

The House of Representatives enacts as follows:

PART ONE

GENERAL PROVISIONS

1. This Law may be cited as the Personal Data (Protection of Individuals) Law of 2001.
2. For the purposes of this Act unless the context otherwise requires-
 - "Recipient" means the person who disclosed or transmitted data, whether a third party or not. We are recipients of the authorities which may receive data in conducting this investigation,
 - "Personal data file" or "record" means a structured set of personal data, which are or may be processed and which are accessible according to specific criteria,
 - "Personal data" or "data" means any information relating to a data subject who is alive. Not regarded as personal data aggregated statistical data from which it may now be defined by data subjects,
 - "Republic" means the Republic of Cyprus
 - "Interconnection" means the form of treatment is the possibility of linking data to a file or data file records held by another or other controllers, or held by the same controller for another purpose,
 - "Processor" means any person who processes personal data on behalf of the controller;
 - "Processing" or "personal data" means any operation or set of operations performed by any person with or without the aid of automated processes and applied to personal data includes collecting, recording, organization, preservation, storage, modification, export, use, disclosure, dissemination or otherwise making available, alignment or the combination, interconnection, blocking, erasure or destruction;
 - "Data Protection Commissioner" or "Commissioner" means the Commissioner appointed under Article 18,
 - "Sensitive data" means data relating to racial or ethnic origin, political opinions, religious or philosophical beliefs, membership association, club and union membership, health, sexual life and erotic orientation, and on prosecutions or convictions,
 - "Person" means any natural person or any entity public or private law or has legal personality or not, and includes the Government of the Republic
 - "Third party" means any person other than the data subject, the controller, the processor and the persons authorized to process personal data when acting under the direct supervision or on behalf of the controller;
 - "Consent" means consent of the data subject, all free, express and specific statement of intent, expressed clearly and in full awareness, and in which the data subject, having been informed, willing to be treated as personal data relating to him,
 - "Controller" means any person who determines the purposes and means of processing personal data
 - "Data subject" means a natural person to whom the data and whose identity is known or can be ascertained immediately, including an identification number or to one or more factors specific to his physical, physiological, mental, economic, cultural, political or social,
 - "Minister" means the Minister of Interior.
- 3.-(1) The provisions of this Law shall apply to automated wholly or partly processed, and the manual processing of personal data, which are or will be included in a file.
 - (2) The provisions of this Law shall not apply to the processing of personal data, carried out by a natural person in the exercise of a purely personal or household.
 - (3) This Law applies to all processing of personal data if they are performed;
 - (a) by a controller established in the Republic or in a place where under public international law, the Cypriot law
 - (b) by a controller not established in the Republic, which for purposes of processing personal data makes use of equipment, automated or otherwise, situated in the Republic, unless the equipment is used only for data transmission through it. In this case, the controller must designate, by written declaration to the Commissioner, a representative in the Republic, who is subrogated to the rights and obligations of the controller, without the latter may be subject to any liability of.

PART TWO
PROCESSING OF PERSONAL DATA

4.-(1) The controller ensures that the personal data;

- (a) processed fairly and lawfully processed,
- (b) collected for a specified, explicit and legitimate purposes and not further processed incompatible with those purposes,
- (c) relevant, appropriate and not more than that whenever necessary in view of the goals of treatment,
- (d) accurate and, where necessary, kept up to date,
- (e) kept in a form which permits identification of data subjects during the period required at the discretion of the Commissioner to carry out the purposes of collection and processing. After this period the Commissioner may, by reasoned decision, allow the preservation of personal character for historical, scientific or statistical purposes if it is satisfied that no prejudice in each case the rights of data subjects or others.

(2) Personal data collected or processed contrary to the provisions of subsection (1) shall be destroyed under the responsibility of the controller. If the Commissioner, determine its own motion or upon complaint, contrary to the provisions of subsection (1) requires the cessation of collection or treatment and destruction of personal data have been collected or processed.

5.-(1) Edit personal data is permitted when the data subject has given his explicit consent.

