

11.11.2021

## Penalty for GDPR violation

In October 2021, the National Supervisory Authority completed an investigation at the operator VODAFONE Romania S.A. and found a violation of the provisions of art. 32 para. (1) lit. b) and para. (4) of the General Data Protection Regulation (RGPD), as well as violation of the provisions of art. 3 paragraph (1) and para. (3) lit. a) and b) from Law no. 506/2004 regarding the processing of personal data and the protection of privacy in the electronic communications sector.

Operator S.A. was penalized as follows:

- fine in the amount of 7,421.25 lei, the equivalent of 1,500 EURO, for violating the provisions of art. 32 para. (1) lit. b) and para. (2) from GDPR;
- fine in the amount of 7,000 lei for violating the provisions of art. 3 paragraph (1) and para. (3) lit. a) and b) from Law no. 506/2004

The investigation was started as a result of the transmission by the operator of several notifications of personal data security violations under the General Data Protection Regulation or Regulation (EU) no. 611/2013.

With regard to the security breaches notified under the GDPR, the National Supervisory Authority found that the operator did not implement adequate technical and organizational measures to ensure that any natural person acting under the authority of the operator or the person authorized by the operator and who has access to personal data does not process them except at the request of the operator, unless this obligation rests with him under Union law or internal law and in order to ensure a level of security corresponding to the risk of processing, including the ability to ensure data confidentiality.

This situation led to the unauthorized disclosure and/or unauthorized access to the personal data of a number of 6 natural persons, between November 16, 2020 and May 18, 2021 (transmission of service contracts to erroneous e-mail addresses, unauthorized access of the operator's employees to the personal data of Vodafone customers without any requests from them).

Regarding security breaches notified pursuant to Regulation (EU) no. 611/2013, the National Supervisory Authority found that the operator did not implement adequate technical and organizational measures to ensure the security of personal data processing, which would guarantee that personal data can only be accessed by authorized persons for the purposes authorized by law and to protect personal data stored or transmitted against unlawful processing, access or disclosure.

Thus, the operator processed the personal data of 64 natural persons through unauthorized access to their data by the operator's employees between November 4, 2020 and June 22, 2021.

Legal and Communication Department

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