

□ Procedure No.: PS/00044/2020

938-0419

## RESOLUTION OF PUNISHMENT PROCEDURE

In the sanctioning procedure PS/044/2020, instructed by the Spanish Agency for Data Protection, to A.A.A., with NIF: \*\*\*NIF.1 (hereinafter, "the person claimed"), by virtue of the complaint filed by B.B.B., (hereinafter, "the claimant"), and based on the following,

### BACKGROUND

FIRST: On 07/28/19, you had a written entry to this Agency, submitted by B.B.B., (hereinafter, "the claimant"), in which it stated, among others, the following:

"By going to the notary's office to request a copy of the deed of my house, without informing the In this regard, they scanned my ID. When asked about how they protected that document, They told me that they did not have the information but that they took my data and they would call I wanted to know about the security measures they applied because, if they had informed me, I would have given them a black and white photocopy. Two months and a half later, since they had not contacted me, I sent them an email, in the that they already show me the informative clauses, but they still do not inform me of how They keep my ID. For security reasons, I do not like to have copies of my ID scanned at good resolution and in color, so because they hadn't given me that information, I insisted on it. They sent me to their DPD, with whom I have exchanged emails, but ended up telling me that it was not necessary to inform me based on to article 32 of Law 10/2010, of April 28, on the prevention of money laundering capitals".

SECOND: In view of the facts set forth in the claim and the documents provided by the claimant, the General Subdirectorate for Data Inspection proceeded

to carry out actions for its clarification, under the powers of investigation granted to the control authorities in article 57.1 of the Regulation (EU) 2016/679 (GDPR). Thus, on 10/18/19, an information request is addressed to the requested person.

THIRD: On 11/07/19, this Agency received a letter from the Delegate of Data Protection of the claimed Notary, in which, among others, it indicates:

“On August 7, 2018, the claimant went to the notarial office to request a copy of the protocol of the former notary of that city, \*\*\*NOTARIO.1.

That on December 7, 2011, as a result of the retirement of the was a notary of this city \*\*\*NOTARIO.1, Mr. \*\*\*NOTARIO.2 received the notarial protocol of the first for safekeeping.

That, not having the claimant's DNI scanned, it was considered appropriate to carry out its scan in accordance with money laundering legislation. For this, it was taken into consideration the fact that it was an economic operation of the protocol to charge of Mr. \*\*\*NOTARIO.2 of which there was no identification document.

That the complainant expressed his discrepancy regarding the tariff applied by placing a claim for the invoice issued (Doc1) before the Consumption service of the Board of [www.aepd.es](http://www.aepd.es)

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Andalusia (Doc2). The professional services invoice includes the data basic information on data protection for the activity of the notarial office.

That on October 31, 2018, this notarial office provided the claimant additional information on data protection in relation to merited activity (doc3).

That in subsequent communications he stated that he was against the scanning of his DNI or consider that they should be aware of the security measures applied:

“...you must carry out a risk analysis or an EIPD and determine it, depending on its criticality.

This gives me little confidence in the measures in place, which is why you requested information”,

That subsequently, and after several calls from the claimant, the incident was reported to the Data Protection Delegate of this notarial office.

That the DPD by email dated December 18, 2018 (doc5) requested

Specify the request for rights exercised by the claimant. The claimant does not

answered, so the DPD reminded him on January 14, 2019 (doc6) that

The term of the procedure was extended by two more months to be able to attend to his request. petition.

That same day, the claimant answers alleging that "what I ask is the verification of that said information was provided to me" (doc7).

That with all of the above and having fulfilled the Notarial Office with the duty of information regarding customer activity, it was considered necessary to focus the issue in the activity of money laundering. Consequently, the DPD reported to the claimant dated February 7 (doc8) on the special circumstances that have these treatments and therefore the impossibility of attending to your request.

Subsequently, on February 11, he was informed again (doc9-10).

On the control measures applied in this Notarial Office: They accept the ISO 27001 standard. However, in relation to the Activities Register and its legitimacy in the treatment the following measures have been adopted:

#### A.18 Compliance

##### A.18.1 Compliance with legal and contractual requirements: RGD: Control Measures

###### 1. Activity Log

2. Data Protection Delegate

3. DPD notification to the Data Protection Agency.

4. Legitimation of the treatment (yes, we inform or not)

5. Protocol exercise of the GDPR right

Consequently, and based on the request for information, we state that, on the date

On June 11, 2018, a Data Protection Audit was carried out. What

As a result of the same, the consequent recommendations were formalized to  
comply with the above obligations.

