Athens, 08-08-2022 Prot. No.: 1984 DECISION 41/2022 The Personal Data Protection Authority convened at the invitation of its President in a teleconference meeting on Thursday 23.06.2022 at 10:00 a.m., postponed from 07 .06.2022 and 14.06.2022, in order to examine the case mentioned in the history of the present. The President of the Authority, Konstantinos Menudakos and the regular members of the Authority Spyridon Vlachopoulos, as rapporteur, Konstantinos Lambrinoudakis, Charalambos Anthopoulos, Christos Kalloniatis, as rapporteur and Aikaterini Iliadou, as well as Maria Psalla, alternate member in place of regular member Grigorios Tsolia, were present. , who, although legally summoned, did not attend due to disability. Present, without the right to vote, were Anastasia Kaniklidou, Eleni Kapralou, Chariklia Latsiu, Ioannis Lykotrafitis, Anastasia Tritaki and Panagiotis Tsopelas, auditors, as assistant rapporteurs and Georgia Palaiologou, employee of the administrative affairs department, as secretary. The Authority took into account the following: The Authority, taking into account the fact that in the context of dealing with the pandemic crisis due to the covid-19 coronavirus and to prevent its spread in the community, systematic processing of personal data of natural persons of minors (students) took place and adults during the implementation of the mandatory measure of the diagnostic test for the disease caused by the coronavirus in a wide range of professional, social and economic activity, in addition to the fact that questions were submitted to the Authority by data subjects regarding the implementation of the mandatory test measure), issued the sub ' No. of the self-diagnostic control (self Γ/ΕΜΕ/1278/21.05.2021 announcement1. With this announcement, the Authority, among others, informed the data subjects concerned (students, teachers, employees in the private and public sector, sailors, judicial and public prosecutors, students, university teaching and other staff and religious officials) by virtue of the relevant Joint Ministerial Decisions [under No. D1a/G.P.Oik. 24525/18-04-2021 (Government Gazette B' 1588), D1a/G.P.Oik . B' 1685), D1a/G.P.Oik. 24527 /18-04-2021 (Government Gazette B' 1582), D1a/G.P.Oik. 28259 /07-05-2021 (Government Gazette B' 1866), D1a/G.P.ok 26394 /25-04-2021 (Government Gazette B' 1688) KYA] that they can during the processing of personal data in the context of the declaration of the result of the self-diagnostic checks carried out through the platform https://self-testing.gov.gr to be addressed to the data controllers mentioned in the respective GDPR2, for the exercise of their rights, as they derive from GDPR 2016/679 and Law 4624 /2019. In addition, the Authority underlined that simply the demonstration of the negative result of the self-diagnostic tests by the students and teachers, in accordance with article 2 par. 3 of the KYA no. D1a/GP.oc. 27707/04-05-2021 (Government Gazette B´ 1825), insofar as this result is not included in a filing system, nor is it subject to automated processing, it does not in principle constitute processing of personal data falling within the regulatory scope of the

GDPR and Law 4624/ 2019. Subsequently, the Authority called under no. prot. G/EX/1307/26-05-2021, G/EX/1308/26-05-2021, and G/EX/1320/27-05-2021 documents the Ministry of Interior, the Ministry of Education G/EX/ 1309/26-05-2021, Γ/Εξ/1310/26-05-2021 1 Posted on the link https://www.dpa.gr/el/enimerwtiko/deltia/epexergasia-dedomenon-prosopikoy-haraktira-sto-plaisio -tis-dienergeias 2 Namely, IDIKA S.A. and the Ministry of Labor and Social Affairs independently for private sector workers (article 7), IDIKA S.A. and the Ministry of the Interior independently for those employed in the public sector (article 6), IDIKA S.A. for students and teachers (article 7), IDIKA S.A. and the Naval Defense Fund independently for the sailors (article 7), IDIKA S.A. for judicial and prosecutorial officers (article 6), IDIKA S.A. for the students, teaching staff and other HEI staff (article 6), and IDIKA S.A., the Ministry of the Interior and the Ministry of Education and Religion independently for the religious ministers (article 6). and Religious Affairs (hereafter YPAITH), the Ministry of Labor and Social Affairs, the Naval Defense Fund (hereafter NAT) and IDIKA S.A. respectively, as controllers based on the above-mentioned General Terms and Conditions, to provide specific clarifications regarding the processing of data carried out pursuant to the above-mentioned General Terms and Conditions when declaring the results of the self-diagnostic checks on the https://self-testing.gov.gr platform and the further processing of their data after the declaration of results. In response to the above documents of the Authority, the Ministry of Interior sent the Authority the letter no. prot. ... (and with prot. no. APD C/EIS/4689/15-07-
2021) response and IDIKA S.A. submitted the under no. prot. ... (and with no. prot. APD G/EIS/4274/29-06-2021) her reply. Due to not receiving a timely response from the Ministry of Health, the Authority sent the no. prot. C/EXE/2564/11-11-2021 reminder document for providing explanations, on which the Ministry of Health, with the no. of the Authority C/EIS/7663/23-11-2021 his message to the Authority, he requested an extension for the submission of an answer until 29.11.2021, and finally on 10.12.2021 he submitted to the Authority the no. prot. ... (and with prot. no. APD G/EIS/8118/13.12.2021) response of the Data Protection Officer of the Ministry of Health. Furthermore, the NAT submitted to the Authority under no. prot. ... (and with no. prot. APD G/EIS/3688/04-06-2021) document, with which he submitted a request to extend the above deadline for fifteen (15) days, which was accepted (with the No. prot. APD C/EXE/1414/17-06-2021 document), and subsequently, sent it with no. prot. ... (and with no. prot. APD G/EIS/4633/13-07-2021) response. Finally, the Ministry of Labor and Social Affairs requested with the 10.06.2021 e-mail message (and with no. prot. APD C/EIS/3828/10-06-2021) an extension of the 15-day deadline until 18.06.2021, and subsequently sent to the Authority with no.

