

A new sanction applied by ANSPDCP

On 13.02.2020, the National Supervisory Authority completed an investigation at the operator Vodafone Romania SA and found that it violated the provisions of Law no. 506/2004 on the processing of personal data and the protection of privacy in the electronic communications sector, as subsequently amended and supplemented.

The operator of Vodafone Romania SA was sanctioned with two fines totaling 20,000 lei.

The sanctions were applied to the operator as a result of a notification regarding the fact that Vodafone Romania SA violated the security and confidentiality of personal data.

Thus, a petitioner of the Authority claimed that she requested an offer by phone, through the website of the operator Vodafone Romania SA and that, subsequently, she received on her e-mail address, a contract concluded by the operator with another natural person. , the petitioner suspected that her personal data could have been disclosed to this person.

Following the investigation carried out at the operator, the Authority found that Vodafone Romania SA did not comply with the provisions of art. 3 para. (1) - (3) of Law no. 506/2004, as subsequently amended and supplemented, according to which the provider of an electronic communications service intended for the public has the obligation to take appropriate technical and organizational measures to ensure the security of the processing of personal data, that they must ensure a proportionate level of security with the existing risk, taking into account the latest technical possibilities and the costs of implementing these measures and comply with at least the following conditions:

- a) to guarantee that personal data may be accessed only by authorized persons, for the purposes authorized by law;
- b) to protect personal data stored or transmitted against accidental or unlawful destruction, against accidental loss or damage and against unlawful storage, processing, access or disclosure;
- c) to ensure the implementation of the security policy developed by the provider regarding the processing of personal data

It was also found that the provisions of art. 3 para. (6) of Law no. 506/2004, with subsequent amendments and completions, according to which "In case of a breach of personal data security, the providers of electronic communications services intended for the public will notify ANSPDCP, without delay, of the respective breach."

In addition to the fines imposed on the operator of Vodafone Romania SA, the National Supervisory Authority recommended that, within 30 days from the date of communication of the minutes, to take the necessary measures to comply with the provisions of art. 3 para. (1) - (3) of Law no. 506/2004, as subsequently amended and supplemented, in order to implement

adequate security measures for the processing of personal data, including in terms of ensuring the confidentiality and protection of personal data against unlawful disclosure

It was also recommended to the operator of Vodafone Romania SA, in the future, to notify the security breaches, without delay, to the National Supervisory Authority.

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