

PERSONAL DATA PROTECTION POLICY



	PERSONAL DATA PROTECTION POLICY	GDPR-03 Edition:1 APRIL 2021 <hr/> PAGE 2 OF 11
--	--	--

1. General

The new European General Data Protection Regulation (EU) 2016/679, which comes into force on 25 May 2018, establishes a single legal framework for the protection of personal data in all EU Member States. The Regulation replaces Directive 95/46, which was incorporated

into Greek law by Greek law 2472/1997, which is repealed and supplemented by Greek law 4624/2019, adopted on the basis of the delegation by the Regulation and containing measures for its implementation.

The Regulation contributes to the homogenous and consistent application of personal data protection legislation in all Member States of the European Union. At the same time, it strengthens the fundamental rights of Union residents and imposes a framework of strict control on controllers and processors, establishing the accountability principle which obliges them not only to take measures to implement the Regulation but also to demonstrate their compliance.


This policy document outlines the objectives and measures taken by the "HELLENIC CAPITAL MARKET COMMISSION" ("the Authority") to comply with the provisions of the Regulation. The Authority, which operates exclusively in the public interest, places great emphasis on compliance and the creation of a data protection culture within its operations and is committed to complying with the provisions of the Regulation.

1.2. Identity of the controller

The Data Controller is the Legal Entity "HELLENIC CAPITAL MARKET COMMISSION", which was established in order to ensure the protection and the orderly and efficient operation of the capital market, which is crucial for the growth of the national economy. The Hellenic Capital Market Commission is responsible for the surveillance of the proper application of capital market legislation.

The Hellenic Capital Market Commission operates exclusively in the public interest and generally processes personal data which is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in it as a data controller.

The Authority, which was established as a Legal Entity by Greek law 1969/91 and organised by Greek law 2324/1995, and therefore is a public body, according to article 4(a) of Greek law 4624/2019, is committed to apply the Greek and European legislation concerning the protection of personal data and the protection of the fundamental rights and freedoms of data subjects, in particular Regulation 2016/679.

 Επιτροπή Κεφαλαιαγοράς Hellenic Capital Market Commission	PERSONAL DATA PROTECTION POLICY	GDPR-03 Edition:1 APRIL 2021 <hr style="width: 20%; margin-left: auto; margin-right: 0;"/> PAGE 3 OF 11
---	--	---

The Data Protection Policy is followed by all the employees and associates of the Hellenic Capital Market Commission.

The Hellenic Capital Market Commission has its headquarters in Athens, Kolokotroni 1 & Stadiou Street, Athens 105 62, contact details:

Electronic address: <http://www.hcmc.gr/>

Telephone: 210 33.77.100

Thessaloniki Regional Office

Katouni 16-18, Thessaloniki 54625

e-mail: info@cmc.gov.gr


1.3. Data Protection Officer

The Hellenic Capital Market Commission has appointed a Data Protection Officer (DPO).

Contact details of the Data Protection Officer: dpoepke@cmc.gov.gr or by post to the address KOLOKOTRONI 1 & STADIU, ATHENS 10562 (Attention: Data Protection Officer)

1.4 Definitions

- **Personal data:** any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person,
- **Special Categories of Personal Data** ("sensitive data"): personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs or trade union membership, as well as genetic data, biometric data for the purpose of unambiguous identification of a person, data concerning health or data concerning a natural person's sex life or sexual orientation.
- **Processing:** any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval,

 <p>Επιτροπή Κεφαλαιαγοράς Hellenic Capital Market Commission</p>	<p>PERSONAL DATA PROTECTION POLICY</p>	<p>GDPR-03 Edition:1 APRIL 2021</p> <hr/> <p>PAGE 4 OF 11</p>
--	---	---

consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction,

- **Controller:** the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by


Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law,

- **Processor:** a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.
- **Recipient:** a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing
- **Consent of the data subject:** any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by clear affirmative action, signifies agreement to the processing of personal data relating to him or her,
- **Personal data breach:** a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, personal data transmitted, stored or otherwise processed.