prot. ... (and with prot. no. C/EIS/4327/01-07-2021) his reply. In addition, the above-mentioned Ministry with the e-mail dated 14.07.2021 (with no. prot. APD C/EIS/4688/15-07-2021) brought to the attention of the Authority a draft legislative regulation for the amendment of paragraph d' of par. 6 of article 27 of Law 2792/2021, to which the Authority responded with the no. prot. C/EXE/1785/27-07-2021 document. Subsequently, the Authority called, with the under no. prot. C/EX/40/07 -01-2022, C/EX/41/07-01-2022, C/EX/42/07-01-2022, C/EX/43/07-01-2022 and C/EX/44/07-01-2022 documents, IDIKA S.A., the Ministry of the Interior, the Ministry of Labor and Social Affairs, the NAT and the Ministry of Health respectively, to attend a Plenary meeting of the Authority on Tuesday 18-01-2022, in order to discuss the aforementioned case. At this meeting, in the presence of all those invited, the under no. ... (and with no. prot. APD C/EIS/326/17.01.2022) request of the Ministry of Labor and Social Affairs to postpone the discussion of the case and a new meeting date of 15.02.2022 was set. During the meeting of 15.02.2022, the following attended: (a) on behalf of the Ministry of the Interior, Paraskevi Charalambogianni, General Secretary of Human Resources of the Ministry of the Interior, A, Head of the Directorate ... of the Ministry of the Interior, B, Head of the Department of ... of the Ministry of the Interior, C, Head of the Department ... of the Ministry of the Interior, and following an invitation (summons) from the Ministry of the Interior, the Governor of the National Transparency Authority, Angelos Binis, (b) on behalf of the Ministry of the Interior, D, Head of the Legal Department also attended of the State Council and E, Data Protection Officer of the Ministry of Education and Religion, (c) on behalf of NAT, Georgios Yiannopoulos, lawyer (…) and Areti Oikonomou, lawyer, (…), both authorized lawyers of NAT, (d) on behalf of the Ministry of Labor and Social Affairs, Grigoris Lazarakos, lawyer (...), attorney-at-law of the said Ministry, Anna Stratinaki, General Secretary of Labor Relations sixes, and F, Data Protection Officer of the Ministry of Labor and Social Affairs, and (e) on behalf of IDIKA S.A., Niki Tsouma, Chairman of the Board of Directors. and Managing Director of IDIKA S.A., Iulia Constantinou, lawyer (…), and Hera Chioni, lawyer (…) on behalf of the Office of the Data Protection Officer of IDIKA S.A., George Stathakos lawyer (…), head of the Legal Service of IDIKA S.A., Melina Tsiuma, lawyer (…), and on behalf of the Division and Support of Special Applications of IDIKA S.A. Z, Head of ... of IDIKA S.A. and H. Finally, following an invitation (subpoena) from IDIKA S.A. Th, ... of EDYTE S.A. were also present. and I, on behalf of the Office of the Data Protection Officer of EDYTE SA. During this meeting, those present, after developing their opinions, were given a deadline of 18.03.2022 for the submission of written memoranda. first... (and with no. prot. APD C/EIS/4658/18-03-2022) memorandum, the Ministry of Labor and Social Affairs from 16-03-2022 (and with no. prot. APD C/EIS/4421/ 16- 03-2022) memorandum,

IDIKA S.A. the one with no. prot. ... (and with no. prot. APD C/EIS/4805/21-03-2022) memorandum and NAT from 18.03.2022 (with no. prot. APD C/EIS/5225/25-03-2022) memorandum. Finally, the Ministry of Health informed the Authority by e-mail from 18.03.2022 (and no. prot. APD C/EIS/5226/25.03.2022) that it will not submit a relevant memorandum and is content with no. prot. ... (and with no. prot. APD G/EIS/8118/13.12.2021) his answer and to what he stated orally during the hearing. The Authority, after examining the issues that arise regarding the declaration of the results of the self-diagnostic tests pursuant to the above-mentioned KYA on the platform https://self-testing.gov.gr and the further processing of personal data, after listening to the presenters and the clarifications from the assistant rapporteurs, who were present without the right to vote, after a thorough discussion, WAS CONSIDERED IN ACCORDANCE WITH THE LAW 1. Because, from the provisions of articles 51 and 55 of the General Data Protection Regulation (Regulation 2016/679) and article 9 of Law 4624/2019 (Government Gazette A' 137) it follows that the Authority has the authority to supervise the implementation of the provisions of the GDPR, this law and other regulations concerning the protection of the individual from the processing of personal data. In particular, the Authority has the authority to take over the data processing of the personal declaration made against the results of the self-diagnostic checks on the https://self-testing.gov.gr platform in accordance with the provisions set out in no. D1a/GP.oc. 24525 /18-04-

2021 (Government Gazette B' 1588) for the employees of the private sector3, D1a/GP.ok. 26390/24-04-2021 (Government Gazette B' 1686) for employees of the public sector4, D1a/GP.ok. 27707 /04-05-2021 (Government Gazette B' 1825) for students and teachers5, D1a/GP.ok. 26389 /24-04-2021 (Government Gazette B' 1685) for sailors - ship crew members6, D1a/G.P.ok. 24527 /18-04-2021 (Government Gazette B' 1582) for judicial and prosecutorial officers, D1a/G.P.Oik. 28259 /07-05-2021 (Government Gazette B' 1866) for the students, teaching staff etc. religious ministers and the auxiliary staff of KYA places of worship, in the context of exercising ex officio competence, pursuant to articles 57 par. 1 item. a and h GDPR and 13 par. 1 item a' and b' of Law 4624/2019, as, in this case, automated processing of personal data took place and, as the case may be, processing 3 (Government Gazette B' 1871) and D1a/G.P.ok.30310/14-5- 2021 (Government Gazette B' 2016) and as repealed/replaced by the under no. D1a/G.P.oik. 32209/24-5-2021 (Government Gazette B' 2192), as the latter was amended with under no. D1a/G.P.ok.35098/4-6-2021 (Government Gazette B' 2891), D1a/G.P.ok.48485/30-7-2021 (Government Gazette B' 3493) and D1a/G.P. household 54114/6-9-2021 (Official Gazette B' 4084). The under no. D1a/G.P.ok. 32209/24-5-2021 (Government Gazette B' 2192) was repealed by sub no. D1a/G.P.oc. 64232/15-10-

2021 (Government Gazette B' 4766), which established the mandatory performance of a diagnostic test against a fee for self-employment. 4 As amended by no. D1a/G.P.oik. 28499 /07-05-2021 (Government Gazette B' 1870), D1a/G.P.oik. 32207/24.5.2021 (Government Gazette B' 2183), D1a/GP.ok. 35097/4.6.2021 (Government Gazette B' 2373), D1a/G.P.oc. 41305/2.7.2021 (Government Gazette B' 2890), D1a/GP.ok. 48483/30.7.2021 (Government Gazette B' 3491) and D1a/GP.ok. 54108/6.9.2021 (Official Gazette B' 4081). The under no. 26390/24-04-2021 (Government Gazette B' 1686) was repealed by No. D1a/GP. 55570/12-9-2021 (Government Gazette B' 4207), which established the mandatory performance of a diagnostic test against a fee for self-employment. . 5 As repealed/replaced by no. D1a/GP.oik.30518/17.5.2021 (Government Gazette B' 2020), as the latter was repealed/replaced by under no. D1a/G.P.oc. 55254/09-09-2021 (Government Gazette B' 4187), as it was amended by the under no. GP /66036/21.10.2021 (Government Gazette B' 4960) and General Administrative Court 360/6.1.2022 (Government Gazette B' 7). It is noted that for students and teachers, the no. 124068/GD4/1-10-2021 (Government Gazette B' 4558), which concerns the processing of data through the edupass.gov.gr platform, which however is not the subject of this review. 6 As repealed/replaced by no. D1a/G.P.oik.45222/ 18.07.2021 (Government Gazette B' 3130), as amended by the under no. D1a/G.P.ok.48481/30.7.2021 (Government Gazette B' 3488) and at the same time the under no. D1a/G.P.ok.47197/26.7.2021 (Government Gazette B' 3355) The under no. 45222/18.07.2021 (Government Gazette B' 3130) and 47197/26.7.2021 (Government Gazette B' 3355) were repealed by No. D1a/G.P.oc. 56087/14-9-2021 (Government Gazette B' 4247) KYA. 7 As amended by Decree No. D1a/G.O. 30097/14-5-2021 (Government Gazette B' 2014) It is noted that with Decree No. 119847/GD6/23-9-2021 (Government Gazette B 4406) established the obligation of diagnostic testing for the students and staff of the HEIs. As amended by No. G.P.ok.41588/2-7-2021 of data which were included in a filing system8, subject to the protective scope of the legislation for the protection of personal data (articles 2 par. 1 GDPR and 2 law 4624/2019) and coincides reason to address the issue, in order to promote the awareness, on the one hand, of the controllers regarding the obligations arising from GDPR 2016/679 and Law 4624/2019 and, on the other hand, the public and the understanding of the risks, guarantees and rights related to the processing of personal data. And this, regardless of the fact that the arrangements under consideration with the above-mentioned General Regulations were repealed, because the above competence of the Authority justifies the examination of the legality of processing of personal data that took place even by virtue of acts of short duration, which imposed temporary measures against the dissemination of regularly reviewed9, which led to restrictions on the right to the protection of personal data. 2. Because, according to the established jurisprudence of the