Consequently, the following measures were adopted: The Register of

Activities that include, among others, a. Clients b. money laundering

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In view of the nature of the Public Authority of Notaries and based on article 37.1 a)

of the European Data Protection Regulation 2016/679 was designated Dpd and

communicated to the Registry of the Spanish Data Protection Agency (Doc1).

It was agreed to implement legends for the purpose of complying with the duty of information

of article 13 of the European Regulation 2016/679. 4. A procedure was established

management of RGPD rights in the Notarial Office.

The measures were reviewed on March 19, 2019. It was agreed

recommendations to correct the deficiencies found and improve the due

implantation. A data protection legend is included in the invoices for the reason

of the “customers” activity.

The claimant was sent a copy of the additional information dated October 31

of 2018, in relation to customer activity and was informed and explained the specific circumstances arising from the processing of data for the activity "money laundering of Capitals" and therefore the exclusion of the duty of information.

: In view of the reported facts, the documentation provided by

#### FOURTH

the parties and in accordance with the evidence available, the Inspection of Data from this Spanish Data Protection Agency considered that the action of the claimed entity did not meet the conditions imposed by the regulations in force, Therefore, the opening of a sanctioning procedure proceeds. Thus, with date 06/01/20, the Director of the AEPD, agreed to initiate a sanctioning procedure against the person person claimed, by virtue of the established powers, for failing to comply with the provisions of Article 13 of the RGD, by NOT offering the necessary information to the claimant when the DNI was required for scanning, punishable in accordance with the provisions of art. 83 of the aforementioned RGD, with an initial sanction of "WARNING".

FIFTH: Once the initiation agreement has been notified, the person claimed, by means of a written dated 06/15/20, made, in summary, the following allegations:

On the lack of information in relation to the treatment derived from the DNI scan Of the interested. My principal, in compliance with article 30, has a Registry of Ac-treatment activities. There are, among others, two different declared activities:

1. Clients: with the purpose of proceeding to the granting of the public document and to its invoicing 2. Money Laundering: for the management and registration of obligations tions derived in the matter.

These activities are different and coincide with the files declared at the time in accordance with Law 15/1999 on data protection and Ministerial orders of its creation to the extent that they were public files: OM of Justice JUS/484/2003 and Ministry of Economy Order EHA/114/2008, dated January 29.

The Agreement says that we contest that the duty of information of article 13 was omitted of Regulation 2016/679 when the claimant's DNI was scanned for the purpose of giving compliance with the Money Laundering Prevention Law and subsequently when you requested it. It is true what the notified act says: the interested party was not informed

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of the money laundering activity of the \*\*\*NOTARIO.2. However, as

You see, there is no legal obligation to inform about data processing in case of money laundering.

We note that the interested party was informed in relation to the activity of "clients" as stated in the file.

The Agreement to Start the Sanctioning Procedure forgets some data that would have allowed the correct qualification of the facts of this procedure:

1. The notary is subject to the Law on the Prevention of Money Laundering: ar- Article 2.1 n) regulated entities: "notaries".
2. The notary as a subject bound by Regulation 2016/679 creates his Registry of Activities. Following the AGPD criteria, it makes use of the file created by the Or- in EHA/114/2008, of January 29, regulating compliance with certain obligations of notaries in the field of prevention of money laundering and This is how the treatment activity "Money Laundering" has been declared.
3. Art 32.3 of Law 10/2010 of April 28 declares that: "By virtue of the provisions of the Article 24.1, and in relation to the obligations referred to in the preceding section. above, the information obligation foreseen will not apply to data processing.

in article 5 of Organic Law 15/1999. Likewise, they will not be applicable to files and treatments referred to in this precept the rules contained in the aforementioned Organic Law referring to the exercise of the rights of access, rectification, cancellation and opposition. In case of exercise of the aforementioned rights by the interested party, the obligated subjects will limit themselves to revealing the provisions of this article.

ass".

4. On the obligation to make copies of the DNI: Art 28. 2. Money Laundering Regulations of Capitals "The obligated subjects will store the copies of the authenticated documents formal identification in optical, magnetic or electronic media"

5. On the term of conservation of the DNI: Art 29.1 Money Laundering Regulation Capitals: "The obligated subjects will keep the documents and keep records of all business relationships and operations, national and international.

end, for a period of ten years from the termination of the relationship..."

Therefore, in compliance with the legal obligation of article 32 of Law 10/2010, no reported the data processing to the interested party.