(2) Data processing is allowed without the consent of the data subject when-

- (A) The processing is necessary for ekplirosifpochreoseos the controller, which is required by law,
- (B) processing is necessary for a contract in which party is the data subject or for action at the request of the data subject prior to contract,
- (C) processing is necessary to safeguard the vital interests of data subjects,
- (D) processing is necessary for the performance of a public interest or project that falls within the exercise of public authority has been delegated to the Controller or a third party to whom the data,
- (E) processing is necessary to satisfy the legitimate interests pursued by the controller processing or third party to whom the personal data, provided that this takes precedence over the rights, interests and fundamental freedoms of data subjects.

(3) The Governor may, on recommendation of the Commissioner to adopt specific rules for processing the most common types of processes and files.

6 .- (1) The collection and processing of sensitive data.

(2) Exceptionally, the collection and processing of sensitive data when one or more of the following conditions:

- (A) The data subject has given his explicit consent, unless consent has been posted illegally or contrary to morality or special law stipulates that consent does not remove the ban,
- (B) processing is necessary to enable the controller to perform the obligations or to perform his duties in the field of labor law and has provided for this purpose the authorization of the Commissioner
- (C) processing is necessary to protect the vital interests of data subject or another person where the data subject is physically or legally incapable of giving consent,
- (D) the process undertaken by an institution, association or other nonprofit organization with a political, philosophical, religious or union purposes and only its members and such other persons with whom such corporation, institution or organization that maintains its goals ties. These data may be disclosed to third parties unless the data subject has given his consent,
- (E) the processing relates solely to information which the data subject, or is necessary for the recognition or exercise or defend legal claims,
- (F) processing relates to issues of medical data and carried out by a person engaged in the profession by providing health services and is subject to a duty of confidentiality or related codes of conduct provided that the processing is necessary for medical prevention, diagnosis, care or management of health services,

(G) processing is necessary to serve national needs or the needs of national security, as well as to serve the needs of forensic or correctional policy and enforced by an agency of the Republic or organization or institution authorized for

that purpose by Service of the Republic and for the detection of offenses, criminal convictions, security measures and investigation of mass destruction

(H) processing is carried out solely for statistical, research, scientific and historical purposes, provided that all necessary measures to protect data subjects,

(I) the process is carried out solely for journalistic purposes or in artistic expression and does not infringe in any way the right to privacy and family life.

(3) The Governor may on the recommendation of the Commissioner to adopt regulations that provide for sensitive data on cases other than those referred to in subsection (2) for reasons of public interest.

7.-(1) The controller must notify the Commissioner in writing the constitution and operation of a file or starting treatment.

(2) In the notification mentioned in subsection (1) The controller must necessarily declare-

(A) The name, the name or title and address. If the controller is not established in the Republic, should additionally state the name, the name or title and address of the representative of the Republic,

(B) the address where the file or capital equipment that supports editing,

(C) a description of the purpose of processing incurred or processed or contained or will be included in the archives

(D) a description of the category or categories of data subjects,

(E) the type of data that exist or are to be processed or contained or will be included in the archives,

(F) the period for which he intends to carry on working or to keep the file

(G) the recipients or categories of recipients to whom or may communicate data,

(H) any transfer and the purpose of transferring data to third countries,

(I) the basic characteristics of the security measures of the file, or treatment.

(3) Where the working or the file falls into one of the categories for which the Governor has issued special processing instructions, the controller shall provide the Commission with a statement confirming that the processing will be carried out or the file will be kept according to specific rules adopted by the Council of Ministers who will determine the particular form and content of the statement.

(4) The information referred to in subsection (2) recorded in the Register File and Processing held by the Commissioner.

(5) Any change in the information referred to in subsection (2) must be notified in writing and without delay from the controller to the Commissioner.

(6) The controller is exempt from disclosure under subsection (1) where-

(a) The processing is performed exclusively for purposes directly related to the employment relationship or project and is necessary to fulfill the obligation imposed by law or for the execution of the contract and the data subject has been informed,

(b) the process for customers or suppliers, the underlying data if the data is not transmitted or communicated to third parties.