Council of State, the limitations of individual rights must be defined by law generally and objectively10. The limitations of an individual right must be justified by overriding reasons of public interest, be clearly logically related to this purpose, be convenient, appropriate and necessary for the achievement of the intended purpose, not affect the core of the right and not confer on the Management wide discretion11. Besides, the more intense the limitation of the right, the more imperative is the need for specificity of the legislative regulation12. The Authority has already pointed out that the principle of legality governing the action of the public administration requires that the competence of the public authorities be provided for by law and exercised in accordance with the law. In other words, the principle of legality also functions as 8 See paragraph 10 below for the case of the processing of personal data as a result of the imposition of a burdensome measure (reduction of wages, exemption from the obligation to pay wages, imposition of payment of monetary fines) due to the failure to carry out a self-diagnostic check. 9 See SC decisions 1759/2021 sc. 5 and Supreme Administrative Court 665/2021 sc. 8. 10 See SC decisions 366//2008 sc. 11, 1019/2022 Sk. 8. 11 See in particular decision of the Supreme Court of Appeal 3665/2005. 12 Opinion 02/2010 APDPH, sc. 4. limitation of administrative action or by reverse reasoning, the administrative action must be in harmony with the rule of law governing the action of the administration. In order for interference with individual rights to be tolerated in the context of a lawful restriction, the conditions of articles 9A and 25 of the Constitution, 8 par. 2 ECHR or even 52 par. 1 XTHDEE must be met. It should be pointed out that art. 8 XTHDEE in combination with art. 16 of the Convention independently protect, in particular, the right to personal data. From Article 8, paragraph 2 of the ECHR, it follows that the protected individual right may be restricted if the measure taken is, firstly, provided for by national legislation (principle of legality), secondly, it aims to achieve the stated reasons for limiting the individual right (e.g. . public interest) and thirdly, the compatibility of the restriction of the individual right is tested in relation to the principle of proportionality in a broad sense (necessity) in a democratic society. 3. Because, the restriction on the right to the protection of personal data, through the declaration of the results of the self-diagnostic tests on the platform https://self-testing.gov.gr and the further processing of personal data, taking into account those mentioned in the reasons reports Law 4790/2021 and Law 4792/2021 purposes, as well as the decisions of the Council of Ministers 665/2021 (OL), 1386/2021, 1758/2021 and 1759/2021, is intended for exceptional reasons of public interest concerning the protection of the public health from the risk of the spread of the coronavirus, and it is justified by the compelling reasons to contain the pandemic of the coronavirus based on valid and documented scientific data and is harmonized in principle with the provisions of articles 2 par. 1 (protection of human value), 5

par. 2 (individual right to life), as well as 5 par. 5 and 21 par. 3 (individual and social right to health) of the Constitution. 4. Because the provisions of articles 2 par. 1 and 46 of Law 4790/2021 (Government Gazette A´48) and 27 of Law 4792/2021 (Government Gazette A´54) defined basic elements of the processing of personal data, among them explicitly and the data retention time. the time period of observance In particular, in the provision of article 27 par. 6 item. d. Law 4792/2021 determined the results of self-diagnostic tests registered on the platform. Subsequently, with the under no. D1a/GP.oc. 24525/18-04-2021 (Government Gazette B' 1588), D1a/GP.ok. 26390/24-04-2021 (Government Gazette B' 1686), D1a/GP.ok. 27707 /04-05-2021 (Government Gazette B' 1825), D1a/GP.ok. 26389 /24- 04-2021 (Government Gazette B' 1685), D1a/G.P.ok. 24527 /18-04-2021 (Government Gazette B' 1582), D1a/G.P.Oik. 28259 /07-05-2021 (Government Gazette B' 1866), D1a/G.P.ok 26394 /25-04-2021 (Government Gazette B' 1688) KYA, as amended and in force, specified the categories of natural persons for which the test became mandatory pursuant to the provision of article 27 par. 2 of Law 4792/2021. In sequence, since the above-mentioned provision of article 27 of Law 4792/2021 defines the retention time of the data, the failure to report this element to the KYA for students and teachers (article 7 par. 4 D1a/GP.ok. 27707 /04-05-2021 (Government Gazette B' 1825), the students, teaching and other staff of AEI (article 6 par. 4 D1a/G.P.Oik. 28259 /07-05-2021 (Government Gazette B' 1866) does not in principle constitute, according to the above, a violation of the right to the protection of personal data. 5. Because, in accordance with the provisions of article 5 paragraph 2 of the GDPR, the data controller bears the responsibility and must be able to demonstrate its compliance with the principles of processing established in paragraph 1 of article 5. As the Authority13 has judged, a new model of compliance has been adopted with the GDPR, the central point of which is the principle of accountability in the context of which the controller is obliged to plan, implement and generally takes the necessary measures and policies, in order for the processing of the data to be in accordance with the relevant legislative provisions. In addition, the data controller is burdened with the further duty to prove himself and at all times his compliance with the principles of article 5 par. 1 GDPR. 6. Because Article 5 of the GDPR defines the processing principles that govern the processing of personal data. Specifically, it is defined in 13 See Authority decision 26/2019, paragraph 8, available on its website. paragraph 1 that personal data, among others: "a) are processed lawfully and legitimately in a transparent manner in relation to the data subject ("legality, objectivity, transparency"), b) are collected for specified, explicit and legitimate purposes and are not further processed in a manner incompatible with these purposes (…), c) are appropriate, relevant and limited to what is necessary for the purposes for which they are processed ("data minimization"), d) are accurate and, when necessary,

