

Hellenic Capital Market Commission and International Transfers

The Hellenic Capital Market Commission was established as a legal entity (Greek law 1969/1991) and was organized by Greek law 2324/1995 aiming to ensure the protection of investors and the orderly operation of the Greek capital market. The Hellenic Capital Market Commission is responsible for the monitoring and surveillance of the proper application of capital market legislation and shall operate exclusively for the purpose of the public interest on the basis of Articles 76, 76A and 78 of the Greek law 1969/1991.

The Hellenic Capital Market Commission, as the controller, as specified in Article 4 par. 1 point 7 of the General Data Protection Regulation (GDPR), collects, maintains and processes personal data for the performance of a task carried out in the public interest or in the exercise of official authority vested in the HCMC only in the exercise of its statutory powers.

As regards the collection and processing of personal data received in the ordinary course of business or practices through international transfers, the Hellenic Capital Market Commission is committed to apply the safeguards set out in the administrative arrangement for the transfer of personal data between EEA (European Economic Area) and non-EEA securities regulators ("[Administrative Arrangement](#)"), without prejudice to transfers of personal data to non-EEA securities regulators to which countries the European Commission's adequacy decisions apply.

In particular, when the Hellenic Capital Market Commission collects and processes personal data transferred under the administrative arrangement, it guarantees the following:

- The HCMC will only transfer personal data that is relevant, adequate and limited to what is necessary for the purposes for which they are transferred and further processed.
- The HCMC will institute appropriate technical and organizational measures to protect personal data that is transferred to it against accidental or unlawful access, destruction, loss, alteration or unauthorized disclosure.
- The HCMC will retain personal data for no longer than is necessary and appropriate for the purpose for which the data are processed.
- No decision will be taken by the HCMC concerning a natural person based solely on automated processing of personal data, including profiling, without human involvement.
- The HCMC will not divulge personal data for other purposes, such as for marketing or other commercial purposes.

Guarantees under the administrative arrangement

As regards the personal data disclose (shared) under the administrative arrangement, any interested party may make a request to the HCMC to receive information about the processing of its personal data, to access the personal data and to correct any inaccurate or incomplete personal data, as well as to make request about the erasure, restriction of

processing or to object to the processing of its personal data on written request to be addressed to the Data Protection Officer of the Hellenic Capital Market Commission, Ms Christina Nikolia (tel. 210 33.77.245, e-mail: dpoepke@cmc.gov.gr).

Given the often sensitive nature of the HCMC's work, and the risk of causing harm to the discharge of its public functions, in some cases the safeguards might be restricted in accordance with the relevant legal provisions (Article 31-35 of Greek law 4624/2019), such as HCMC's obligation not to disclose confidential information pursuant to professional secrecy, indicatively Article 76 par. 13 of Greek law 1969/1991, Article 97 of Greek law 4099/2012, Article 74 of Greek law 4514/2018, or other legal obligations, or to prevent harm in general or harm to its supervisory or enforcement functions, acting in the exercise of the official authority vested in it. This obligation of HCMC may include functions relating to the monitoring or assessment of compliance with applicable laws, prevention or investigation of infringements, for important objectives of general public interest, or for the supervision of regulated individuals and entities. In each case, HCMC will assess whether the restriction is appropriate, i.e. the restriction should be necessary and provided by law, and will continue only for as long as the reason for the restriction continues to exist.

Legal protection

If the personal data has not been handled consistent with these safeguards, each data subject can lodge a complaint or claim at the HCMC, at the transferring Authority or both Authorities (hereby "Authorities") by contacting the designated Data Protection Officer of the HCMC. In this event, both Authorities will use best efforts to settle the dispute or claim amicably in a timely fashion.

In the event where the matter is not resolved, other methods can be used, by which the dispute could be resolved unless the request is manifestly unfounded or excessive. Such methods include participation in non-binding mediation or other non-binding dispute resolution proceedings initiated by the natural person or by the Authority concerned.

If the matter is not resolved through cooperation by the Authorities, nor through non-binding mediation or other non-binding dispute resolution proceedings, in situations where there is a concern and the HCMC is of the view that a receiving Authority, contracting party of the administrative arrangement, has not acted consistent with the safeguards set out in the administrative arrangement, the HCMC will be able to suspend the transfer of personal data under the Administrative Arrangement to the receiving Authority until the HCMC is of the view that the issue is satisfactorily addressed by the receiving Authority, and will inform the data subject thereof.

Contact details

For further information and/or questions, please contact the Personal Data Protection Officer of the Hellenic Capital Market Commission, Ms Christina Nikolia at dpoepke@cmc.gov.gr or at 210 33.77.245.