

ANNOUNCEMENT

COMMISSIONER FOR PROTECTION OF PERSONAL DATA

Imposition of an administrative fine of €925,000
to the company WS WiSpear Systems Ltd

An administrative fine of nine hundred and twenty-five thousand euros (€925,000) was collected today from the above company, following a Decision I issued, for its violation of the Principle of Legality, Objectivity and Transparency established by Article 5(1)(a) of General Data Protection Regulation (GDPR).

The case concerned the much-vaunted "van" case. My Office has been working closely with the Police on this case since November 2019 and I issued a relevant Opinion to assist the investigative work. Upon completion of the criminal investigation, which also took into account the assistance of my Office, the case file was transferred to the Legal Service. After the company was informed of the results of the investigation, it sent a letter to my Office in which it essentially admitted its responsibility for the above violation.

In imposing the fine I took into account various aggravating and mitigating factors, such as the company's admission to my Office and the confirmation I received from the Legal Service that, from the experts' investigation, there was no evidence of any device monitoring or interception of any private communications .

In my Decision, I concluded that the company's activities, which resulted in the collection of Mac Address (Media Access Control Address) and IMSI (International Mobile Subscriber Identity) data of various devices, in the context of tests and presentations of the technologies, which the company carried out during substantial time, without the knowledge of the users of the devices, constituted a violation of the Principle of Legality, Objectivity and Transparency.

Mac Addresses are unique numbers that identify a device when it connects to the internet. The IMSI is a unique number contained in SIM (Subscriber Identity Module) cards that identifies a subscriber when connected to his provider's network. This data, combined with the geographic location of a device, at different times, may lead to the identification of the user of the device.

The imposition of the administrative fine does not concern any criminal responsibilities of the company, should they be judged.

Irini Loïzidou Nikolaidou
Protection Commissioner
Personal Data

November 12, 2021