they are updated; all reasonable measures must be taken to immediately delete or correct personal data that is inaccurate, in relation to the purposes of the processing ("accuracy"), e) kept in a form that allows the identification of data subjects only for the period required for the purposes of processing the personal data (…), f) are submitted to an processing in a way that guarantees the appropriate security of personal data, including its protection against unauthorized or unlawful processing and accidental loss, destruction or damage, by using appropriate technical or organizational measures ('integrity and confidentiality')'. 7. Because, Article 13 GDPR provides with regard to the data subject's right to information that: "1. Where personal data concerning a data subject is collected from the data subject, the controller shall, upon receiving the personal data, provide the data subject with all of the following information: a) the identity and contact details of the controller and , as the case may be, of the controller's representative, b) the contact details of the data protection officer, as the case may be, c) the processing purposes for which the personal data are intended, as well as the legal basis for the processing, d) if the processing is based on Article 6 paragraph 1 point f), the legitimate interests pursued by the controller or by a third party, e) the recipients or categories of recipients of the personal data, if any, f) where applicable, the intention of the controller processing to transmit personal data to a third country or international organization only and the existence or absence of an adequacy decision of the Commission or, in the case of the transmissions referred to in Article 46 or 47 or in the second subparagraph of Article 49 paragraph 1, a reference to appropriate or suitable guarantees and the means to obtain a copy thereof or to where they were allocated. 2. In addition to the information referred to in paragraph 1, the controller, when receiving the personal data, provides the data subject with the following additional information necessary to ensure fair and transparent processing: a) the time period for which the personal data will be stored or, when this is impossible, the criteria that determine the period in question, b) the existence of the right to submit a request to the data controller for access and correction or deletion of the personal data or limitation of the processing concerning the data subject or right to object to the processing, as well as the right to data portability, c) when the processing is based on Article 6(1)(a) or Article 9(2)(a), the existence of the right to withdraw consent of any time, without affecting the legality of the processing based on the agreement application before its revocation, d) the right to submit a complaint to a supervisory authority, e) whether the provision of personal data constitutes a legal or contractual obligation or a requirement for the conclusion of a contract, as well as whether the data subject is obliged to provide the personal data and what would be the possible consequences of not providing such data, decisions, including profiling, referred to in Article 22 paragraphs 1 and 4 and, at least in these cases, important

information about the logic followed, as well as the significance and intended consequences of said processing for the data subject." automated existence of reception on f) 8. Following the above, taking into account on the one hand the provisions in no. D1a/G.P.ok 26394 /25-04-2021 (Government Gazette B' 1688) KYA for the implementation of the mandatory measure of diagnostic control for religious ministers and the auxiliary staff of places of worship, and in particular the provision of article 6, according to which for the purposes of the procurement and the performance of the self-diagnostic control (article 4) independently appointed data controllers, IDIKA S.A., the Ministry of the Interior and the Ministry of the Interior and on the other hand the under no. ITT... (ITPIEIΣ/8118/13.12.2021) response of the Ministry of Health, through the Ministry of Health, according to which the Ministry of Health is independently responsible for processing only the part that concerns case b) of article 1 of the above-mentioned General Law, i.e. for the register of legal entities and religious officials of article 14 of Law 4301/2014 and that in this context he forwarded the data of these persons to the GISPSDD in order to identify the persons and distribute the self-diagnostic checks to them (according to article 3 par. 2 KYA), the Authority finds that for the Ministry of Education, the provisions of article 4 para. 7 GDPR details of the data controller, and the reference to the above-mentioned under no. YPD... (ADP C/EIS/8118/13.12.2021) the Ministry's response that it is responsible for the processing of the category of data subjects of paragraph b) of Article 1 of the above-mentioned KYA is not sufficient to grant it this role, according to and with Opinion 1/2010 of the Article 2914 Working Group and Guidelines 7/2020 of the European Data Protection Board15 on the concept of controller. In particular, from all the data in the case file, it appears that the Ministry of Health, as the controller of the register it maintains pursuant to Article 14 of Law 4301/2014, extracted the details of these persons from the relevant register and forwarded them to the General Directorate of Social Security, in order to subsequently be distributed through IDIKA S.A. in these persons the self-diagnostic WP 16914 from http://ec.europa.eu/justice_home/fsj/privacy/index_en.htm 15 Guidelines Guidelines 07/2020 on the concepts of controller and processor in the GDPR, as adopted on 07.07.2021, https://edpb.europa.eu/our-work-tools/our- available documents /guidelines/guidelines-072020-concepts-controller-and-processor-gdpr_el 16.02.2010, website available in the tests to declare the results on the https://self-testing.gov.gr platform. Given that: a) IDIKA S.A. a data controller is designated for the purpose of the control of persons subject to a mandatory diagnostic test and the distribution of the control to these persons (article 3 par. 3 of the above-mentioned KYA), b) the declaration of the results of the relevant controls for the specific category of persons is carried out through the platform https://self-testing.gov.gr without the involvement of the Ministry of Health through any of its

files/registers (article 4 par. 4 of the above-mentioned KYA) and that c) no consequence is foreseen for the persons who do not comply with the obligation to carry out (article 5), nor does any other processing of personal data take place in the above register of article 14 of Law 4301/2014, which the Ministry of Health maintains as the data controller, the Ministry of Health is incorrectly identified as the data controller in the aforementioned General Data Protection Regulation. In addition, for the data processing that took place pursuant to the above-mentioned CPA for the religious ministers who are registered in the Human Resources Registry of the Hellenic State (article 1 item a of CPA), and for whom the https://self-testing platform was used .gov.gr of IDIKA S.A. and redirection was provided to the Human Resources Register of the Hellenic State of the Ministry of the Interior (article 4 para. 3 KYA), the Ministry of the Interior is correctly identified as the data controller (article 6 par. 1 KYA). 9. Because, especially the transparency according to article 5 par. 1 item a' GDPR, is a fundamental requirement of the GDPR intrinsically linked to legality, which starts from the obligation of data controllers to integrate data protection issues into their operations and processing systems by design, according to Article 25 and Recital 78 GDPR, and extends to the obligation to comply with the processing with the protection of personal data. Specifically, taking into account Recital 39 GDPR, transparency includes at least the information on the information of Articles 13 and 14 GDPR, in particular regarding the identity and contact details of the data controller, the contact details of the DPO, the processing purposes and their legal basis, the recipients of the data and the period for which the personal data will be stored. 10. Because, regarding compliance with the obligation of transparent information pursuant to the provisions of articles 13 and 5 par. 1 item. a' GDPR and recital 58 GDPR, from all the elements of the case file the following emerges: Firstly, HIDIKA S.A. as (exclusive) controller, pursuant to the no. D1a/ GP.oc. 27707/04-05-2021 (Government Gazette II 1825) and under no. D1a/G.P.ok.28259/07.05.2021 (Government Gazette B´ 1866) KYA, through the https://self-testing.gov.gr platform, initially informed the interested data subjects of the above required information of Article 13 GDPR. However, the Authority, taking into account the no. first ... (APD C/EIS/4274/29.06.2021) response of HDIKA S.A., states that in the above information regarding the recipients of the data (point 4 of the information), HIDIKA S.A., as data controller, in violation of the provisions of article 13 par. 1 item e. GDPR, failed to inform about the body (the Ministry of the Interior or, as the case may be, the Ministry of the Interior), which, pursuant to the above-mentioned General Regulations, is responsible for enforcing the measure of Articles 4 and 5, paragraph 4 of the above General Regulations , respectively, in case of non-performance of the self-diagnostic check by the teachers, members of special educational staff, special auxiliary staff, administrative and other staff of all school units of Primary and Secondary