2. Principles of Processing Data

The processing of personal data by the Controller follows the principles of processing of personal data enshrined in Article 5 of the Regulation. In particular:

1. Personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject ("lawfulness, fairness and transparency").
2. Personal data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes ('purpose limitation').

 <p>Επιτροπή Κεφαλαιαγοράς Hellenic Capital Market Commission</p>	<p>PERSONAL DATA PROTECTION POLICY</p>	<p>GDPR-03 Edition:1 APRIL 2021</p> <hr/> <p>PAGE 5 OF 11</p>
--	---	---

3. Personal data shall be adequate, relevant and limited to what is necessary for the purposes for which they are processed ("data minimisation"):
 - The Authority collects only the information strictly necessary for the purpose of processing.

- All information forms contain information on data processing.


4. Personal data shall be accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay (“accuracy”)
5. Personal data shall be kept in a form that permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed (“storage limitation”)
6. Personal data shall be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorized or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organizational measures (“integrity and confidentiality”).
7. The controller shall be responsible for, and be able to demonstrate compliance with, paragraph 1 (“accountability”).

3. Processing of personal data by the Authority

Purpose of the processing of personal data

The Hellenic Capital Market Commission is responsible for the monitoring and supervision of the implementation of the provisions of the capital market legislation and operates exclusively in the public interest on the basis of Articles 76, 76A and 78 of Greek law 1969/1991.

The Hellenic Capital Market Commission, as the controller, as defined in Article 4 par. 1 point 7 of the General Data Protection Regulation(GDPR), collects, maintains and processes personal data for specified, explicit and legitimate purposes for the performance of a task carried out in the public interest or in the exercise of official authority vested on HCMC and only in the exercise of its statutory powers and such data shall not be further processed in a manner that is incompatible with those purposes.

 <p>Επιτροπή Κεφαλαιαγοράς Hellenic Capital Market Commission</p>	<p>PERSONAL DATA PROTECTION POLICY</p>	<p>GDPR-03 Edition:1 APRIL 2021</p> <hr/> <p>PAGE 6 OF 11</p>
--	---	---

The Hellenic Capital Market Commission shall process all types of personal data necessary for the performance of its supervisory task/role. The Authority collects and processes, inter alia, personal data of its employees, children of its employees, members of the Board of Directors, persons with access to privileged information, managed persons, citizens, clients of companies under auditing, candidates for certification, attorneys-in-fact/proxy attorneys, debtors, notaries, suppliers, complainants-respondents, investors, litigants, affiliated representatives of companies, members of the compensation committee of the guarantee

fund, special liquidators, liable persons, contractors of supervised companies, persons subject to assessment, witnesses and third parties, participants in public tenders, contractors of public works/services, shareholders and members of listed companies and investment firms, certified auditors, external accountants.

The processing of such personal data is carried out for the purposes set out below and only to the extent strictly necessary for the effective fulfilment of those purposes. Such personal data shall in each case be relevant, adequate and not more than is necessary for the purposes set out below, and shall be accurate and, where necessary, kept up to date and updated.

4. Legal basis for the processing of personal data by the HCMC


The legal basis for the processing of personal data by the Hellenic Capital Market Commission is the provision of article 6 par.1 point (e) of Regulation in combination with Article 5 of Greek law 4624/2019, i.e. processing is permitted when it is necessary for the performance of a task carried out in the public interest.

Further, the processing is lawful if:

- processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract,

- processing is necessary for compliance with a legal obligation to which the controller is subject,

- in exceptional cases, when the data subject has given consent to the processing of his or her personal data for one or more specific purposes or when it is necessary to safeguard the vital interests of the data subject or another natural person.

 <p>Επιτροπή Κεφαλαιαγοράς Hellenic Capital Market Commission</p>	PERSONAL DATA PROTECTION POLICY	GDPR-03 Edition:1 APRIL 2021 PAGE 7 OF 11
--	--	--

The HCMC does not process special categories of personal data ("sensitive data") except where required by the applicable legislation in the exercise of its supervisory role.


