

Athens, 10-02-2022 Prot. No.: 374 DECISION 9/2022 The Personal Data Protection Authority met at its headquarters in Plenary composition via video conference on Tuesday, December 21, 2021 at 10.00 a.m. following the invitation of its President in order to approve the Regulation of Operation of the APD. The President of the Authority Konstantinos Menudakos, the regular members Spyridon Vlachopoulos, Konstantinos Lambrinoudakis, Charalambos Anthopoulos, Christos Kalloniatis, Aikaterini Iliadou and Grigorios Tsolias and the substitutes Christos Papatheodorou, Demosthenes Vougioukas, Nikolaos Livos, Georgios Kontis, Nikolaos Maria Fadamillas were present. The meeting was attended by Vassilis Zorkadis, Director of the Authority's Secretariat, and by order of the President, Irini Papageorgopoulou as Secretary and Georgia Palaiologou, as coordinator of the teleconference, employees of the Authority's Administrative Affairs Department. The President, the members and the Director of the Secretariat of the Authority after the thorough discussions on the meeting dates 26/06/2021, 26/07/2021, 30/07/2021, 02/12/2021 and 21/12/2021 , decided to approve the Operating Regulations of the DPA, which follows: Approval of the Operating Regulations of the Personal Data Protection Authority The Authority Considering: 1. Article 17 par. 1 and 2 of Law 4624/2019 "Data Protection Authority Personal, implementation measures of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 for the protection of natural persons against the processing of personal data and incorporation into national legislation of Directive (EU) 2016/680 of the European Parliament and Council of 27 April 2016 and other provisions." (Government Gazette A' 137) 2. The recommendation from 06/23/2021 of the Director of the Secretariat of the Personal Data Protection Authority. 3. The minutes of its Plenary meeting of 26/06/2021, 26/07/2021, 30/07/2021, 02/12/2021 and 21/12/2021. 1 4. The fact that the provisions herein do not cause any expense to the State Budget. Article only Approves the issuance of the following Regulation: of the Personal Data Protection Authority Regulation of Operation Article 1 Identity – Mission 1. The Personal Data Protection Authority is an independent Authority according to article 9A of the Constitution, articles 51 and 52 of Regulation 2016/679 (General Data Protection Regulation) and article 9 of Law 4624/2019 which has as its mission the supervision of the application of the rules for the protection of the individual against the processing of personal data in the Greek Territory and the exercise of any relevant authority provided for in the legislation . 2. The Authority is not subject to any administrative control. 3. The Authority acts with impartiality, complete independence and transparency in the exercise of its powers, and in favor of the public interest. In accordance with the principle of efficiency, the Authority acts within the framework of the law with flexibility in order to make effective use of its human resources and available resources, as well as by using new technologies to increase the efficiency of the organization and its working

methods, improving administrative support and reducing the administrative burden on stakeholders. In line with the principle of prevention, the Authority develops initiatives and contributes to the development of innovative solutions to address digital, technological and general data protection challenges.

Article 2 Members of the Authority

1. In the exercise of their duties, the members of the Authority enjoy personal and functional independence, obey their conscience and the law and are subject to the duty of confidentiality.

2. The seniority of the members of the Authority is determined by the date of issuance of the act of appointment. Among several appointed by the same deed, the one nominated in the deed of appointment is considered senior.

3. Regular members take precedence over substitutes regardless of the time of appointment.

Bodies of the Authority

Article 3

a. Plenary. It consists of the President or the Deputy President and two members appointed with their deputies by the President for a four-month term. The placement of regular and corresponding substitute members is done by an act of the President which is posted in the Authority's shop and registered on its web portal.

b. Department. It consists of the President or the Deputy President and two members appointed with their deputies by the President for a four-month term. The placement of regular and corresponding substitute members is done by an act of the President which is posted in the Authority's shop and registered on its web portal.

c. One-person body (President). President, Deputy President or a member designated by the President. Responsibilities of the bodies of the Authority

Article 4

1. The responsibilities of the Plenary Session include:

a. The issuance of regulatory acts (article 15. par. 9 Law 4624/2019).

b. The establishment of standard contractual clauses (articles 57, par. 1.j and 58 par. 3.g GDPR).

c. The compilation of a list of criteria for carrying out an impact assessment (article 57, par. 1.a GDPR).

d. The determination of body accreditation requirements for monitoring codes of conduct (article 57 par. 1.st GDPR), as well as issuing an opinion and approving draft codes of ethics (article 58 par. 3.d GDPR).

e. Issuing an order to stop processing, return or freeze data or destroy a filing system or related data (article 15 par. 5 of Law 4624/2019).

