrative Reconstruction

General Directorate of Reform Policy and Electronic Government

Directorate of Electronic Government

Department of Transparency, Open Government and Innovation

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