

24.04.2023

Penalty for GDPR violation

In March 2023, the National Supervisory Authority completed an investigation at the operator Tensa Art Design SA and found a violation of the provisions of art. 12 para. (3) and art. 21 of Regulation (EU) 2016/679.

As such, the operator was fined 4,947.9 lei (equivalent to 1,000 EURO).

The investigation was started as a result of a report sent by a concerned person who complained that the operator Tensa Art Design SA was sending him unsolicited messages, although he exercised his right of opposition.

During the investigation carried out, it was found that the operator sent unsolicited commercial messages to the respective person, via SMS, repeatedly, although he had previously requested, via electronic mail, to unsubscribe from the newsletter service.

During the investigation, it was found that the operator Tensa Art Design SA did not present evidence from which it can be concluded that it resolved the request of the person concerned in accordance with the provisions of art. 12 para. (3) related to art. 21 of Regulation (EU) 2016/679 and did not provide her with an answer, within the legal term, regarding the measures adopted following the exercise of the right of opposition.

At the same time, as part of the investigation, the operator was also given the corrective measure to take the necessary measures to modify the existing procedures at the company level and bring them to the knowledge of the employees, so that the rights of the persons concerned provided by the Regulation are respected in all cases (EU) 679/2016.

Legal and communication department

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