For the purposes of this provision, courts and public authorities are not recognized as a third, if the transfer or disclosure imposed by law or court order.

Not exempted from disclosure by insurance companies for all types of insurance, pharmaceutical companies, marketing information companies and financial institutions such as banks and credit card companies,

(C) processed by a foundation, association, corporation or political parties and relates to data members, if these members have given their consent and the data is not transmitted or communicated to third parties.

Not recognized third members if the transfer is made to them for the purposes of the above institutions, associations, corporations or political parties, nor courts and public authorities, if the transfer is imposed by law or judicial decision.

(D) processed by doctors or others that provide health and medical information on where the controller is bound by confidentiality or otherwise confidential under law or code of ethics and the data is not transmitted or communicated to third parties.

Not included in the exemption of this provision, persons who provide health services such as clinics, hospitals, health centers, healing and detoxification, pension funds and insurance companies, and the controllers of personal data where processing is carried out in telemedicine programs or provide medical services through a network,

(E) processing is done by lawyers and the provision of legal services to clients, if the controller is bound by an obligation of confidentiality imposed by law and the data is not transmitted or communicated to third parties except as is necessary and directly related to fulfill the client.

8.-(1) The interface files is permitted only in accordance with the conditions laid down in Article 5 and in this article.

(2) Each interface disclosed to the Commissioner a declaration jointly submitted by the controllers or the controller, which connects two or more files that serve different purposes.

(3) (a) If at least one of the files to be interfaced contains sensitive data or that the interface lead to the disclosure of sensitive data or to effect the interconnection to be made using a single code number, the interface is allowed only with previous permission of the Commissioner, who then referred to as "interconnection permit", issued in the prescribed form upon payment of the prescribed fees.

(B) The interconnection permit issued after a hearing of the Controllers of files and necessarily contain-

(i) the purpose for which the interface is necessary

(ii) the type of personal data relating to interconnection,

(iii) the period for which may be connected, and

(iv) any terms and conditions for the effective protection of rights and freedoms and in particular the right to privacy of data subjects or others.

(C) The authorization interface may be renewed upon request of the controllers.

(4) The statements in subsection (2), and copies of licenses recorded in the interconnection Interconnections Register kept by the Commissioner.

9.-(1) Subject to the provisions of this Act, the disclosure, to any country, data that have been or will be processed after transfer may be permitted by the Commissioner. He gives permission only where that country ensures an adequate level of protection. To this end, taking account in particular the nature of the data, the purposes and duration of treatment, the relevant general and specific laws, codes of conduct, security measures for data protection and the level of countries of origin, transit and final destination of the data.

(2) The transmission of personal data to countries which do not provide adequate protection, is exceptional, with the permission of the Commissioner, if one or more of the following conditions:

(A) The data subject has given his consent to the disclosure, unless the consent has been extracted in a manner contrary to law or morality,

(B) the transfer is necessary-

(i) to protect the vital interests of data subjects, or

(ii) for the conclusion and execution of a contract between data subject and the person treatment or between the controller and the third in the interests of the data subject, or

(iii) to perform pre-contractual measures taken at the request of the data subject,

(C) the transfer is necessary to address outstanding needs for the preservation of overriding public interest, particularly for enforcement cooperation agreements with public authorities of another country

(D) the transfer is necessary for the establishment, exercise or defense in court;(E) the transfer is made from a register, which by law is intended to provide information to the public and is accessible to the public or any person who can demonstrate legitimate interest, since in this case met the legal conditions for access to the registry.

(3) In addition to the provisions of subsection (2) The Commissioner may also authorize the transfer of data to a country that does not provide adequate protection if the controller have sufficient safeguards to protect the privacy and fundamental rights and freedoms and the exercise of these rights, guarantees and these can result from appropriate contractual clauses.

(4) Notwithstanding the provisions of subsection (1), data transmission to Member States of the European Union is free.

(5) In cases referred to in subsections (2) and (3) The Commissioner shall inform the European Commission and the relevant authorities of other member states when it considers that a country does not ensure adequate protection.