f. The imposition of administrative sanctions (articles 15 par. 6 and 7 of Law 4624/2019, 58 par. 2. i GDPR) in cases of serious violations.

g. Issuing an order to a certification body for the revocation or non-issuance of a certificate of compliance (article 58. par. 2.h' GDPR).

h. Issuing an order to suspend the circulation of data outside the EU (article 58. par. 2.j).

i. The definition of additional requirements for the accreditation of certification bodies and the approval of certification criteria (articles 37 par. 1 of Law 4624/2019 and 58 par. 3.f).

j. The examination of cases introduced by the President or referred by the Department due to their importance or general interest.

ya. The planning of the Authority's work on an annual basis for the Authority's ex officio actions (such as a program of regular audits, drawing up guidelines, opinions, information actions).

2. Department. The competence of the Department includes all cases except those for which the competence belongs to the Plenary or to the President.

3. The responsibilities of the President include:

a. The temporary restriction of processing and the imposition of another temporary measure.

b. The

order to carry out an investigation according to article 58 par. 1 paragraph h GDPR. c. The filing of complaint cases that are characterized as unacceptable, vague or manifestly unfounded. By decision of the President, the most specific conditions for the implementation of the present case are defined and a special model of filing act is approved. d. The examination of individual cases with little impact on the rights and freedoms of natural persons. In this case, since it is an exercise of punitive authority, a fine exceeding 3000 euros cannot be imposed. e. The sending of recommendations to the complainant, with which the examination of the complaint is postponed with its simultaneous filing. f. The examination of cases with 3 subject matters, for which the Authority has already decided with decisions of the Plenary or Department or the ESPD. g. The mandate to forward cross-border cases to the IMI system. h. The submission of opinions, objections or objections in cases of a cross-border nature, in which the Authority is involved as an interested Authority. i. The approval of a draft decision in cases of a cross-border nature, in which the Authority is the lead authority, when no significant issues arise in the cases. j. The order to notify the data subject of a data breach incident (article 34 par. 4 GDPR). In the event of the President's incapacity, the above powers are exercised by the Deputy President. By his decision, posted on the Authority's website, the President may delegate the above powers to the Deputy President or to one or more regular members.

Article 5 Secretariat of the Authority The Secretariat supports the Authority in the exercise of its duties and powers, providing special scientific, technical and administrative work, in accordance with its current organization.

Article 6 General provisions for the handling of cases

1. For each action of the Authority, expert scientists or employees of the Secretariat of the Authority are designated as handlers and if deemed necessary, the President designates a member of the Authority, regular or substitute, as rapporteur. In this case, operators act as assistant rapporteurs. The rapporteur is preferably the member of the Authority who exercises supervisory duties in the field to which the case belongs. Competent operators may be designated by the President for categories of cases such as data breach incidents or to monitor cases of a cross-border nature posted in the IMI system. The assistant rapporteur is responsible for drawing up the relevant file, in consultation with the rapporteur, and takes all the actions required for this purpose. In difficult cases or cases of more general interest and in particular, when it comes to issuing regulatory decisions of the Authority, the President can set up a working group, in which one or more members of the Authority participate, specialist scientists and employees of the Secretariat or external experts for the preparation of a study or the submission of a proposal.

2. In case of doubt as to the body of the Authority that is competent to handle a case, the rapporteurs and assistant rapporteurs submit a relevant proposal to the President, who decides on the matter.

3. Any prescribed deadlines for

processing the Authority's action begin after the successful completeness check of the submitted file information, and are interrupted for as long as is required for the presentation of additional information by the interested parties. 4 4. The members of the Authority participate in the handling of cases in accordance with the provisions of the policy approved pursuant to paragraph 6 hereof. 5. Information submitted to the Authority by any party in complaint cases may be shared with the other parties involved, with the exception of confidential information or if there is a case of safeguarding the superior legal interests of third parties or if the provision of information may substantially hinder administrative, judicial, police investigations or military authorities. 6. By decision of the Authority, the policy followed for the examination of complaints is approved. With this decision, among other things, specific matters concerning the way in which the examination is carried out and the chronological order of the examination are determined, based on the importance, urgency, degree of difficulty and complexity, the consequences for the rights and the liberties of natural persons and the number of affected natural persons or other interested parties, taking into account the time of submission of the case. By its decision, the Authority can approve the handling policy and other types of cases. Article 7 Preliminary procedure 1. Each case submitted to the Authority follows the following procedural steps: a. Initially, it is checked whether the case falls within the Authority's competences as well as the completeness of the data submitted. b. Next, it is checked whether the cooperation or coherence mechanism provided for in the GDPR applies and if it is a case of particular importance, it is proposed that it be examined as a matter of priority, with the possible appointment of another rapporteur or assistant rapporteur. c. The pre-trial process is completed with the preparation of the case file, the control of any possible relationship with other cases or actions of the Authority and its maturity for introduction to the Authority body responsible for the decision. 2. Specific issues for the implementation of article 6 and this article are regulated by a decision of the President posted on the Authority's web portal. Article 8 Meetings 1. The Authority meets in Plenary and Section. The introduction of cases to the Plenary Session or Section is done by an act of the President, in accordance with the powers of the Authority's bodies as provided for in this Regulation and with the criterion of the importance of the issues raised or the general importance of the case. The Department may refer case 5 to the Plenary, which in any case has the power to revoke or modify ex officio the decisions of the Department. 2. Regular members participate in the Plenary and the Section. The deputies of the President and the members are called only in case of absence or impediment of the corresponding member. As an exception, it is also possible to represent the substitute members if deemed appropriate by the President of the Authority. An alternate member, designated as rapporteur, is present even if the regular member