Education, and by the members of the teaching research staff (D.E. P.) of the higher educational institutions, as well as members of the laboratory teaching staff (E.D.I.P.), the special technical laboratory staff (E.T.E.P.) and the special educational staff (E.E.P. .), respectively, and who therefore becomes the recipient of the data processed pursuant to the above-mentioned General Data Protection Regulation. And this, regardless of the fact that compliance with the obligation to carry out a self-diagnostic check on the part of the above persons to the competent body (the Ministry of Health, or as the case may be, the Ministry of the Interior) is demonstrated through the demonstration of the result (articles 2 par. 3 and 3 par. 10 of the above-mentioned General Terms and Conditions, respectively), which in principle implies non-automated processing, as, however, the imposition of the administrative measure (reduction of salaries) of articles 4 and 5, paragraph 4 of the above-mentioned General Terms and Conditions, respectively, requires the processing of data for the persons these in the filing system of the competent body, and consequently the authority of the Authority is established according to article 2 par. 1 of the GDPR, moreover the obligations arising from the GDPR are not applicable. Secondly, regarding the compliance of the Ministry of Labor and Social Affairs with the obligation of transparent information, pursuant to the provisions of articles 13 and 5 par. 1 item. a' GDPR and recital 58 GDPR, for the processing of personal data that took place pursuant to no. D1a/G.Oik.24525/18-04-2021 (Government Gazette B´1588), as amended and in force, as the Ministry itself agrees with the from 18.06.2021 (prot. no. C/EIS/4327 /01-07-2021) and from 15.02.2022 (under prot. no. C/EIS/4421/16.03.2022) his memos16, the information provided to private sector employees, which accompanied the "Responsible Declaration of of Workers Recording the Result of the Covid-19 Test (Self/Rapid/PCR)" and was posted on the platform https://self-testing.gov.gr, it concerned another processing17, which was finally replaced in August 2021, it was done, taking into account and the CG of the OE of article 29 regarding transparency18, even for a specific period of time in violation of the provision of article 13 par. 1 item. 3 GDPR, shaking the confidence of the persons concerned in the above-mentioned KYA (employees of the private sector). And this, because as the Authority has pointed out with decision 05/202019, the urgent and unforeseen need to deal with the negative consequences of the coronavirus 16 Note. 4 p. 11. 17 And specifically, as stated in the memorandum dated 15.02.2022 (under prot. no. C/EIS/4421/16.03.2022), the processing for the purpose of "granting one-time financial aid due to the countermeasures of the covid-19 coronavirus pandemic". 18. See CG of OE29 regarding transparency based on regulation 2016/679 wp260rev01, sc. 5 and 26 ff. 19 Sk. 3 and 8 of decision 05/2020, available on the website of the Authority. does not justify the removal of the guarantees to ensure the right to the protection of personal data

through the obligations established by the GDPR and Law 4624/2019 and which are borne by the data controller. Besides, the mere fact that the collection of personal data was carried out through the platform https://self-testing.gov.gr and provided for the specific category of data subjects (employees of the private sector) redirection to the information system ERGANI of the Ministry of Labor and Social Affairs is an additional reason for the independent compliance of the said Ministry, as data controller based on the above-mentioned KYA, to ensure the requirement for transparent information of the subjects, as discussed above, rejected as unfounded the claim of the Ministry on 15.03. 2022 (under no. prot. C/EIS/4421/16.03.2022) his memorandum20 that the erroneous information for another purpose of processing was of minor importance, for the reason that the purported purpose of processing ("self-test") had has already become well-known in all print, television and electronic media and directly or indirectly occupied a particularly large part of the of the population. Thirdly, regarding the compliance of the Ministry of the Interior with the obligation of transparent information pursuant to the provisions of articles 13 and 5 par. 1 item. a' GDPR and recital 58 GDPR for the processing that took place pursuant to no. D1a/GP.oc. 26390/24-04-2021 (Government Gazette B´1686) as amended and in force, the Authority finds that the information it provided regarding the data retention period (point 6 of the information) was incomplete/opaque in violation of the provisions of the provision of article 13 par. 2 item 1 GDPR, given that the legislative act in question that imposed temporary measures was of short-term validity, expressly specifying the data retention period (Article 27 par. 6 letter d. Law 4792/2021, as amended and in force) and was not sufficient the abstract/vague reference to it in the period provided by the applicable provisions. Besides, the mere fact that the time to observe the 20 S. 4-5 pp. 11-12 of the relevant memorandum. of data pursuant to the aforementioned provision of Law 4792/2021 was extended from seven (7) to thirty (30) days, is an additional reason to ensure the above principle of transparency (article 5 par. 1 letter a' GDPR) , but also to ensure the principle of accuracy (Article 5 par. 1 item d GDPR) for the explicit determination of the time of observance in the relevant information to the data subjects concerned. Fourthly, regarding NAT's compliance with the obligation of transparent information pursuant to the provisions of articles 13 and 5 par. 1 item. a' GDPR and recital 58 GDPR for the processing that took place pursuant to no. D1/ΓΠ.οικ.26389/24-04-2021 (Government Gazette B´1685) KYA, the Authority finds that the information provided through a relevant post in the environment of the application developed in the information system ANALYTIC PERIODIC DECLARATION OF SEAMEN of NAT during the declaration of the result was incomplete. In particular, the information that: "the above data is kept for the period of time necessary to fulfill the above purpose of processing (...)" is not in accordance with the requirement of