(6) License under this Article shall comply with the prescribed form and shall be issued upon payment of the prescribed fees.

10.-(1) The processed data is confidential. Conducted solely by persons under their control only by persons acting under the control of the controller or processor and only under his command.

- (2) To carry out the processing, the controller must select persons with relevant professional qualifications and sufficient guarantees in terms of technical expertise and personal integrity for maintaining confidentiality.
- (3) The controller shall take appropriate organizational and technical measures for data security and protection against accidental or unlawful destruction or accidental loss, alteration, unauthorized disclosure or access and all other unlawful forms of processing. These measures should ensure a level of security commensurate with the risks of treatment and the nature of the data subject to processing. He provides specific guidance on the degree of data security and protection measures that need to be taken for each data category, ahead of technological developments.
- (4) If the processing performed by the processor, the relative assignment is required in writing. The award provides for mandatory that the processor to carry out only by order of the controller and other obligations under this Article shall be borne proportionately and him.

PART THREE RIGHTS OF THE DATA SUBJECT

- 11.-(1) The controller shall, during the collection of personal data by the data subject, to keep it in a way appropriate and clear for at least the following elements:
- (A) The identity and the identity of any representative,
 - (B) the purpose of processing.
- (2) The Controller shall also inform the data subject for-
- (A) the recipients or categories of recipients and data, and
 - (B) the existence of the right of access and correction,
 - (C) whether or not it is required to provide assistance, under which provisions, and the possible consequences of refusal, since the information is necessary to ensure in any case, legitimate treatment.
- (3) (a) The provisions of subsection (1) apply to cases where data is collected by or provided to be disclosed to third parties, and the data subject is informed during their registration or the first announcement, as the case.
- (B) The provisions of paragraph (a) shall not apply, especially where data for statistical and historical purposes or for scientific research, if the update of the data subject proves impossible or involves a disproportionate effort or if disclosure is provided any other statutory provision, since in any event have taken the permission of the Commissioner.
- (4) A decision of the Commissioner, at the request of the controller, the notification, in accordance with subsections (1), (2) and (3) may be waived in whole or in part if the collection of personal data made for defense, national emergency or national security needs of the Republic or the prevention, detection, investigation and prosecution of criminal offenses.
- (5) Without prejudice to the rights of data subjects under Articles 12 and 13, the obligation to inform does not exist when the collection is solely for journalistic purposes.

- 12.-(1) Everyone has the right to know whether personal data concerning him are or were processed. To this end, the controller is obliged to answer in writing.
- (2) The data subject may request and obtain from the controller, without excessive delay and expense;(A) Information on-
- (i) All personal data concerning him which have been treated as well as available information on the origin
 - (ii) the purpose of processing, the recipients or categories of recipients, and the categories of data are or will be processed
 - (iii) the development of processing for the period prior information or advised
 - (iv) the logic involved in any automatic processing of data out there, where decisions taken under Article 16 (1).
- (B) the rectification, erasure or blocking of data which has not been made in accordance with the provisions of this Law, in particular due to inaccuracies or deficiencies.
- (C) notification to third parties to whom the data have been disclosed of any rectification, erasure or blocking under paragraph (b), unless this is impossible or involves disproportionate effort.

(3) If the controller does not respond within four weeks from the application or if the reply is unsatisfactory, the data subject has the right to appeal to the Commissioner.

(4) A decision of the Commissioner, at the request of the controller, the obligation to provide information under subsections (1) and (2) may be waived in whole or in part, if the processing of personal data is done for reasons of national needs or the needs of national security of the Republic or the prevention, investigation, detection and prosecution of criminal offenses.

(5) The right of access can be exercised by the data subject with the assistance of a specialist.

(6) Data on health reported in the underlying data through a physician.

13.-(1) The data subject has the right, on compelling legitimate grounds relating to their particular situation, to raise any objections to the processing of data relating to him. The objections are addressed in writing to the Controller and shall contain a request for specific action, such as correction, temporary non-use, locking, non-transfer or deletion. The controller is obliged to reply in writing to the objections within a deadline of fifteen days from the date of application. In response must inform the data subject of the action taken or, for reasons not respond. The answer, if the objection is rejected, it must be communicated to the Commissioner.