It has been proven that in the communication dated October 31, 2018, the interested in the peculiarities of the processing of personal data at the headquarters of money laundering.

On the character of the Notary Public and part of the Public Administration: It says the website of the Ministry of Justice: "The Notary, once he obtains the title and takes session of its Notary, will have in the district to which it corresponds the character of function public registry and authority in everything that affects the service of the notarial function, with rights

the law".

such effects

grant to

that

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Says the OM Justice JUS/484/2003: "...Notaries, Notarial Associations and the Con-

General Council of Notaries present specialties in relation to the exercise of

other professions subject to membership, highlighting the character of public official

co of its collegiate and Public Administration dependent on the Administration

General of the State, through the General Directorate of Registries and Notaries."

Moreover, the TCI says that notaries are part of the public function of the State. A) Yes,

Judgment 120/1992, of September 21, says the High Court: "This jurisdiction

regulation, on the other hand, also derives from the character of public officials of the

State that Notaries have and their integration into a single national body".

Likewise, in Judgment 4/2014, of January 16, 2014, the High Court says: "Apply

Based on the reiterated doctrine of this Court (SSTC 56/1987, of May 7; 67/1983,

from July 22; 120/1992, of February 21, and 207/1999, of November 11), only at

It is up to the State to direct orders or instructions that must be complied with to

notaries or registrars, being unquestionable that it is the State, through the

DG of Registries and Notaries, the superior body of those, which are located in

relationship of hierarchical dependency and, therefore, in a position of forced acceptance

binding orders or interpretations. On the application of article 77 of

Law 3/2018 on the protection of personal data.



The Home Agreement errs by not respecting the regime provided for in article 77 of the Law

2/2018 especially in its section 2 when it says:

“When those responsible or in charge listed in section 1 committed something

None of the infractions referred to in articles 72 to 74 of this organic law

ca, the competent data protection authority will issue a sanction resolution

mentioning them with warning. The resolution will also establish the

measures to be taken to stop the conduct or correct the effects of the

offense that had been committed. The resolution will be notified to the person in charge or

charged with the treatment, to the body on which it reports hierarchically, where appropriate, and to

those affected who had the status of interested party, as the case may be.”

The character of the notary public official and his integration in

the State Administration and, therefore, we cannot accept the allusion, due to intimidation

tory, of the Initiation Agreement when it says that "This infraction can be sanctioned with

a maximum fine of 20,000,000 euros...”.

Fourth: That the Resolution of June 2, 2020, of the General Directorate of Security

Legal Authority and Public Faith, of the Ministry of Justice notifies in the Official Gazette of the

ted of last June 8, 2020 the retirement of the notary (Doc nº 2).

SIXTH: On 06/23/20, the person claimed, presented in this Agency, new

brief of allegations, in which, in summary, it indicated the following:

“That having presented arguments on the fifteenth day of the current considered

We deem it opportune to present a copy of Resolution R/01712/2016 by

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as it concludes in its Third Basis that notaries are public officials

cos:

In this sense, Notaries, Notarial Associations and the General Council of Notaries riado present specialties in relation to the exercise of other professions subject to membership fees, highlighting the character of public officials of their members and of Public Administration dependent on the General Administration of the State, through through the General Directorate of Registries and Notaries”.

SEVENTH: On 06/08/20, the period of practice tests began, according to dosing: a).- consider reproduced for evidentiary purposes the complaint filed by the de- advertiser and its documentation, the documents obtained and generated that form part of file E/9681/2019 and b).- consider reproduced for evidentiary purposes, the allegations to the initiation agreement of PS/00044/2020, presented by the entity de- announced.

EIGHTH: On 07/22/20, the requested person is notified of the proposal for re- solution in which it is proposed that, by the Director of the Spanish Agency for Protection tion of Data is sanctioned with "WARNING" for an infraction of article 13) of the RGPD, in accordance with the provisions of article 58.2) of the aforementioned RGPD.

NINTH: After notification of the proposed resolution, dated 09/07/20, the person claimed submits a brief of allegations, in which, among others, it indicates:

“ The claimant initially filed a consumer claim with the Board of Andalusia, due to its discrepancy due to the applied tariff. It was in this procedure where he stated that he had not been informed of his rights when scanning the DNI. The file contains a copy of the notarial invoice where the basic information appears. physical data processing activity "clients" (Doc.1 of the report to the AEPD).

That said consumption procedure is filed in October 2018 and that is when the claimant requests data protection information that is given on October 31.