As regards the staff: Where the processing is necessary for the execution of a contract, the data subject of which is a contracting party or in order to take measures at the request of the data subject prior to the conclusion of the contract to the extent required by the employment relationship and the law (cases of staff with a private law contract). Where the processing is necessary for the performance of a task carried out in the public interest or in the exercise of

official authority vested on the controller (for human resources management in a public law relationship). The provisions of the Code of Status of Public Civil Servants and Employees of the N.P.D.D. (Greek law 3528/2007 - Civil Service Code) shall also apply.

5. Rights of data subjects

The HCMC recognizes and respects the following rights of data subjects, i.e. administrators, liable persons, suppliers, employees, partners and third parties:

1. Right to be informed: the controller shall provide the data subject with a range of information, such as the identity and contact details of the controller, the purposes of the processing, the categories of personal data, the recipients of the personal data, the transfer of data to a third country or international organization, the period of which the personal data will be stored, the right to complain, etc.
2. Right of access to data: the right of the data subject to obtain confirmation from the controller of the processing of personal data and access to a range of information.
3. Right to rectification: the right of the data subject to obtain from the controller the rectification of inaccurate personal data as well as the right to have incomplete personal data completed.
4. Right to restriction of processing: the right of the data subject to obtain from the controller restriction of processing under specified conditions.
5. Right to object to processing: the right of the data subject to object to the processing of your personal data under certain conditions, in particular when it concerns "profiling" or for direct marketing purposes.

 <p>Επιτροπή Κεφαλαιαγοράς Hellenic Capital Market Commission</p>	<p>PERSONAL DATA PROTECTION POLICY</p>	<p>GDPR-03 Edition:1 APRIL 2021</p> <hr/> <p>PAGE 8 OF 11</p>
--	---	---

6. Right to erasure: the right of the data subject, when no longer wishes to have its personal data processed and kept, to request the erasure of personal data, provided that the personal data is not kept for a specific legitimate and stated purpose.

The Authority should ensure that data subjects can exercise these rights. To this end, it is provided that data subjects may submit requests for access, rectification, erasure, restriction of processing and objection to data processing by letter or e-mail, subject to the restrictions laid down in the applicable legislation, insofar as the processing is carried out for the performance of a task carried out in the public interest or (Articles 17(3)(b), 20(3) and 23 of Regulation 2016/679). The above right is exercised by submitting a written request addressed to the Hellenic Capital Market Commission.

Any interested party has the right to lodge a complaint with the Hellenic Data Protection Authority. The contact details of the Hellenic Data Protection Authority (HDPa) are as follows: Offices: 1-3 Kifissias Street, Athens 11523, tel: +30-210 64.75.600, Fax: +30-210 64.75.628. E-mail: contact@dpa.gr

6. Security of personal data


As a general principle, the Authority shall, taking into account the latest developments, the costs implementation and the nature, scope, context and purposes of the processing, as well as the risks of varying likelihood and severity for the rights and freedoms of natural persons, implement appropriate technical and organizational measures to ensure a level of security appropriate to the risk.

In particular, the Authority has developed an information security management plan and implements appropriate technical and organizational measures for the protection of personal data and risk management, including encryption technologies, firewalls, protection against viruses and other malware, etc. In addition, it applies a clean office policy in order to provide the best protection for the personal information it handles.

In addition, it records the processing activities in the processing activity log together with the corresponding technical protection measures.

7. Confidentiality of personal data

The Authority shall ensure that confidentiality is maintained by its staff and partners, who shall not disclose personal data to unauthorized third parties. Such confidentiality is laid down by the provision of paragraph 13 of Article 76 of Greek law 1969/1991 as in force,

 Επιτροπή Κεφαλαιαγοράς Hellenic Capital Market Commission	PERSONAL DATA PROTECTION POLICY	GDPR-03 Edition:1 APRIL 2021 <hr/> PAGE 9 OF 11
--	--	--

which introduces, for persons who exercise or have exercised powers on behalf of the Hellenic Capital Market Commission, a prohibition on the disclosure to any person or public authority of documents, data and information provided to the HCMC for the exercise of its powers and thus, a corresponding restriction on the right of the managed person to be made aware of administrative and private documents kept by the Hellenic Capital Market Commission.

