

10.03.2022

Fine for GDPR violation

The National Supervisory Authority completed on 24.02.2022 an investigation at the operator Briza Land S.R.L. and found the violation of the provisions of art. 15 of the General Data Protection Regulation (RGPD).

The operator Briza Land S.R.L. was fined 9892.6 lei, the equivalent of 2000 EURO.

The investigation was started as a result of a complaint in which the petitioner complained that he was not satisfied with the response received from the operator to his request to exercise the right of access provided for by art. 15 of the General Data Protection Regulation.

During the investigation, it was found that the operator did not communicate to the petitioner all the information regarding the processing of his personal data (such as the personal data processed, the source of the data, the recipients of the data), thus violating the provisions of art. 15 of the GDPR.

In this context, we reiterate that art. 15 of the RGPD, states that "the data subject has the right to obtain from the operator a confirmation that personal data concerning him or her is being processed or not and, if so, access to the respective data and the following information:

- a) the purposes of the processing;
- b) the categories of personal data concerned;
- c) recipients or categories of recipients to whom the personal data have been or will be disclosed, especially recipients from third countries or international organizations;
- d) where possible, the period for which the personal data is expected to be stored or, if this is not possible, the criteria used to establish this period;
- e) the existence of the right to request the operator to rectify or delete personal data or to restrict the processing of personal data relating to the person concerned or the right to oppose the processing;
- f) the right to file a complaint before a supervisory authority;
- g) if personal data are not collected from the data subject, any available information regarding their source;
- h) the existence of an automated decision-making process including the creation of profiles, referred to in Article 22 paragraphs (1) and (4), as well as, at least in the respective cases, pertinent information regarding the logic used and

regarding the importance and expected consequences of such processing for the person concerned."

At the same time, the operator was also given the corrective measure of communicating to the petitioner all the information regarding the processing of his personal data, including the personal data processed, the source of the data, the recipients of the data, as a result of his request to exercise the right of access to the data, according to art. 15 of the GDPR, within 5 working days from the communication of the minutes.

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