There is no evidence on file that the claimant applied on July 7, 2018

exercise your data protection rights. In his mail of November 1, the re-

claimant assures that the invoice does not contain the rights and the way to exercise the themselves. However, this statement does not correspond to reality.

That next when the DPD intervenes, it was necessary to discern through several co-emails the specific request of the claimant about the scanning of the DNI.

That before a month of silence from the complainant had elapsed, the DPD contacted contact with him and the procedure was extended for two months to attend to his request (Doc. 6) of the Report requested by the AGPD. That the request was finally granted claimant information called "money laundering".

It is noted that in relation to the "Money Laundering" activity, no ted informative legends, every time there is no obligation in this regard. for activity of clients, unrelated to this file, a legend was provided that is part of the file.

tea. It is attached below:

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<<A.A.A. with address at \*\*\*ADDRESS.1 is the Data Controller

in order to study your file, write the public document and pro-give in to its granting, incorporation into the protocol and invoicing.

The legal basis of the treatment is the exercise of notarial public faith by virtue of the Law of Notaries and the Law of Voluntary Jurisdiction 15/2015 in the terms of article 6.1 e) of the European Data Protection Regulation

2016/679. There is a legal basis based on a contractual relationship. The treat-

Data collection is necessary for the granting of the document.

Likewise, the notary acts as the person in charge of treatment in relation to the protocol and notarial documentation whose Treatment Manager is the General Directorate of Legal Security and Public Trust for the purpose of archiving of the public documents of the notary public and collaboration of the Administrations. The billing data will be kept until prescribed. tax obligations.

In relation to the protocol and notarial documentation, the data will be kept as a public file indefinitely.

This notary office has a designated Data Protection Officer:

\*\*\*DPD.1.

The data will be communicated to the Public Administrations, to the Notarial College or to the General Council of Notaries when there is a legal regulation that protects it.

You have recognized the right of access, rectification, deletion and portability of your data, limitation and opposition to its treatment, as well as not

be subject to decisions based solely on automated processing

of your data, when applicable. You can exercise your rights before the Delegate

of data protection providing a scanned copy of your ID addressed to

\*\*\*DPD.1. We would like to point out that regarding the protocol and documentation,

Such rights have a series of limitations due to their specific purpose.

file feature.

You are also recognized the right to file a claim with the Agency

Spanish Data Protection Agency as an interested party>>.

For the foregoing, WE SUPPLICATE V.I. that you have submitted this document on time type and form and in merit of its content agrees the file of the Sanctioning Procedure-dor as there was no delay in providing the information to Mr. B.B.B.

In view of everything that has been done, by the Spanish Data Protection Agency

In this proceeding, the following are considered proven facts:

#### PROVEN FACTS

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1º.- On 08/07/18, the claimant went to the notarial office of A.A.A., to

Request a copy of the deed to your house. According to the record, "by not

having the claimant's DNI scanned, it was considered appropriate to scan it

in accordance with current legislation on money laundering. As stated in the de-

complaint of the claimant, "when asking the reason why the DNI was scanned, NO

received no adequate response, only informing him that they would contact

to him to inform him conveniently".

2º.- According to the letter from the DPD, the Notary Public contacted

contact with the claimant on 10/31/18, informing them of the special circumstances that

have these treatments because they are subject to money laundering legislation.

In addition, it was indicated that, in the invoice for professional services delivered to the

clamoring, the basic data of information on data protection by the

activity of the notarial office. From this date there were several exchanges of co-

e-mails between the claimant and the DPD of the Notary, in relation to the heirs

guys.

3º.- The claimant responded to the reply from the DPD one day later (on 11/01/18), in

the following terms:

"My dear sir, thank you very much for the information. Indicate that the invoice does not have

I certify that this information was provided, given that among other things, they must see  
nir the rights and the contact to exercise them. I talked to three employees who didn't fa-  
they cited the information. The third, he asked for my phone number to provide me with that information,  
but until my mail today, I have not received the information, which leaves me with the doubt of  
where did my phone go? I will check if it is correct what it tells me about the  
invoice. I understand that you have a record of what you tell me. Also indicate that  
there are errors in the information you present to me, since the security measures are not  
they are in article 26. In fact, the GDPR does not say what to do, but that it must  
carry out a risk analysis or an EIPD and determine it, depending on the criticality. this gives me  
little confidence in the measures in place, which is why I initially requested in-  
training. I hope that your DPO can answer me to the security, that I have two  
months and a half silvering, as well as the legitimization given that I have not been able to see  
the need for the information required of me in Law 15/2015, which was the reason  
vo of my query. For security, as I indicated, I do not like to be scanned  
my ID directly.