transparent information according to article 13 par. 2 item. a' GDPR, given that the data retention time was explicitly determined by the provision of article 27 par. 6 item. d' n. 4792/2021. In addition, the above information was incomplete, because NAT did not provide information about the legal basis of the processing according to article 13 par. 1 item. 3 GDPR. 11. The Authority, in relation to the established violation of the obligation of transparent information pursuant to the provisions of articles 13 and 5 par. 1 item. a' GDPR and recital 58 GDPR for the processing of personal data pursuant to the examined GLAs that related to the performance of self-diagnostic controls decided that there is a case to exercise its corrective powers under article 58 paragraph 2 GDPR. In particular, the Authority, taking into account in recital 148 of the GDPR the limited duration of the violation as a result of the temporary nature of the measure in question, considers that it must issue a reprimand, in accordance with article 58 par. 2 item. b GDPR, to IDIKA S.A., Ministry of Labor and Social Affairs, Ministry of Interior and NAT, as data controllers, for the processing of personal data in violation of the provisions of article 13 GDPR. 12. Because, further, pursuant to the provision of article 5 par.1 item e' GDPR, the principle of limiting the storage period of the data for the period of time required for the purposes of the processing is established in addition and equally with the other principles. In this case, the purpose for which the personal data was processed was the (free) availability of the self-diagnostic tests to the persons required by law to carry out the relevant tests as a condition for the personal attendance at the workplace or performing an operation and the previous finding through the special electronic application developed, after the test, that these persons have not tested positive (articles 46 par. 1 of Law 4790/2021 and 27 of Law 4792/2021). The above processing took place for compliance, on the part of those responsible for protection, with a legal obligation and the fulfillment of a duty, which is performed in the public interest, (article 6 par. 1 letter c and e GDPR), as well as , with regard to special category data, for reasons of serving essential public interest and public interest in the field of public health (article 9 par. 2 letters g and i GDPR), for the sake of protecting public health and preventing the spread of the coronavirus during the professional, social and economic activity of individuals. In addition, as mentioned above, the time period for keeping the data for the fulfillment of the above processing purposes was explicitly specified in article 27 par. 6 item. 4792/2021, initially for seven (7) and subsequently extended to thirty (30) days. After the end of this period, the personal data processed had to be deleted, given in particular that their processing is based on acts of short duration, which imposed temporary measures, regularly reviewed, against the spread of the coronavirus for the sake of protecting public health , and that there is no reason to observe them for another compatible processing purpose, according to articles 5 par. 1 item b' and 6 para. 4 GDPR. As a consequence of the

above, the preservation of the data processed in the context of the above defined and explicit purposes of processing beyond the prescribed time period of their observance is contrary to the principle of article 5 par. 1 item. e' GDPR. 13. Because, further, Article 25 GDPR establishes the general obligation of the controller to protect data already by design and by definition. Specifically, the provision of this article provides: "1. Taking into account the latest developments, the costs of implementation and the nature, scope, context and purposes of the processing, as well as the risks of different probability of occurrence and severity to the rights and freedoms of natural persons from the processing, the controller effectively implements, both at the time of determining the means of processing and at the time of processing, appropriate technical and organizational measures, such as pseudonymization, designed to implement data protection principles, such as data minimization, and the integration of the necessary guarantees in the processing in such a way as to meet the requirements of this regulation and to protect the rights of the data subjects. 2. The controller applies appropriate technical and organizational measures to ensure that, by default, only personal data necessary for the purpose of the processing are processed. This obligation applies to the scope of personal data collected, the extent of their processing, their storage period and their accessibility. In particular, the measures in question ensure that, by definition, personal data is not made accessible without the intervention of the natural person to an indefinite number of natural persons (…)". 14. Because, from all the elements of the case file, it follows that: Firstly, with regard to the compliance of HDIKA S.A. with the principle of limiting the storage period of article 5 par. 1 item. e' GDPR, that IDIKA S.A. pursuant to the under no. D1a/ GP.oc. 27707/04-05-2021 (Government Gazette II 1825) and under no. D1a/G.P.ok.28259/07-05-2021 (Government Gazette B´ 1866) KYA, as it also agrees both in the under no. first... (APD C/EIS/4274/29.06.2021) answer21, as well as during the hearing before the Authority, kept the data processed on the https://self-testing.gov.gr platform for an unspecified part of the period, during which a seven-day observance was foreseen (with the provision of article 27 par. 6 letter d' of Law 4792/2021 until the amendment by Article 69 of Law 4821/2021, i.e. from April 2021 to 31.07. 2021) for a longer period of time in violation of the above provision of Law 4792/2021 and then after 31.07.2021 HDIKA S.A., according to the no. prot. ... (under prot. no. C/EIS/4803/21.03.2022) memorandum22, automatically deleted the data through the use of specific commands to the database management system. In addition, IDIKA S.A. with the aforementioned under no. first ... (APD G/EIS/4274/29.06.2021) its response to the Authority attributed the above violation to a technical error that was detected during the launch of the platform by observing the results of the self-tests in each citizen's digital mailboxes https: //www.gov.gr, and this error, according to its claims, was dealt with immediately, without providing

further documentation to the Authority about the detected error and the technical measures taken to deal with it, although this had been requested with the No. prot. C/EXE/1320/27.05.2021 (point a) document of the Authority. Furthermore, from the impact assessment study (hereafter EAPD) regarding the "platform for registration and electronic management of the results of the self-diagnostic test for the control of the disease from coronavirus covid-19 (self-test)" presented by IDIKA S.A. to the Authority, with the aforementioned under no. first... (APD C/EIS/4274/29.06.2021) her response, and beyond that it was carried out in June 2021, i.e. after the start of processing - see below under point 16ff. present – and that it concerns data processing that took place pursuant to only part of the General Terms and Conditions23 (for the issuance of a corresponding certificate by students and teachers, for the participation in nationwide exams and by students) and does not occupy21 Pg. 3 relevant answer 22 p. 4 of the relevant memorandum. 23 See especially points 1.1., 2.1 of the relevant EAPD study. the totality of the processing for which IDIKA S.A. has been designated by virtue of the considered KYA (exclusive) controller24, it appears that HDIKA S.A., in particular in the description and evaluation of measures for general security, the description and evaluation of organizational measures (governance), analysis and evaluation of risks, assessment of the risks and identification of corrective measures to reduce or eliminate the above risks and the possibility of their occurrence (points 2.2. and 3.2. of the relevant EAPD study) does not include an assessment of the risk of improper observance of the principle of limiting the storage period, and consequently not any corrective measure for its future prevention, apart from a vague evaluation of the selected measures to ensure the limited duration of storage, but without any further analysis or determination of these measures (point 4.1 of the relevant EAPD study), according to with the requirements of par. 1 of article 25 GDPR. Following the above, the Authority finds that IDIKA S.A. in the capacity of the (exclusive) data controller, even for a limited period of time (without providing documentation for its clear identification) kept the results of the diagnostic checks on the https://self-testing.gov.gr platform for a longer period of time of what is defined in the provision of article 27 par. 6 item. d' Law 4792/2021 in violation of the principle of limiting the storage period (article 5 par. 1 letter e' GDPR). Moreover, given that in the relevant EAPD study of IDIKA S.A. reference is made to the need to ensure with appropriate technical and organizational measures that the data is deleted immediately after the seven (7) day period has elapsed, the Authority concludes that the non-compliance with the principle of limiting the storage period is due to the fact that HIDICA A .E. did not implement appropriate technical and organizational measures for compliance with this fundamental principle by taking appropriate technical security measures as specifically provided for in the provision of article 25 par. 1 GDPR. 24 I.e. and the under no. D1a/G.p.ok. 24527/19.04.2021 (Government

