

SUMMARY OF DECISION vs CYPRUS POLICE, which was issued in 2 Parts

Part A Decision regarding the infringement and

Part B Decision regarding the Administrative Sanction

following an ex officio investigation on the occasion of press reports regarding

leakage of personal data by the Cyprus Police, CYTA and

Social Insurance Services

Part A (date: May 15, 2019)

On the occasion of numerous publications in the daily press and electronic press from

12/8/2017 until 18/8/2017, which brought and/or involved in addition to CYTA, the

Social Insurance Services and the Cyprus Police (in its capacity as

controller of the Centralized System of the Police and in particular

app or "vehicle owners" database, in a personal leak scandal

data and/or breach of personal data of a number of natural persons from

their databases, the Commissioner decided to investigate the case.

The publications in question brought a member of the Police to search,

printing and sharing documents to an unauthorized third party.

The Commissioner immediately brought the aforementioned publications to the attention of the Police and requested

their confirmation, description of the circumstances of the incident, its nature

violation, the proposed measures to minimize the effects, its consequences

breach and the security measures in place as well as the reasons why they did not

worked and/or was not sufficient or effective to prevent the incident

and finally he took into account the current legislative framework, which would constitute the legal framework

basis for investigating the case.

Rationale and conclusion:

Throughout the investigation, the Police provided full information to the Commissioner

and demonstrated an essential spirit of cooperation.

In this context, he made an admission that his member, which he had as part of his duties his legal access to the Centralized System and owner database vehicles, acting outside the lawful orders of the Police, proceeded to specific searches, locate and print documents, which he then delivers to a third party (retired Policeman).

The supervisory mechanisms of the Police during the essential time did not work properly and on time and/or did not perform as expected and as a result were deemed inadequate.

The organizational and technical measures taken by the Police were not satisfactory and do not proved sufficient to prevent unauthorized disclosure of personal data to third parties. The taking of additional organizational measures and regular and periodic conducting internal audits of the tracking files was deemed imperative.

The Commissioner, based on all the evidence before her, concluded that the Police were responsible for her violation of the provisions of article 32 par. (1)(b) and (d) and par. (4) of the Regulation, as as a result of actions and/or omissions committed by a member of its staff in unauthorized disclosure to a third party of personal data registered in police vehicle owner database, in excess of authorization

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of and despite the orders of the Police, and then set a deadline for the submission of all the reasons and mitigating/ mitigating factors for which it will not had to be imposed on it any of the provisions of Article Article 58 (2)(a), (b), (e) and (i), of the GDPR, sanction.

Part B' (date 30/9/2020)

The Commissioner after taking into account all the circumstances of the case, the reasoning and the ending in the Decision Part I as well as the factors that the Police put forward decided to impose an administrative fine of €6,000 on her, which she considered reasonable and analogous based on the rationale and conclusion in the Decision (Decision Part A' and

Decision Part B').

Among others, the following were taken into account and taken into account with a positive sign

Police actions:

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The Police took a number of corrective measures to deal with the incident

and to avoid similar incidents in the future,

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Informed the affected natural persons regarding the

leakage of their personal data,

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Proceeded to take corrective measures of its member (availability etc.)

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Training of new members of the police in security issues and

privacy and the intensification of controls in the computerized system.

For the calculation of the administrative fine, they were particularly taken into account as aggravating factors

factors the fact that the Police activated the investigation process

event after the release of the publications as a source of information, as well as

previous decision of the Commissioner dated 30/07/2019 by which it was established

violation of the relevant legislative framework regarding unauthorized disclosure

personal data to third parties.

It is recalled that with the issuance of this Decision, the procedure is completed

ex officio investigation by the Commissioner into the leak of personal data from

the CYTA (Decision 2017 administrative fine €10,000) and the Social Services

Insurance (Decision 2019 administrative fine €9,000).

19/10/2020