

22.02.2022

Penalty for GDPR violation

In February 2022, the National Supervisory Authority completed an investigation at the operator IAMSAT Muntenia SA and found a violation of the provisions of art. 12, art. 13 and art. 21 of the General Data Protection Regulation.

The operator was penalized for contravention, as follows:

fine in the amount of 9,892.4 lei, the equivalent of 2,000 euros, for violating the provisions of art. 12-13 of the General Data Protection Regulation;

fine in the amount of 4,946.2 lei, the equivalent of 1,000 euros, for violating the provisions of paragraph 12. (3) and art. 21 of the General Data Protection Regulation.

The investigation was started as a result of a complaint made by a concerned person who complained that IAMSAT Muntenia SA continued to process his personal data after the termination of the employment contract in 2020. Through a request, this person informed to the operator that he does not give his consent for the use of his e-mail address and that he opposes the processing of his personal data by IAMSAT Muntenia SA and/or by third natural or legal persons, after the termination of the employment contract.

During the investigation carried out, it was noted that IAMSAT Muntenia SA did not present evidence regarding the prior and complete information of its employees, including the data subject, before starting the processing of the personal data of these persons through the means of video surveillance installed in their place of work, put into operation from mid-2020, although the operator had the obligation to inform employees according to art. 12-13 of the General Data Protection Regulation.

At the same time, it was noted that IAMSAT Muntenia SA did not resolve the request of the person concerned and did not communicate to him an answer regarding the measures adopted following the exercise of the right of opposition within the legal terms, in accordance with the provisions of art. 12 para. (3), related to art. 21 of the General Data Protection Regulation.

At the same time, two corrective measures were applied to the operator during the investigation, as follows:

the corrective measure to ensure compliance with the General Regulation on Data Protection of personal data processing operations, by ensuring complete information of the persons concerned, in particular, of the operator's employees, regarding the use of the video surveillance system, by referring to the obligations provided for of art. 12-13 of the General Data Protection Regulation;

the corrective measure of sending an answer to the person concerned to his request, which includes the measures adopted following the exercise of the right of opposition, by reference to the provisions of art. 12 and 21 of the General Data Protection Regulation.

Legal and Communication Department

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