

Bavarian State Office for
data protection supervision
Ansbach, January 28, 2020

press release

BayLDA presents activity report for 2019

The President of the Bavarian State Office for Data Protection Supervision (BayLDA), Thomas Kranig, presented the last activity report on today's European Data Protection Day during his tenure.

President Kranig personally presented the 75-page 9th activity report for the past year 2019 and pointed out in particular that the burden of the significant increase in citizen complaints and reports of data protection violations by companies have again increased significantly. with that Unfortunately, the processing time will inevitably be longer. He is leaving due to the recent increase in staff but assumes that the situation will improve in the course of this year.

The main contents of the press event are reproduced in the following section:

1. Activity report only digital

As in the previous year, we decided not to publish the activity report as a book. The reactions it was mostly positive recently. By publishing it as a digital document on the Anyone interested can read about the topics for the respective reporting year free of charge on the BayLDA website had particular relevance.

2. Statistics: Complaints, consultations and reports of data breaches

2.1. Complaints and Control Suggestions

Looking back on 2019 we were of the number of complaints and control requests ments surprised: These are in the last twelve months again increased enormously gen. As stated in the last report,

we assume that in particular the
numerous events, press reports
and information materials have led to
the fact that many citizens have become more aware
is that they themselves have rights as victims and
can also assert these.

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year5497number1424110395392571968716843643

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From the point of view of society, this development may therefore be rated positively, because it is noticeably increased
There is data protection awareness. For us as an authority, however, it became even more difficult because we
couldn't keep up with the processing of the numerous entries in the usual way and so we
had to involuntarily build up our "mountain of debt" or work backlog.

The processing time has also suffered as a result. In

many cases we have not been able to

defuhrer within the statutory period of

three months, information about the

status or outcome of the proceedings. In

Complainants therefore have individual cases

an action for failure to act in administrative law

Ansbach raised.

2.2. advisory

Compared to last year, the number of requests for advice has fallen sharply. In particular clubs,

small handicraft businesses and the like only asked for advice in relatively few cases. Our big

Information wave in 2018 in connection with an increased range of information on our home

page has probably led to the fact that those responsible in particular are sufficiently informed about how they deal with

to handle personal data.

Advice is still very important to us because we

can thus contribute to legal certainty

and also find out which questions

have responsibilities in practice. As a result

the burden of advice has changed for us but not how

you can assume it based on the numbers alone

could be reduced to about a third. Instead of-

sen is the complexity and difficulty of

Inquiries have now increased significantly.

2.3. Data Breach Reporting

As we recently forecast, the reports of data protection violations have again

rose. Even if many of the reports relate to the so-called incorrect dispatch (e.g. doctor sends doctor's letter to

In the reporting period, we have the budget legislator in the narrower sense, the Bavarian state parliament, in

No new jobs were received as part of the supplementary budget. But we have through the Bavarian State Ministry

nister of the interior, for integration and sport, in the course of a budget restructuring according to Art. 6 of the Bavarian

Budget Act in March 2019 received the commitment for budget funds, with which we have nine jobs in the 2nd

and 3rd qualification level not only for the year 2019, but permanently.

The personnel development in recent years is as follows:

- Until 31.12.2016: 16 posts
- Until 31.12.2017: 20 posts
- Until 31.12.2018: 24 posts
- Until December 31, 2019: 33 permanent positions (of which 31 are occupied)

4. fine proceedings

We still receive many cases involving the use of dash cams, video surveillance of public spaces by private persons or publications of personal data on the Internet without the consent of those affected – v. a. on social media platforms such as Facebook, Instagram and WhatsApp. In total we have approx. 100 fine procedures completed, one of them with a fine notice according to the GDPR. Furthermore some procedures are already at the hearing stage and will be in the foreseeable future result in the issuance of a fine.

If the legal situation is not clear, we usually have clarification first in the supervisory procedure brought about before a fine procedure was initiated. We do not want those responsible for the first time in be able to take note of our legal opinion in a fine procedure. This should be done in advance either in Have taken place within the framework of a consultation or a supervisory procedure. For this reason and because we still had to handle a significant number of procedures under the old law, the fine procedures are only in really got going in the last few months of 2019.

050010001500250035004500201120201520162018201820182018201820182018201820182019 data protection violations per year 411136 categories and A.: □ Cyber attacks thirts threesome □ Clyware □ Loss and theft

5. Relevant individual topics

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In the activity report there are also individual cases from the most diverse areas of life with our decision shown, such as B. Internet, tax advice, insurance industry, advertising, trade and services, employment data protection, health and social affairs, clubs, associations, housing industry, video surveillance

etc.

6. Sense and purpose of the activity report

The supervisory authorities are obliged to prepare a report on their activities at specified intervals.

Our approach is to first bring transparency to our work through statistical processing.

Experience has shown that activity reports are mainly read by data protection officers who know about them

want to find out which legal opinion "their" supervisory authority represents on certain topics. We hope

but also that citizens who are not experts in data protection can do something with our activity report

can start. We have therefore endeavored to formulate the texts in such a way that they are generally understandable

are, but also as a guide for data protection experts by specifying the corresponding legal bases

to serve.

7. Reference of activity report

The activity report for 2019 can be accessed via the following link:

www.lida.bayern.de/de/taetigkeitsreports.html

Thomas Kranig

president