Gazette B' 1582) Official Gazette for judicial and prosecutorial officers. Secondly, regarding the compliance of the Ministry of Labor and Social Affairs with the principle of limiting the storage period of article 5 par. 1 item. e' GDPR for the processing of personal data that took place pursuant to the no. D1a/GP.ok.24525/18-04-
2021 (Government Gazette B´1588) as amended and in force, the Authority, taking into account in particular the under no. first ... (APD G/EIS/326/17.01.2022) its response, accepts the claim put forward by the Ministry in question that after the provisions of article 27 par. 6 item. d. Law 4792/2021, as amended and in force, for a period of time the data were simply stored in complete restriction of any further processing, in the absence of any other legislative provision, and that, based on the documentation provided to the Authority, all the data of its employees of the private sector that were registered on the platform https://self-testing.gov.gr were permanently deleted on the 12th. 01.2022. Thirdly, regarding the compliance of the Ministry of the Interior with the principle of limiting the storage period of article 5 par. 1 item. e' GDPR for the processing that took place pursuant to the no. D1a/GP.oc. 26390/24- 04-2021 (Government Gazette B´1686) as amended and in force, the Authority, taking into account in particular the under no. first ... (APD C/EIS/4658/18.03.2022) memorandum, accepts the claim made with the above memorandum that the relevant applet that was created in the context of the information system Human Resources Registry of the Hellenic State, in which redirection was provided during the statement of the results of the public servants' diagnostic tests through the platform https://self-testing.gov.gr, has been removed from the above information system after the abolition of the considered KYA. Fourth, regarding NAT's compliance with the principle of limiting the storage period of article 5 par. 1 item. e' GDPR for the processing that took place pursuant to no. D1/Π.οικ.26389/24-04-2021 (Government Gazette B´1685), taking into account in particular the memorandum of 18.03.2022 (under no. prot. APD C/EIS/5225/25.03.2022), the Authority finds that no documentation is provided regarding the operation of the special application developed in the information system Analytical Periodic Declaration of Sailors of NAT for the declaration of the result of the self-diagnostic test of sailors - ship crew members and the issuance of relevant declarations25. 15. The Authority, a) taking into account the above, decides by majority that for the established violation of article 5 par. 1 item. e' GDPR must, based on the circumstances established, impose by majority vote, pursuant to the provision of article 58 par. 2 sec. i GDPR, effective, proportionate and dissuasive administrative fine, according to article 83 GDPR in accordance with the Guidelines "for the application and determination of administrative fines for the purposes of regulation 2016/679" of the working group of article 2926, in IDIKA SA, as controller, due to the failure to take technical security measures according to article 25 par. 1

GDPR for compliance with the principle of article 5 par. 1 item. e' GDPR. When evaluating the data, in order to choose the appropriate corrective measure, the Authority takes into account that the specific violation was of limited duration (article 83 par. 2 letter a), that however after the no. prot. C/EXE/1320/27.05.2021 document of the Authority IDIKA S.A. restored the technical error (article 83 par. 2 letter c), that it related to the processing of a special category of personal data (health data, article 83 par. 2 letter g), as well as the degree of responsibility, taking into account the technical and organizational measures he applied (Article 83 par. 2 letter d') and considers that the appropriate measure given the facts of the case is the fine of five thousand (5,000) euros. However, in the opinion of the minority members Charalambos Anthopoulos and Aikaterinas Iliados for the above established violation, taking into account the limited duration of the violation, the unfavorable health situation and the need to implement measures for the immediate 25 It is noted that the under No. D1/GP.oik.26389/24.04.2021 (Government Gazette B´1685) was repealed by article 5 of KYA D1a/GP.oik. 24416 (Government Gazette B` 2194/04.05.2022), with effect from 4.5.2022, in accordance with article 6 of the newest Law. 26 Taking into account in addition the Guidelines 04/2022 for the calculation of administrative fines under the GDPR of the European Data Protection Board from 12.05.2022 link https://edpb.europa.eu/system/files/2022- 05/edpb_guidelines_042022_calculationofadministrativefines_en.pdf consultation, publicly available to the person facing it, the limited size of the risks, and the fact that HIDIKA S.A. in any case, he took actions to remove the violation, in this case, the corrective measure of reprimand according to article 58 par. 2 item is appropriate. II GDPR. b) taking into account in recital 148 of the GDPR the limited duration of the violation as a result of the temporary nature of the measure in question, unanimously decides that it must instruct the NAT, in accordance with article 58 par. 2 item. d' GDPR, to remove the application that he developed in his information system pursuant to no. D1/ΓΠ.οικ.26389/24-04-2021 (Government Gazette B´1685) KYA and to delete any data of sailors - ship crew members that may exist in it in compliance with the principle of limiting the storage period. 16. Because, finally, a key tool of accountability of the data controller for its compliance with the obligations established by the GDPR through the adoption of appropriate measures to address risks to the rights and freedoms of natural persons according to Article 24 of the GDPR, the study recommends data protection impact assessment, in accordance with the provisions of article 35 GDPR. In particular, Article 35 provides that: "1. When a type of processing, in particular using new technologies and taking into account the nature, scope, context and purposes of the processing, may entail a high risk for the rights and freedoms of natural persons, the controller shall, before the processing, assessment of the effects of the planned processing operations on the protection of personal

data. An assessment may consider a set of similar processing operations which involve similar high risks. 2. The controller shall consult the data protection officer, if appointed, when carrying out a data protection impact assessment. 3. The data protection impact assessment referred to in paragraph 1 is required in particular in the case of: a) a systematic and extensive assessment of personal aspects concerning natural persons, which is based on an automatedarea in large-scale processing, including profiling, and on which decisions are based that produce legal effects concerning the natural person or similarly significantly affect the natural person, b) large-scale processing of the special categories of data referred to in Article 9 paragraph 1 or data of a personal nature concerning criminal convictions and offenses referred to in article 10 or c) systematic monitoring on a publicly accessible scale". Consequently, taking into account recitals 71, 75, 84 and 91 GDPR, the Authority's decision 65/201827 and the relevant guidelines of the O.E. of article 29 which has been adopted by the ESPD28, the Authority finds that for the processing that took place in application of the reviewed GLA, there was a high risk risk for the rights and freedoms of natural persons, in particular because a systematic and extensive evaluation of personal aspects took place of natural persons, which was based on automated processing and which induced legal effects for the persons, and there was large-scale processing of a special category of data (health data), pursuant to the provisions of article 35 par. 3 item. a' and b' GDPR. 17. Furthermore, from the data in the case file, the Authority finds, firstly, that IDIKA S.A. and the Ministry of Labor and Social Affairs, as controllers, prepared the impact assessment study after the start of the processing, in violation of the provision of article 35 par. 1 GDPR, according to which the EAPD study must be carried out before the start of the processing of personal data to ensure the effective protection of the right to the protection of personal data. The Authority finds, secondly, that the EAPD studies conducted overdue, however, according to the above, were carried out, on the one hand, in violation of the provision of article 35 paragraph 7 paragraph d' GDPR, as the 27 Available on its website. 28 Guidelines for Data Protection Impact Assessment (DPIA) and determining whether processing is "likely to entail a high risk" for the purposes of Regulation 2016/679. (WP 248 rev. 01) IDIKA S.A. and the Ministry of Labor and Social Affairs failed to include in them measures to deal with the risks of non-compliance with the principle of limited storage duration, as stated in the above-mentioned paragraph 14 of this document. On the other hand, the EAPD studies submitted to the Authority by IDIKA S.A. and the Ministry of Labor and Social Affairs were carried out in violation of the provision of article 35 par. 7 item. c GDPR, given that they do not include or assess the risk of not properly satisfying the rights of the data subjects. Finally, from the data in the case file, it appears that the Ministry of the Interior and the NAT, as data controllers, did not prepare an EAPD study