participates, but without the right to vote in this case. Employees of the branch of auditors, participate in the meetings and conferences, without the right to vote, during the examination of the cases, in which assistant rapporteurs have been appointed. compliance with any other condition or invitation 3. The meetings of the Authority are held at its headquarters and are not public, and may be held remotely, with the help of digital media. During the process of imposing administrative sanctions, the person with a justified interest can, with his written request, request the issuance of the decision after a public meeting, in which, in addition to the interested parties, third parties are also present. The application must include, under penalty of inadmissibility, the reasons supporting the request. The Authority decides on the request before the start of the procedure for which the public meeting is requested, without requiring the interested parties to be heard. The decision is communicated verbally to the applicant and to the interested parties, if they are present, and is recorded in the minutes or the decision of the Authority. The public meeting of the Authority is excluded: a. if the interest of administration of justice is violated, b. if there are reasons to protect: aa) the interests of minors, bb) private life, c) national defense and security, d) public order, e) business confidentiality and c. when, at the discretion of the Authority, the public meeting substantially impedes the investigation of the case. After its relevant decision, the Authority may meet in another place within the Greek Territory. 4. The invitation is addressed to the members by the President, at least three days before the meeting. It lists the agenda items. A non-agenda item may be discussed if all members present agree. The same procedure is followed in case of an extraordinary meeting of the Authority. 5. If a regular member of the Authority is unable to attend the meeting, he must immediately notify the Secretariat, which then calls his deputy. A call to regular members is not required if the President has set a day and time for a regular meeting of the Authority. 6. The Authority legally meets in Plenary session when at least four of its members, including the President, are present. 7. After the invitation of the President, the meetings may be attended by substitute members of the Authority, members of its Secretariat, public administration officials and persons with special 6 knowledge. 8. During the discussion, the floor is given to any substitute members present (without vote) and to any third parties present, who then leave. 9. A summary record is prepared for the meetings of the Authority, which mentions, in particular, the place and time of the meeting, the names and status of those present, the topics discussed with a brief description and the decisions taken. The duty of secretary is performed by an employee specially appointed for this purpose by the President. Exceptionally, the Authority may decide to draw up full minutes or to tape the Authority's meetings. The minutes are signed by the President and the Secretary or only by the President, if the presence of the Secretary is not deemed

necessary. Prior hearing procedure Article 9 1. In the cases of exercise of the powers provided for in article 58 par. 2 para. b and i of the GDPR and article 15 par. 6 and 7 of Law 4624/2019, the decision of the Authority is issued after hearing the parties involved. In case of suspension of public meetings due to an emergency, the Authority meets via teleconference. Cases can in any case be examined via video conference if the interested parties agree. The interested parties may develop their views without appearing at the meeting by submitting, until the beginning of the meeting, a memorandum, which also declares a representation before the Authority without being present at the meeting. 2. Representation to the Authority is made in person in the case of natural persons or by a representative of a legal entity in accordance with the relevant statutes or by a proxy attorney. The Data Protection Officer of the Processor or Processor may be present and if requested by the Chairman to provide clarifications. The Protection Officer does not represent the Controller or the Processor. The President of the Authority, however, may order the presence of the natural person or representative of the legal person. In this case, a lawyer can be present. 3. During the discussion of the case, the President may grant the participants a deadline for submitting a memorandum. of 4. The Authority may be heard, by invitation or at the request of interested consumer organizations, unions and other bodies for the formulation of opinions on issues within its jurisdiction. These hearings may also be public. involved, representatives 5. The summons for a hearing shall state the place, day, time and body of the Authority and the manner of the meeting as well as the subject of the hearing. The summons is served by electronic means with proof of receipt. of 7 Service is also done through the Single Digital Portal of the Public Administration in accordance with articles 26 seq. of the Digital Governance Code (law 4727/2020). As an exception, the summons is served by a bailiff or other public body, applicable according to the relevant provisions of the Civil Procedure Code, or by registered letter with written receipt.