(2) If the controller does not respond within the prescribed period or the reply is unsatisfactory, the data subject has the right to appeal to the Commissioner and request consideration of his objections. If the Commissioner considers it likely that the objections are reasonable and that there is a risk of serious harm to the data subject of continuing treatment, may require immediate suspension of processing until a final decision on the objections.

14. The right of access and the right of objection lodged with the submission of the application in the controller and simultaneous cash payment, whose amount, method of payment and any other related matters are governed by regulations issued under this Act. This amount is refundable to the applicant if the request for correction or deletion of data is considered valid by the controller or by the Commissioner in case of an appeal to it. The controller has an obligation in this case, allow the applicant, without delay, free and in a language understood by a corrected copy of the data relating to him.

15 .- (1) Personal data are not processed by any of the interests of promoting, selling goods or services remotely, unless the data subject declare in writing his consent to the controller.

(2) Controller who wishes to process personal data for the reasons mentioned in subsection (1) can be used for the purpose of making the consent of the data subject's name and address under the condition that these data been obtained from sources accessible to the public.

16 .- (1) Everyone has the right to request the jurisdiction in any case, a court in immediate suspension or non-application of an act or decision affects, which has received official authority or a public or private law association or person with data processing, where processing is aimed at evaluating the personality and particular efficiency at work, financial solvency, its credibility and general behavior.

(2) The right to temporary judicial protection may be satisfied in accordance with the Law on Courts, the Civil Procedure Law or any other law providing for the issuance of interim orders.

17. Controller is required to compensate the data subject has suffered damage due to breach of any provision of this Act, unless it proves that it is not liable for the damage.

PART FOUR

COMMISSIONER OF PROTECTION OF PERSONAL DATA

18.-(1) Appointed Commissioner for Personal Data Protection (hereinafter referred to as the Commissioner) who will supervise the implementation of this Law and other regulations pertaining to the protection of individuals against the processing of personal data and will exercise its powers in occasionally conferred on him by this or any other law.

(2) The appointment of the Commissioner made by the Cabinet on the recommendation of the Minister and after consultation with the Parliamentary Committee on European Affairs.

(3) Appointed Commissioner person who holds or qualifications for appointment as Judge of the Supreme Court.

(4) Subject to the provisions of Article 19, the Commissioner can not be dismissed during the term of office except for reasons of mental or physical incapacity or disability rendering him unable to perform his duties.

19 .- (1) not appointed Commissioner person discharging managerial responsibilities generally enterprise which promotes, processes, provides or sells equipment used in information technology or telecommunications or provides

services related to information technology, telecommunications and data processing personal or linked to contract with such company.

(2) deduct from his capacity as Commissioner if after his appointment;

(A) acquires one of the qualities that constitute an impediment for appointment under subsection (1).

(B) performs any act or undertake any task or project, or acquire another property, inconsistent with his duties as Commissioner.

(C) convicted of an offense in violation of subsection (3) Article 21.

(3) The Ministerial Council, once established that it had happened any of the events referred to in subsection (4) of Article 18 and paragraphs (a) (b) and (c) of subsection (2), publish in the Gazette notice stating that the Commissioner has a date specified therein, no longer holds the office.

20. The mandate of the Commissioner is for four years and may be renewed for another one further term.

21.-(1) In exercising its duties, the Commissioner obey his conscience and the law. Subject to a duty of confidentiality. The duty of confidentiality exists after any manner transfer. As a witness or expert may give evidence relating solely to compliance with the provisions of this Law by controllers.

(2) The Commissioner shall be compensated an amount to be determined by the Cabinet.

(3) The Commissioner, in violation of this Act, shall in any way personal data is accessible to him because of his position or leaves another to have this, commits an offense punishable by imprisonment up to three years or a fine not exceeding five thousand pounds or to both such fine and imprisonment.