4º.- The information provided in the invoice issued by the notarial office (No.

Invoice: U001155 dated: 08/07/2018, contains the following information regarding the

Personal data protection:

- Responsible: Notarial Office located at \*\*\*ADDRESS.1 Contact information

of the Data Protection Delegate: \*\*\*DPD.1 Purpose: Granting documents

public payment and billing.

- Conservation: Until the prescription of the legal obligations derived from

writing.

Legitimation: Compliance with the public duties that correspond to the nota-

river

- Recipients: No data will be transferred to third parties except in case of legal obligation.

gal. In general, the Public Administrations, the Notarial College and the General Council

general of Notaries.

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- Rights: Access, rectify and delete the data, as well as other rights,

as explained in the additional information.

- More Information: You can request an expanded information sheet on

Your rights".

5º.- In the allegations, presented in this Agency by the requested person, the

07/11/19, the following was indicated:

“(…) consequently and in accordance with the request for information, we state

that, on June 11, 2018, an Audit was carried out in protection of

Data. As a result of it, the consequent recommendations were formalized

amendments to comply with the obligations indicated above, were adopted

the following measures:

“(…) They agreed to implant legends for the purpose of complying with the duty of

information from article 13 of European Regulation 2016/679.

A RGPD rights management procedure was established in the Despa-

notary cho”.

The measures were reviewed on March 19, 2019. It was agreed

Recommendations were made to correct the deficiencies found and improve the

proper implantation. A protection legend is included in the invoices.

data by reason of the “clients” activity.

## FOUNDATIONS OF LAW

The Director of the Spanish Agency is competent to resolve this procedure.

Data Protection, in accordance with the provisions of art. 58.2 of the RGPD in the art. 47 of LOPDGDD.

The joint assessment of the documentary evidence in the procedure brings to knowledge of the AEPD, a vision of the denounced action that has been reflected in the facts declared proven above reported.

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II

However, the following considerations must be made:

The art. 32.3 of Law 10/2010, of April 28, on the prevention of money laundering and the financing of terrorism, establishes that: “By virtue of the provisions of article

Article 24.1, and in relation to the obligations referred to in the previous section,

The information obligation provided for in

Article 5 of Organic Law 15/1999. Likewise, they will not be applicable to files

methods and treatments referred to in this precept, the rules contained in the citation

of the Organic Law referring to the exercise of the rights of access, rectification, cancellation

lation and opposition. In case of exercise of the aforementioned rights by the interested party, the

Obligated subjects will limit themselves to revealing the provisions of this article”.

Well, when the claimant went to the Notary, on 08/07/18, to request a copy

of the deed of his apartment, and ask him for the DNI to scan it, he asked the reasons why

which this act was now demanded, not receiving any satisfactory answer, nor

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He was not even told what was stipulated in the Money Laundering Prevention Law.

them: "(...) In case of exercise of the aforementioned rights by the interested party, the subjects

obliged will be limited to revealing the provisions of this article", limiting-

to tell him that, "they would contact him to receive the appropriate information."

cuada", a situation that occurred two and a half months later, on 10/31/18, through the

DPD.

Therefore, although said article establishes that the duty to inform the interested party does not

is applicable in relation to "the obligations referred to in section

"previous", that is, those related to compliance with information obligations

provided for in Chapter III (which basically refer to cases in which there is

to communicate to SEPBLAC when there are indications of a possible money laundering case

of capital or financing of terrorism), the right to information of art. 13 of the

RGPD, is fully applicable. Therefore, with that exception, you have the obligation

to provide all the information related to the processing of personal data in

the moment of collecting them from the interested parties.

Regarding the rights of citizens when they process their personal data, it says

Recital 59) of the RGPD that: "(...) The data controller must be

obliged to respond to the requests of the interested party without undue delay and at the latest.

within a month, and to explain their reasons in case they did not attend.

give them". While considering 60) and 61) of the same RGPD indicates, respectively

mind:

"(60) The principles of fair and transparent treatment require that the interested party be informed

of the existence of the treatment operation and its purposes. The person in charge of

treatment must provide the interested party with as much additional information as necessary.

to ensure fair and transparent treatment, taking into account the circumstances

specific circumstances and context in which the personal data is processed (...)"

"(61) Data subjects must be provided with information on the processing of their data.

personal data at the time they are obtained from them (...)"

