

Path: Home page > Main menu > Supervisory and decision-making activity Control of personal data processing during the activity of an insurance agent (SMS finance, a.s.)

Based on the initiative, the Office carried out an inspection in accordance with Act No. 101/2000 Coll., the subject of which was the processing of personal data during insurance mediation.

The controlled person, as an independent business entity, is in the position of a personal data controller during the given processing, as it has determined the purpose and means for the processing of personal data. Individual subordinate insurance intermediaries are then in the position of processors of personal data. The inspection revealed that the inspected person does not have a processing contract with his processors, because the contract pursuant to § 6 of Act No. 101/2000 Coll. it is not possible to consider the contractual obligation of the processor to follow the internal directive of the controlled person on the handling of personal data. In addition, the controlled person did not have consent or any other legal title for the processing of the complainant's personal data.

The Office therefore found that the controlled person violated the obligations set out in § 5, paragraph 2 (legal title for processing) and § 6 (processing contract) of Act No. 101/2000 Coll. The Chairperson of the Office rejected the objections submitted by the inspected person against the inspection findings.

The Office has initiated proceedings on the imposition of corrective measures and will initiate proceedings on the offence.

The inspection was conducted by inspector Ing. Josef Vacula.

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 the processing of personal data during the activities of an insurance agent (SMS finance, a.s.)Show current documents | document archive | documents including the archive