Hi Austin,

Detailed post.

The general rule for electronic direct marketing is that it requires the affirmative consent of the recipient (such as by specifically opting-in) under Regulation 13 of the privacy Regulations (SI 336/2011). That consent may be withdrawn by the data subject, and in all cases of direct marketing, under Article 21 GDPR the data subject has the right to object at any time to the use of their personal data for such marketing, which includes profiling related to such direct marketing.

You have suggested some suitable mitigation strategies as the GDPR guidelines were not fully implemented in this case by the company.

Regards, Beran