In the case at hand, the collection of the claimant's personal data, me-

Through the scanner of your ID, it is guaranteed by art. 6.1.c) of the RGPD: "the treatment

it is necessary for the fulfillment of a legal obligation applicable to the person in charge of the

treatment", such as compliance with the legislation on money laundering.

On the other hand, article 13.1.c) of the RGPD obliges the data controller to

the data to give the necessary information so that the interested party knows the purposes of the

data processing and the legal basis for it: "c) the purposes of the treatment to which

the personal data and the legal basis of the treatment are destined".

But it is that, in addition, article 12 of the RGPD summons the person in charge of the treatment

of data to take the necessary measures to provide the interested party with the indi-

each in article 13 indicated above: "1. The data controller takes

will take the appropriate measures to provide the interested party with all the information indicated in the

articles 13 and 14, as well as any communication under articles 15 to 22

and 34 related to treatment, in a concise, transparent, intelligible and easily accessible form.

so, with clear and simple language, in particular any information directed specifically

exactly a child. The information will be provided in writing or by other means, including

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including, if applicable, by electronic means. When requested by the interested party, the information

mation may be provided verbally as long as the identity of the inmate is proven.

repaired by other means.2. The data controller will provide the interested party with the exercise of their rights under articles 15 to 22. In the cases referred to in referred to in article 11, paragraph 2, the controller shall not refuse to act at the request of the interested in order to exercise their rights under articles 15 to 22, except that can demonstrate that it is not in a position to identify the interested party. 3. The responsible for the treatment will provide the interested party with information regarding their actions on the basis of a request under articles 15 to 22, and, in any case, within one month of receipt of the request (...)."

Well, the invoice delivered to the claimant contained the necessary information regarding on data protection, such as the data controller; the purpose: (-grants-public document filing and billing); the conservation time; the standing for the treatment: (- the fulfillment of the public duties that correspond to the notary); the recipients and the rights that could be exercised.

It can be verified that, in the purposes for which the data processing will be used personal information of the notary appears the, "Issuance of public document and invoicing", and in the legal basis for the treatment of the data appears, "compliance with the de-public duties that correspond to the notary". Nothing is informed to the interested party about what stipulated in art. 32.3 of Law 10/2010 of April 28, when it is indicated that, in the event that personal data is processed in order to comply with the current legislation on money laundering, as is the case, if the interest sado wishes to exercise its rights recognized in the RGPD, "(...) the obligated subjects they will be limited to revealing the provisions of this article". Well, not even You are not informed of this circumstance, neither in writing nor verbally, when you ask. he received only as an answer that, "they would get in touch with him", circum-event that did occur, but not before a month as marked by the RGPD, but with a de-

two and a half months late.

Finally, remember once again that the respondent undertook to take the measures

measures necessary to remedy the deficiency detected and so indicated to this Agency:

“They agreed to implement legends for the purpose of complying with the duty of information

of article 13 of the European Regulation 2016/679. 4. A procedure was established

management of GDPR rights in the Notarial Office (...). Measures not yet

have been submitted for corroboration by this Agency.

In view of the foregoing, the following is issued:

:

RESOLVE

NOTICE: to A.A.A., with NIF: \*\*\*NIF.1 for violation of article 13) of the RGPD.

REQUIRE: A.A.A., so that, within a month from this act of notification

of the resolution, proceed to include legends in the documents that are provided to

customers, for the purposes of complying with the duty of information of article 13 of the

GDPR.

NOTIFY: this resolution to A.A.A.

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In accordance with the provisions of article 50 of the LOPDPGDD, this Re-

The solution will be made public once it has been notified to the interested parties.

Against this resolution, which puts an end to the administrative procedure in accordance with art. 48.6 of the

LOPDPGDD, and in accordance with the provisions of article 123 of the LPACAP, the

Interested parties may optionally file an appeal for reconsideration before the Director

of the Spanish Agency for Data Protection within a month from the date of the day following the notification of this resolution or directly contentious appeal before the Contentious-Administrative Chamber of the National High Court, in accordance with the provisions of article 25 and section 5 of the additional provision Final fourth of Law 29/1998, of July 13, regulating the Contentious Jurisdiction-administrative, within a period of two months from the day following the notification of this act, as provided for in article 46.1 of the aforementioned Law.

Sea Spain Marti

Director of the Spanish Agency for Data Protection.

C/ Jorge Juan, 6

28001 – Madrid

[www.aepd.es](http://www.aepd.es)

[sedeagpd.gob.es](http://sedeagpd.gob.es)