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A new penalty for non-compliance with the GDPR

In April 2023, the National Supervisory Authority completed an investigation at the operator Compania Națională Poșta Română S.A. and found the violation of the provisions of art. 5 para. (1) lit. a) and para. (2), related to art. 6 para. (1) of Regulation (EU) 2016/679.

The operator was penalized for contravention with a fine of 24,719.50 lei, the equivalent of 5,000 EURO.

The sanction was applied as a result of notifications regarding the completion of Form 230 by the operator Compania Națională Poșta Română S.A. with personal data of its own employees, in order to redirect the percentage of 3.5% of their annual income tax to a foundation belonging to the same operator.

In the course of the investigation, it was found that during January 2023, the operator partially completed Form 230 with employee data, namely with name, surname and CNP, without having a legal obligation in this regard and without providing proof of fulfillment any other conditions from those provided for in art. 6 para. (1) of Regulation (EU) 2016/679 (such as employee consent). We emphasize that the operator had the obligation to process the data in a legal, fair and transparent manner towards the data subject, in accordance with the provisions of art. 5 para. (1) lit. a) from Regulation (EU) 2016/679. In addition to the fine, the operator was advised to take all necessary measures so that, in all situations, personal data are processed in accordance with the processing principles provided for in art. 5 of Regulation (EU) 2016/679 and based on a legal basis, established according to art. 6 of Regulation (EU) 2016/679.

The operator Compania Națională Poșta Română S.A. paid the entire applied fine, respectively the equivalent of 5,000 EURO.

Legal and Communication Department

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