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### BfDI imposes fines on telecommunications service providers

The Federal Commissioner for Data Protection and Freedom of Information (BfDI) has imposed a fine of 9,550,000 euros on the telecommunications service provider 1&1 Telecom GmbH.

The company had not taken sufficient technical and organizational measures to prevent unauthorized persons from receiving information on customer data when calling customer service. In another case, the BfDI imposed a fine of 10,000 euros on Rapidata GmbH.

The Federal Commissioner Ulrich Kelber said: Data protection is fundamental rights protection. The fines that have been imposed are a clear sign that we will enforce this protection of fundamental rights. The European General Data Protection Regulation (GDPR) gives us the opportunity to decisively punish the insufficient security of personal data. We exercise these powers based on reasonableness.

In the case of 1&1 Telecom GmbH, the BfDI became aware that callers to the company's customer service could obtain extensive information on other personal customer data simply by providing the name and date of birth of a customer. The BfDI sees this authentication procedure as a violation of Article 32 GDPR, according to which the company is obliged to take appropriate technical and organizational measures to systematically protect the processing of personal data.

After the BfDI had criticized the insufficient data protection, 1&1 Telecom GmbH showed itself to be insightful and extremely cooperative. In a first step, the authentication process was secured more strongly by asking for additional information. In a further step, 1&1 Telecom GmbH is currently introducing a new, technically and data protection significantly improved authentication process after consultation with the BfDI.

Notwithstanding these measures, the imposition of a fine was necessary. Among other things, the violation was not only limited to a small number of customers, but represented a risk for the entire customer base. When setting the amount of the fine, the BfDI remained in the lower range due to the cooperative behavior of 1&1 Telecom GmbH throughout the entire procedure

Range of possible fines.

Based on its own findings, information and customer complaints, the BfDI is also currently examining the authentication processes of other providers of telecommunications services.

Further proceedings against the telecommunications provider Rapidata GmbH became necessary because the company failed to comply with its legal requirement under Article 37 GDPR to appoint the company data protection officer, despite repeated requests. The amount of the fine of 10,000 euros was taken into account that this is a company from the category of micro-enterprises.

contact finder

Here you can find out in just a few clicks who is responsible for your inquiry or complaint about data protection.

public bodies

The term public body not only includes the traditional administrative authorities, but also courts, parliaments and public foundations. This also includes social insurance, such as health insurance.

company

Private companies are mostly supervised by state authorities, but there are some exceptions. Private organizations such as clubs and associations also fall into this category.

Press, radio, church

Special responsibilities apply in these areas. Churches and public broadcasters have e.g. B. via their own data protection officers. The federal and state supervisory authorities are not responsible for other organizations either.