

UOOU-00057/22

The inspection of this company was initiated on the basis of several complaints about the sending of commercial messages. In relation to this inspection, it should also be noted that the company in question has already been sanctioned several times by the Office for sending unsolicited commercial communications, and therefore the purpose of the inspection was also to determine whether there are any systemic errors in this area.

The controlled person has been operating since 2008 and mainly targets institutions such as municipalities, cities and schools. In this context, it should be mentioned that the issue of the dissemination of business communications by electronic means does not distinguish between addressees who are natural persons and between addressees who are legal entities. Therefore, the obligations stipulated in § 7 of Act No. 480/2004 Coll. The subject of the commercial messages sent were specific goods intended for schools or various institutions, such as blackboards, school furniture, etc.

The inspected person stated that he mostly communicates by telephone or using printed leaflets. If it sends commercial messages electronically, it does so on the basis of a customer relationship, however, in the case of recipients, which are mainly municipalities or schools, there are frequent changes in the recipients (or persons managing the relevant e-mail boxes) to which commercial messages are sent. The controlled person updates contacts on an ongoing basis using the so-called "living companies" available on websites (e.g. zivefirmy.cz). He then stores contact information in the "ACCOUNT" system, where he writes and edits them manually. Regarding the sent recipients, the inspected person then stated that these were not customer contacts, but that the e-mail addresses were incorrectly downloaded from the website during the update. She has deleted these email addresses and will no longer send any commercial communications to them.

With regard to the fact that the controlled person has already been warned by the Office several times in the past to use only e-mail addresses obtained from their customers or from users who have given their consent for sending commercial messages, while it was the relevant administrative proceedings have also been conducted several times, it is evident that the dissemination of unsolicited commercial communications is a systematic and already long-standing systemic misconduct, for which a sanction was imposed on it.

ContextLocation: Document folders > Site map > Main menu > Supervisory and decision-making activities > Completed inspections > Inspections for 2022 > Unsolicited commercial communications – 2nd half-year > Business companyView current

