

Penalty for GDPR violation

On 11.02.2020, the National Supervisory Authority completed an investigation at the Vodafone Romania SA operator and found that it violated the principles of personal data processing established by the provisions of art. 5 para. (1) lit. d) and f) in conjunction with art. 5 para. (2) of the General Data Protection Regulation.

The Vodafone Romania SA operator was fined 14,308.8 lei, the equivalent of 3,000 euros.

The sanction was applied to the operator because it wrongly processed the personal data of a natural person in order to resolve his complaint, which subsequently determined the transmission of the operator's response to an erroneous e-mail address, not having adopted sufficient security measures against the illegal processing of data personal data of the respective person, in violation of the processing principles provided by art. 5 para. (1) lit. d) and f) in conjunction with art. 5 para. (2) of the General Data Protection Regulation.

At the same time, a corrective measure was also applied to the Vodafone Romania SA operator, based on the provisions of art. 58 para. (2) lit. d) from the General Regulation on Data Protection.

Thus, the operator was obliged to ensure compliance with the General Regulation on Data Protection of the operations of collection and further processing of personal data, by implementing effective methods of respecting data accuracy, including in the case of data collection, such as the electronic mail address. In this sense, the implementation of appropriate and effective security measures from a technical and organizational point of view was ordered, including through regular training of the persons who process data under the authority of the operator, within 30 days from the date of communication of the minutes of sanctioning.

In this context, we highlight the provisions of art. 5 para. (1) of the General Data Protection Regulation, which provides that "personal data are:

d) accurate and, if necessary, updated; all necessary measures must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are deleted or rectified without delay ("accuracy");
f) processed in a way that ensures adequate security of personal data, including protection against unauthorized or illegal processing and against accidental loss, destruction or damage, by taking appropriate technical or organizational measures ("integrity and confidentiality")."

Also, art. 5 para. (2) of the Regulation provides that "The Operator is responsible for compliance with paragraph (1) and can

demonstrate this compliance ("responsibility").

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