22 .- (1) The Commissioner, in exercising his work has Office, whose staff will consist of officers who have such qualifications and shall serve under such conditions as may be prescribed.

(2) (a) The staff of the Office of the Commissioner are members of the public service and appointed as provided in the then current Public Service Law.

(B) Until the appointed staff of the Office of the Commissioner may be made postings of civil servants there.

(3) The Commissioner shall have power, safeguarded the principle of hierarchy in the service, authorize in writing any officer of the Bureau who holds a responsible position as enaskei behalf of such of its powers and under such conditions, exceptions and reservations as Commissioner will determine in the authorization: Provided that the Commissioner has power to delegate the right to submit any report required under this Act.

23. The Commissioner has the following responsibilities:

(A) issue instructions to the uniform application of regulations concerning the protection of individuals against the processing of personal data.

(B) invites and assists professional associations and other associations of natural or legal persons who hold personal data files in the development of codes of conduct for the effective protection of privacy and the general rights and fundamental freedoms of individuals in their activity .

(C) Forward recommendations and instructions to controllers or any representatives and gives the satisfaction of the public to them.

(D) grant the licenses provided by the provisions of this Law.

(E) denounces the violations of provisions of this Act to the competent authorities.

(F) Does the article 25 in administrative penalties.

(G) assigns an officer of the office of administrative inquiries.

(H) acts on its own initiative or following a complaint to administrative review of any file. He has, to this end, access to personal data and collecting any information, without that event any privilege, excluding only the lawyers.

Exceptionally, the Commissioner does not have access to the identity of partners that are contained in records kept for reasons of national security or for the detection of particularly serious crimes. Checking out the commissioner or officer of the Office specially authorized for that purpose by him. When checking records kept for reasons of national security, the Commissioner shall attend in person.

(I) decide on any rules concerning the treatment and protection of personal data.

(J) publishes standards, guidelines for operations to special, technical and detailed matters referred to in this Act.

(K) Prepares an annual report on its mission during the preceding calendar year. The report identified and any legislative changes to protect the individual from the processing of personal data. The report submitted by the Commissioner to the Minister, who cares for publication.

(L) to review complaints concerning the implementation of this Act and protect the rights of asylum if they are attacked by processing their data and applications which call control and verification of the legality of such operations and inform applicants for such actions.

(M) keep the registers provided for in this Law.

(N) Cooperate with relevant authorities of other Member States of the European Union and the Council of Europe on matters concerning the exercise of his powers.

24 .- (1) The Commissioner shall keep the following registers:

(A) Register of Archives and Processing, which includes the files and processes known to the Commissioner.

(B) Interconnection Registry, which includes the declarations and permits issued by the Commissioner for linking files.

(C) Register Transfer Permits, which lists the permits for the transfer of personal data.

(D) Register of Secret Files, which are recorded by a decision of the Commissioner at the request of each controller, records kept by the Ministries of Justice and Public Order, Defence and Information Office, for reasons of national security or to detection of particularly serious crimes. In Secret Files Register and links to at least one file of this case.

(2) Everyone has access to the records referred to in paragraphs (a) (b) (c) and (d) of subsection (1).

At the request of the person concerned by a decision of the Commissioner, may be permitted in whole or in part, to register and Secret Archives.

At the request of the controller or his representative and the decision of the Commissioner may prohibit, in whole or in part, to the Register Transfer Permits, if this would result in danger to third privacy, national security, the detection of particularly serious crimes and the fulfillment of the country under international conventions.

PART FIVE

PENALTIES

25 .- (1) The Commissioner may require controllers or their representatives, if any, the following administrative sanctions for breach of their obligations under this Act and any other regulation on the protection of individual data processing Personal Data:

(A) warning with exclusive period to lift the offense,

(B) a fine not exceeding £ 5.000,

(C) temporary revocation,

(D) permanent revocation of license

(E) destruction or interruption of file processing and destruction of data.