before the start of processing, in violation of the provisions of Article 35 para. 1 GDPR, nor did they provide any documentation to the Authority if they completed their preparation, even belatedly, in accordance with the provisions of article 35 GDPR. In particular, on the one hand the Ministry of the Interior, although it informed the Authority with the no. first ex. URGENT ... (APD C/EIS/4689/15.07.2021) document that it will include the impact assessment study of the electronic management of the results of the diagnostic test for the control of the disease caused by the coronavirus COVID-19 in the more general study that it will carry out for all personnel data of a nature that are kept in the Human Resources Registry of the Greek State, which was in the planning stage of the implementation, no information was subsequently provided to the Authority regarding its action. Besides, taking into account the above-mentioned CG of article 29 (WP 248 rev. 01)29 and recital 92 GDPR, even if it were to be considered that the processing under consideration is the subject of a common application of the Human Resources Registry of the Greek State, in the context of which an individual impact assessment study could be used to evaluate more processing operations, the reason put forward by the Ministry cannot lead to the removal of the obligation to comply according to Article 35 para. 1 GDPR. On the other hand, on 29 especially p. 8. NAT although it informed the Authority with the no. prot. ... (APD G/EIS/4633/13.07.2021) document that the impact assessment study it carried out was - at the time of sending the aforementioned document - under finalization, no information was subsequently provided to the Authority about its action. 18. The Authority, in relation to the established violation of compliance with the obligation to carry out an EAPD study, according to article 35 par. 1 and par. 7 item. 3 and 4 GDPR, for the processing of personal data pursuant to the reviewed GPAs that related to the performance of self-diagnostic controls, decided that there is a case to exercise its corrective powers under Article 58, paragraph 2 GDPR. In particular, the Authority, taking into account in recital 148 GDPR the nature, seriousness and duration of the violation, unanimously issues a reprimand, according to article 58 par. 2 item. 2nd GDPR, to IDIKA S.A. and the Ministry of Labor and Social Affairs, as data controllers, for the overdue and failure to assess the risks to the rights and freedoms of the data subjects and, on the other hand, to provide measures to deal with the risk of breaching compliance with the principle of limited duration storage, carrying out an EAPD study for the processing of personal data that took place during the declaration of the results of the self-diagnostic checks, as specifically analyzed in paragraph 17 hereof. In addition, the Authority judges, by majority, that it must, based on the circumstances established, impose, pursuant to the provision of article 58 par. 2 sub. i GDPR, effective, proportionate and dissuasive administrative fine, according to article 83 GDPR in accordance with the Guidelines "for the application and determination of administrative fines for the purposes of regulation 2016/679" of the

working group of article 2930, in Ministry 30 Taking into account in addition the Guidelines 04/2022 for the calculation of administrative fines under the GDPR of the European Data Protection Board from 12.05.2022 consultation link, publicly available to the under Interior and the NAT, as controllers, due to their non-compliance with the obligation of article 35 GDPR. When evaluating the data, in order to choose the appropriate and corrective measure, the Authority takes into account that the specific violation was of limited duration, which, however, concerned a significant number of interested subjects (article 83 par. 2 letter a') and that concerned the processing of a special category of personal data (health data, article 83 par. 2 letter g) and considers that an appropriate measure given the facts of the case is a fine of five thousand (5,000) euros. However, in the opinion of the minority members Charalambos Anthopoulos and Aikaterinas Iliados for the above established violation, taking into account the limited duration of the violation, the adverse health situation and the need to implement measures to immediately deal with it and the limited size of the risks, in this case, the corrective measure of reprimand according to article 58 par. 2 item is suitable. II GDPR. FOR THESE REASONS, the Authority a) finds that the definition in article 6 par. 1 of under no. D1a/G.P. HOME 26394/25-04-2021 (Government Gazette B´1688) Official Gazette of the Ministry of Education and Religious Affairs independently as data controller for the category of religious ministers and auxiliary staff of places of worship of article 1 item. a' and b' of the above CPA was incorrect, for the reasons analyzed in paragraph 8 hereof, b) finds that the information provided by HDIKA S.A., the Ministry of Labor and Social Affairs, the Ministry of the Interior and the Naval Defense Fund , as data controllers, regarding the processing of personal data under no. under no. D1a/ GP.oc. 27707/04-.05-2021 https://edpb.europa.eu/system/files/2022- 05/edpb_guidelines_042022_calculationofadministrativefines_en.pdf (Government Gazette B´1825) and under no. D1a/G.P.oik. 28259/07-05-2021 (Government Gazette B´ 1866) KYA, D1a/G.P.oik. 24525/18-04-2021 (Government Gazette B´1588), D1a/G.P.oik. 26390/24-04-2021 (Government Gazette B´1686) and under no. D1/ΓΠ.οικ.26389/24-04-2021 (Government Gazette B´1685), respectively, as amended and in force, was incomplete in violation of the provisions of article 13 GDPR for the reasons that are thoroughly analyzed in paragraph 10 of this , and addresses a reprimand, according to article 58 par. 2 item. 2nd GDPR, to IDIKA SA, theMinistry of Labor and Social Affairs, the Ministry of the Interior and the

Naval Defense Fund, as data controllers, for the above

infringement,

c) finds that IDIKA S.A., as controller, during the processing

personal data through the https://self-testing.gov.gr platform

kept personal data for a period longer than

provided for in the provision of article 27 par. 6 item. d' Law 4792/2021 v

violation of the principle of article 5 par. 1 item e' GDPR, due to not receiving appropriate ones

and organizational security measures as defined in article 25 GDPR, and

imposes on IDIKA a fine of five thousand (5,000) euros, for

the reasons that are extensively analyzed in paragraphs 12-15 hereof,

d) gives an order, according to article 58 par. 2 item 4 GDPR, in the Naval Anti-Combat Fund,

as a controller to remove the application he developed in

its information system pursuant to the no. D1/GP.ok.26389/24-04-2021

(Government Gazette B´1685) and to delete any data of sailors - crew members

ships that may be present in it in compliance with the principle of article 5

par. 1 item e GDPR,

e) addresses a reprimand, according to article 58 par. 2 item 2nd GDPR, to IDIKA S.A. and

Ministry of Labor and Social Affairs, as controllers, for

the individual violations of article 35 par. 1 and par. 7 GDPR, as thoroughly

are analyzed in paragraphs 16-17 hereof

and

f) imposes on the Ministry of the Interior and the Naval Defense Fund, as

controllers, for the violation of article 35 par. 1 GDPR monetary

a fine of five thousand (5,000) euros each for the reasons detailed

are analyzed in paragraphs 16-18 hereof.

The president

Konstantinos Menudakos

The Secretary

Paleologo Georgia