Article 10.

Making and issuing a decision

1. The decision-making conference takes place either immediately after the discussion, or at a time specified by the President.
2. The decisions of the Plenary and the Department of the Authority are taken by majority of the members present. In case of a tie, the vote of the President.
3. Alternate members do not have the right to vote, even if they do

appointed rapporteurs, as long as the respective ones are regularly present.

4. The one-person body independently issues decisions on issues

of his competence, in accordance with article 4 par. 3 of this Regulation.

5. Voting is open except in cases of decisions concerning

obstacles or incompatible members of the Authority, in which case it is secret. THE

voting starts from youngest to oldest. If they are formulated

more than two opinions and no decision can be made, h

weaker minority must join one of the two

prevailing opinions. The decision states the names and

opinions of the minority members, except in the case of secret

voting.

6. The rapporteur is responsible for drafting the decision. The

final text is approved by the respective chairman of the body which

issued the decision.

7. The decisions of the Authority are posted on its web portal, since

remove the information that leads to the identification of natural persons,

according to relevant rules determined by the Authority.

Article 11

Special procedures

1. Requests for treatment, if there is a case for review, are assigned

to different lecturers and assistant lecturers and are judged by the

case-by-case competent body with a different composition, if possible.

2. In the cases of prior consultation requests of article 36 par.

1 GDPR, each request and the corresponding impact assessment study

are checked according to the completeness criteria defined by the Authority.

As long as the eligibility conditions are met, the Authority provides advice

and possibly exercises its powers within eight (8) weeks for ordinary cases or fourteen (14) weeks for complex cases. State that these time intervals do not include any waiting times for the providing additional information that will be requested from them interested parties during the examination of the case,

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3. In the cases of cases of a cross-border nature that are submitted to the Authority or have been moved ex officio by the Authority, their operators prepare the relevant file, in English with his assistance

Department of Communication, and, in collaboration with those responsible for the posting and monitoring of cross-border cases operators, upload the file to the IMI system.

4. In cases of cross-border cases, as long as the Authority is lead authority, informs concerned authorities of its progress case and brings to their attention the draft decision before its adoption, and takes into account any opinions or objections they may have.

5. In cases of cross-border cases, in which the Authority is an interested authority, expresses any opinion if it deems it appropriate, after issuing a draft decision by the head authority and relevant and reasoned objection.

6. In the cases of codes of conduct or certification schemes, if have a cross-border nature, the provisions of the ESPD apply procedure. In the case of a national certification scheme, before the final adoption of a decision approving the certification criteria, the a draft of the decision is submitted to the EDPS for an opinion, according to Article 64, paragraph 1, point c of the GDPR.

7. Cases of data transfer outside the EEA are considered in accordance with ESPD procedures, as specified in the documents and ESPD guidelines.

Article 12.

Delegation

1. The Authority may assign to members the supervision of areas of activity her. The President may assign to members, regular or substitute, special tasks, as well as the formulation of suggestions and proposals to special topics.

2. The President of the Authority may assign to specialist scientists and officers of the Authority the preparation of studies on the effects of technology developments and business practices in data protection.

Article 13.

Administrative controls

1. The Authority carries out administrative audits and compliance investigations of those in charge and performing the processing with GDPR and Law 4624/2019 and any other provision, the control of compliance of which belongs to its competences, according to the respective legislation: a) ex officio, b) based on the resulting obligation by EU legislation and c) in the context of a complaint examination. In the this context are controlled especially the technological infrastructure and all the automated or non-automated means and organizational measures based on which personal data is processed.

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2. The control and research are carried out by members or the scientific staff of the Authority, possibly assisted by other executives, especially

mandated for this purpose by the President.

3. The administrative controls are carried out in accordance with the relevant provisions of articles 13 par. 1 par. h and 15 of Law 4624/2019 and the approved relevant policy of the Authority.

As to the cases which have been entered upon the entry into force hereof

Regulation in the Plenary or in a Section, the provisions of which are not applicable concern the competence of the formations.

Article 14.

Transitional provisions

Article 15.

Final provisions

1. The Operating Regulations are published in the Government Gazette and on the website of the Authority.

2. The validity of this Operating Regulation begins from its publication in the Government Gazette.

The President of the Authority

Konstantinos Menudakos

The Secretary

Irini Papageorgopoulou