This prohibition is lifted in certain cases, specifically specified in paragraph 13 of Article 76 of Greek law 1969/1991.

Requests for access to administrative documents submitted to the Hellenic Capital Market Commission by natural and legal persons are examined in the light of Article 5 of the Code of Administrative Procedure and the General Data Protection Regulation.

8. Retention and destruction of personal data

The Hellenic Capital Market Commission shall store personal data for at least 25 years. Personal data may be retained beyond the proposed retention period on the grounds that the processing is for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller or for archiving purposes in the public interest, as a legal entity operating exclusively in the public interest.


The Authority shall not retain personal data in a form that permits identification of data subjects for longer than is necessary for the purposes for which the personal data were collected.

An exception to this rule shall only be made where there are specific reasons, such as, for example, archiving purposes, purposes of public interest, scientific or historical research or statistical purposes, subject to implementation of the appropriate technical and organizational measures in order to safeguard the rights and freedoms of the data subject

The destruction of personal data shall be carried out in accordance with the applicable legislation on the secure data destruction procedure.

9. Transfer of personal data to third countries or international organizations-institutions

The Hellenic Capital Market Commission shall collect, retain and process personal data submitted to it for supervisory purposes and shall not further transfer them to third parties.

 <p>Επιτροπή Κεφαλαιαγοράς Hellenic Capital Market Commission</p>	<p>PERSONAL DATA PROTECTION POLICY</p>	<p>GDPR-03 Edition:1 APRIL 2021</p> <hr/> <p>PAGE 10 OF 11</p>
--	---	--

Furthermore, the HCMC exchanges confidential information with other foreign counterparts in accordance with the MoU's (Memorandum of Understanding) and other agreements governing the HCMC's relations with other counterparts capital markets commissions of other countries, other than EU Member States, and on the basis of the Information Notice on Transfers to third Countries available on the HCMC's website:

<http://www.hcmc.gr/aweb/files/diethni/files/privacy%20statement.pdf>

The HCMC has so far in particular applied the point (b) of par. 3 of Article 46 and in particular bases the cross-border transfer to its counterparts supervisors on the administrative arrangement public authorities, regulators and/or supervisors of securities markets, which are also parties to the administrative arrangement, signed between the European Securities and Markets Authority (ESMA) and the International Organization of Securities Commissions (IOSCO), which was approved by the European Data Protection Board in its Decision 4/2019 and the corresponding Decision 2136/6.6.2019 of the Hellenic Data Protection Authority.

10. Processors


The Authority shall only use processors providing sufficient guarantees to implement appropriate technical and organizational measures in such a manner that processing will meet the requirements of this Regulation and ensure the protection of the rights of the data subject.

The processor shall not engage another processor without prior specific or general written authorization of the controller. In the case of general written authorization, the processor shall inform the controller of any intended changes concerning the addition or replacement of other processors, thereby giving the controller the opportunity to object to such changes.

Processing by a processor shall be governed by a contract that is binding on the Authority with regard to the controller and that sets out the subject matter and duration of the processing, the nature and purpose of the processing, the type of personal data and categories of data subjects and the obligations and rights of the Authority.

11. Data Protection Officer (DPO)

The Authority, as a Legal Entity in order to protect investors and ensure the efficient functioning of the Greek capital market, falls within the concept of a public body, pursuant to

 <p>Επιτροπή Κεφαλαιαγοράς Hellenic Capital Market Commission</p>	<p>PERSONAL DATA PROTECTION POLICY</p>	<p>GDPR-03 Edition:1 APRIL 2021</p> <hr/> <p>PAGE 11 OF 11</p>
--	---	--

Article 4 (a) of Greek law 4624/2019. For this reason, the appointment of a Data Protection Officer is mandatory, pursuant to Article 37(1)(a) of the GDPR.

For compliance with the General Data Protection Regulation, Data Protection Officer has been appointed.

Contact details of the Data Protection Officer: dpoepke@cmc.gov.gr