

Penalty for GDPR violation

On 08/04/2020, the National Supervisory Authority completed an investigation at the Owners' Association Bl. FC 5, Năvodari city, Constanța county, during which it found a violation of certain provisions of the General Data Protection Regulation.

As such, the owners' association was sanctioned:

for the illegal processing of the image of a natural person, originating from the video surveillance system of the association, by displaying it on the notice board of the building, in violation of the principles of personal data processing provided by art. 5 of the RGPD, in conjunction with art. 6 para. (1) of the RGPD, by reference to the provisions of art. 83 para. (5) lit. a) from GDPR - fine in the amount of 2417.55 lei (the equivalent of 500 euros);

for not adopting adequate security, technical and organizational measures to protect personal data collected through the video surveillance system, in accordance with the provisions of art. 25 and 32 of the RGPD, by reference to the provisions of art. 83 para. (4) lit. a) from RGPD - warning;

for the lack of complete information of the data subjects whose personal data they process through the owned video surveillance system, according to the requirements of art. 12 and 13 of the GDPR, by referring to the provisions of art. 83 para. (5) lit. b) from RGPD – warning.

At the same time, the following corrective measures were applied to the owners' association:

to ensure full information of the persons concerned, by providing all the information provided by art. 12-13 of the RGPD, in a visible place, near the installed surveillance cameras, within 15 days from the date of communication of the minutes

to ensure compliance with the RGPD of the processing operations by adopting security, technical and organizational measures, appropriate to protect the personal data collected through the video surveillance system, including in the aspect of viewing the images through the monitor located in the passage hall and deactivating the application by which remote images can be accessed via the internet, by establishing, within the General Meeting of the Owners Association, a limited number of people to have access to this system, the rights that can be assigned to each of them, the provision clear processing instructions for persons processing data under the authority of the association.

The sanctions were applied as a result of a complaint in which the petitioner complained about the access, use and disclosure by various persons, without legal basis, of some images of his person, originating from the video surveillance system of the owners' association.

Legal direction and communication

A.N.S.P.D.C.P.