(2) The information under (b) (c) (d) and (e) administrative sanctions referred to in subsection (1) imposed following a hearing of the controller or his representative. Proportionate to the gravity of the offense charged. The data in (c) (d) and (e) administrative sanctions imposed in cases particularly serious or recidivist offense. Penalty may be imposed in conjunction with the data in (c) (d) and (e) penalties. If imposed the sanction of file damage, the destruction caused by the controller file, which may be imposed a fine for noncompliance.

(3) The recovery of fines imposed by the commissioner levied a civil debt.

26 .- (1) commits an offense;

(A) Any person who fails to notify the Commissioner under Article 7, the establishment and operation of a file, the execution process or any change in the terms and conditions of the permit referred to in subsection (5) of Article 7

(B) anyone in violation of Article 7 shall record without authorization or in breach of the terms and conditions of the authorization of the Commissioner,

(C) anyone in breach of Article 8 makes linking files without disclosing it to the Commissioner

(D) which makes linking files without the permission of the Commissioner, which is required or in violation of the terms of the permit has been granted,

(E) Whoever, without right to interfere in any way personal data file or becomes aware of such data or removes, alters, damages, destroys, process, transmit, communicate, making them accessible to unauthorized persons or authorized persons to take notice of these data or exploit in any way

(F) controller which in its execution does not comply with the provisions of this Act,

(G) controller that does not comply with the decisions of the Commissioner, issued on grant rights of access under subsection (3) of Article 12, to satisfy right of objection under subsection (2) of Article 13, as well as notices of administrative penalties in cases (c) (d) and (e) of subsection (1) of Article 25,

(H) controller to transmit personal data in violation of Article 9 and who does not comply with a Court issued pursuant of Article 16.

(2) If the perpetrator of the acts mentioned in paragraphs(A) to (e) of subsection (1) purported to gain for himself or another unlawful property benefit or harm a third party, is punishable by imprisonment up to five years or a fine not exceeding five thousand pounds or to both such penalties.

(3) If the acts referred to in paragraphs (a) - (e) of subsection (1) jeopardized the free functioning of the Government of the Republic or for national security, punishable by imprisonment for the guilty to five years or fine not exceeding five thousand pounds or to both such fine and imprisonment.

(4) If the acts referred to in paragraphs (a) to (e) of subsection (1) committed by negligence, the culprit is punished with imprisonment not exceeding three years or a fine not exceeding three thousand pounds or to both such fine and imprisonment.

(5) For the purposes of this section, if the controller is not a natural person, responsible representative of the legal person or the head of a public authority or agency or organization, has in effect administrative or managerial duties.

(6) The offenses committed against the provisions of this section and which is not provided explicitly another penalty, punishable by imprisonment up to one year or a fine not exceeding two thousand pounds or to both such fine and imprisonment.

PART SIX

MISCELLANEOUS

27 .- (1) The Council of Ministers, on recommendation of the Commissioner, regulations for better implementation of this Law.

(2) Without prejudice to the generality of subsection (1), regulations made thereunder;

(A) may provide for the processing of a particular category of data

(B) determine the type of licenses issued under this Law, and paid for these fees.

28 .- (1) The file controllers, which operate at the commencement of this Act and the controllers engaged in processing the entry into force of this Act, shall be submitted to the Commissioner under Article 7 notification, within six months from the appointment of the Commissioner.

(2) For files that work and processes performed upon entry into force of this Law, the controllers are required to proceed under subsection (1) of Article 11 update the underlying data within six months from the appointment of the Commissioner. The information pertains to a large number of subjects, data may be done by the press. In this case, the details specified by the Commissioner. The provisions of subsection (4) of Article 12 apply and for this article.

(3) For the full manual files, the time limits specified in subsections (1) and (2) is one year.

29 .- (1) Within sixty days after the entry into force of this Act, shall be appointed by the Commissioner.

(2) The timing for the exercise of the powers of the Commissioner appointed by decision of the Cabinet, issued no later than four months after the appointment of the Commissioner.

30. This Law shall come into force from the date of publication in the Official Gazette except subsections (4) and (5) of Article 9, which will come into force at the Council of Ministers, published in the Official Journal of Republic.

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