

Path: Home page > Main menu > Supervisory and decision-making activity Control of personal data processing when using hybrid mail services (Labor Office of the Czech Republic)

On the basis of its inspection plan, the Office carried out an inspection in accordance with Regulation (EU) 2016/679, the subject of which was the processing of personal data when using the services of the so-called hybrid mail, which is provided by Česká pošta, s.p., in the activities of employment offices. The check was carried out at the Labor Office of the Czech Republic - regional branch in České Budějovice, contact office Strakonice.

The inspection proved that the inspected person uses the service of the Czech Post – hybrid post in the performance of his statutory competences. This service consists in the fact that Česká pošta will ensure for the sender that documents are converted from electronic to physical form and sent to specified addresses. The controlled person uses the hybrid mail service exclusively in the case of sending informative documents and notices that do not have the character of a decision according to the administrative regulations. Česká pošta provides a hybrid mail service on the basis of a contract concluded with the Ministry of Labor and Social Affairs (hereinafter referred to as the "Ministry of Labor and Social Affairs") and is in the position of processor of personal data. The Ministry of Labor and Social Affairs is also a processor of personal data, as it establishes and operates an information system that is also used by the Labor Office of the Czech Republic and its organizational components, among other things, for sending parcels in the form of hybrid mail.

From the point of view of Regulation (EU) 2016/679, the hybrid mail service must be considered a form of personal data processing, while the use of this means is permitted to administrative authorities on the basis of § 19, paragraph 3 of Act No. 500/2004 Coll., Administrative Code. Sending documents in the so-called hybrid mode is therefore only possible if the conditions defined in the law are met. In addition, neither the Labor Office of the Czech Republic nor the Ministry of Internal Affairs and Communications concluded a public law contract with the Czech Post on the transfer of delivery responsibilities. Furthermore, the inspectors found that the conversion of documents carried out by the Czech Post is not an authorized conversion of documents in the sense of Act No. 300/2008 Coll., on electronic operations and authorized conversion of documents.

The procedure of the controlled person when using the hybrid mail service must therefore be evaluated as a choice of means of personal data processing, which, however, is not permitted by administrative authorities under any legal regulation.

When processing personal data when sending documents via hybrid mail, the controlled person violated the obligations set out

in Article 6 of Regulation (EU) 2016/679 (legal title for processing).

Given that the inspected person immediately corrected the objectionable condition, the Office did not impose corrective measures and waived the imposition of a fine.

The inspection was conducted by the inspector JUDr. Jiřina Rippelová.

ContextLocation: Document folders > Site map > Main menu > Supervisory and decision-making activities > Completed inspections > Inspections for the year 2018 > Inspection activities according to the Personal Data Protection Act - 2nd semester > Inspection of personal data processing when using hybrid post services (Czech Labor Office of the Republic) View current documents | document archive | documents including the archive