

Athens, 06-06-2023 Prot. No.: 1427 DECISION 23/2023 The Personal Data Protection Authority convened at the invitation of its President in a teleconference meeting on Wednesday 22.03.2023 at 10:00, in order to consider the case referred to in the history of the present. Georgios Batzalexis, Deputy President, in the absence of the President of the Authority, Constantinos Menoudakos, and the alternate members of the Authority, Nikolaos Livos, as rapporteur, Demosthenes Vougioukas and Maria Psalla, in place of the regular members Charalambos Anthopoulos, Konstantinos Lambrinoudakis and Grigorio Tsolias, respectively, were present. and were legally summoned in writing did not attend due to disability. Present, without the right to vote, were Panagiotis Tsopelas, controller, as assistant rapporteur and Irini Papageorgopoulou, employee of the administrative affairs department, as secretary. The Authority took into account the following: A complaint was submitted to the Authority regarding the promotion of products and services of the company "SOCIAL COOPERATIVE ENTERPRISE OF COLLECTIVE AND SOCIAL BENEFIT wedoo Digital Agency" (hereinafter WEDOO), by e-mails. Specifically, with case number C/EIS/1433/01-03-2021, A (hereinafter the complainant) filed a complaint with the Authority stating that he received an e-mail from WEDOO regarding the commercial promotion of digital advertising services. In detail, the e-mail mentions, among other things, the following: "we would like to propose to you cooperation 1-3 Kifisias Ave., 11523 Athens T: 210 6475 600 E: contact@dpa.gr www.dpa.gr 1 for the creation online store (e-shop) or the promotion of your business through Digital Marketing services. Our team specializes in digital advertising services. (Google Ads, Social Media Marketing, Content Creation, Mail Marketing, Viber Campaign). We would like to point out that we provide you with the ability to connect the e-shop with ERP management programs & XML interface. The above services are part of the long-term know-how and experience we have that guarantees the safe and smooth interconnection of the stores". Furthermore, the complainant states that he had no previous relationship with WEDOO and that when asked about the origin of his data, he received the answer that it was collected from a market survey. The Authority informed WEDOO about the complaint under no. prot. C/EXE/855/17-03-2021 document. On 05-17-2021 it was sent with the no. prot. C/EXE/1234/17-05-2021 electronic reminder message and on 07-06-2021 the under no. prot. C/EXE/1424/07-06-2021 document by which the Authority invited WEDOO to submit its views within ten calendar days. On the 16-09-2021 the Authority, following a telephone conversation with WEDOO, re-sent the above documents to the indicated electronic address upon request. On 15-10-2021, the Authority again sent by registered letter the initial information document under no. prot. C/EXE/2345/15-10-2021, which was returned as unclaimed. The relevant documents were delivered to

WEDOO by the Police Department of Chaidari on 04-02-2022, as appears from the no. C/EIS/1797/04-02-2022 proof of delivery, without any response from WEDOO to the relevant document. WEDOO was summoned to a hearing with the Authority's document No. C/EXE/2664/21-10-2022 which was served by the Chaidari Police Department on 10/24/2022. No one from the company attended the meeting. CONSIDERED IN ACCORDANCE WITH THE LAW 2 1. From the provisions of articles 51 and 55 of the General Data Protection Regulation (Regulation (EU) 2016/679 – hereinafter, GDPR) and article 9 of law 4624/2019 (Government Gazette A' 137) 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. Article 5 para. 1 of the GDPR for the protection of natural persons against the processing of personal data lays down the principles that must govern a processing. According to the principle of accountability introduced by the said article, it is expressly defined in the second paragraph thereof, that the data controller "bears the responsibility and is able to demonstrate compliance with paragraph 1 ("accountability")". This principle, which is a cornerstone of the GDPR, entails the obligation of the data controller to be able to demonstrate compliance. In addition, it enables the data controller to be able to control and legally document a processing carried out in accordance with the legal bases provided by the GDPR and national data protection law. 2. In article 31 of the GDPR, it is defined that the controller and the processor and, where appropriate, their representatives cooperate, upon request, with the supervisory authority for the exercise of its duties. In accordance with point 6 of article 15 of Law 4624/2019, the Authority imposes the administrative sanctions provided for in point f of article 83 of the GDPR, where it is stipulated that the degree of cooperation with the control authority for the correction of the infringement and the limitation of its possible adverse effects. In this case, the data controller did not respond to the Authority's request for submission of opinions regarding the complaint and did not attend the Authority's meeting on 2.11.2022 at 12:30 pm to which he was invited. 3. The Authority finds that despite its actions (sending documents in 3 different ways including service through the relevant Police Department, reminders, telephone communication and sending again to another address) WEDOO did not respond unreasonably, did not provide any response to the complaint, nor did he appear before the Authority at a hearing. 4. The Authority takes into account the status of operation of Social Cooperative Enterprises within the framework of the institution of the Social and Solidarity Economy, as defined in Law 4430/2016 published in the Official Gazette 205/A/31-10-2016. Specifically: 1. Social Cooperative Enterprises (Social Cooperatives) are the urban cooperatives of Law 1667/1986, which have as their statutory purpose the collective and social benefit, as defined in paragraphs 3 and 4 of article 2

and have legal commercial status. 2. Depending on their specific purpose, the Co.S.Ep. are distinguished in the following categories: a) Coin.S.Ep. Inclusion, which are divided into two subcategories: aa) Coun.S.Ep. Inclusion of Vulnerable Groups, which seek the inclusion in the economic and social life of people who belong to Vulnerable Social Groups. At least 30% of the members and employees of these companies must belong to these categories. The participation in these of natural persons who belong to the Vulnerable Population Groups and are counted in the above percentage must be carried out for a specific period of time, which is specified in the statutes of the Co.S.Ep.. If for any reason the above percentage ceases to be met, the Body must within three (3) months carry out the necessary registrations of members or recruitment of employees. Otherwise, it turns into a Co.S.Ep. Collective and Social Benefit. ab) Commun.S.Ep. Inclusion of Special Groups, which seek the inclusion in the economic and social life of the people who belong to the Special Groups 4 of the Population. At least 50% of the members and employees of these companies must belong to these categories. The participation in these of natural persons who belong to the Special Population Groups and are counted in the above percentage must be carried out for a specific period of time, which is specified in the statutes of the Co.S.Ep.. If for any reason the above percentage ceases to be met, the Body must within three (3) months carry out the necessary registrations of members or recruitment of employees. ag) Social Cooperatives of Limited Liability (Co.S.P.E.) of article 12 of Law 2716/1999, are automatically considered Social Cooperatives of Integration. b) Commun.S.Ep. Collective and Social Benefit, which develop "sustainable development" activities, or provide "social services of general interest". FOR THESE REASONS The Authority 1. Exercising the corrective powers granted to it by article 58 par. 2 item. b) of the GDPR, directs a reprimand to the complained company under the name "SOCIAL COOPERATIVE COMPANY OF ASSOCIATION AND SOCIAL BENEFIT wedoo Digital Agency", as controller for the reasons that are extensively mentioned in the previous section. 2. Exercising the corrective powers granted to it by article 58 par. 1 item. a) of the GDPR, instructs the complainant to immediately respond to the complaint. 3. Informs the complainant that in case of non-compliance with the order (7) calendar days from the service of the present paragraph, within seven 5 proceed, exercising the corrective powers granted to it by article 58 par. 2 item. i) of the GDPR, in the imposition of an administrative fine pursuant to Article 83 of the GDPR.

The Deputy President

George Batzalexis

The Secretary

