

18.05.2022

Penalty for GDPR violation

The National Supervisory Authority completed in April 2022 an investigation at the operator Kredyt Inkaso Investments RO S.A. and found a violation of the provisions of art. 5, art. 6, art. 9 and art. 33 of the General Data Protection Regulation (RGPD).

The operator was penalized as follows:

fine in the amount of 24,740 lei (the equivalent of 5000 EURO) for violating the provisions of art. 5 para. (1) lit. a), c), para. (2), art. 6 and art. 9 of the General Data Protection Regulation;

warning for violating the provisions of art. 33 of the General Data Protection Regulation.

The investigation was started as a result of a complaint made by a concerned person who complained that the operator Kredyt Inkaso Investments RO S.A. disclosed his personal data and that of his minor child to certain medical facilities.

During the investigation carried out, it was found that the operator disclosed the petitioner's data (home address, personal numerical code, position held, data regarding the employment contract, data from the medical leave certificates) to certain doctors and certain medical units with which she did not have no legal relationships.

It was also found that the processing of the petitioner's health data could not be carried out on the basis of the legitimate interest as it is not found among the processing conditions provided by art. 9 of the GDPR.

Therefore, the operator illegally processed the petitioner's personal data by illegally and excessively disclosing them, including data on health status, in violation of the processing principles observed by art. 5 para. (1) lit. a), c), para. (2) and the conditions of legality provided by art. 6 and art. 9 of the GDPR.

At the same time, it was found that the operator Kredyt Inkaso Investments RO S.A. did not respect the deadlines for the notification of the security incident occurring at the time of the disclosure of the petitioner's data to a doctor with whom the petitioner had no legal relationship, thus violating the provisions of art. 33 of the GDPR.

Legal and Communication Department

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