

A new fine for breaching GDPR

On 25.11.2019, the National Supervisory Authority completed an investigation at the operator Telekom Romania Mobile Communications SA, finding the following:

violation of the provisions of art. Art. 32 para. (1) lit. b) and art. 32 para. (2) from the General Data Protection Regulation;
violation of art. 5 para. (1) lit. d) from Regulation (EU) 679/2016.

The operator Telekom Romania Mobile Communications SA was sanctioned with a warning for violating the provisions of art. 32 para. (1) lit. b) and art. 32 para. (2) of Regulation (EU) 679/2016 and with a fine of 9,544.40 lei, the equivalent of 2000 EURO for the violation of art. 5 para. (1) lit. d) from Regulation (EU) 679/2016.

The sanctions were applied as a result of a complaint claiming that the petitioner receives at his home address invoices addressed to another person, a client of the operator, as well as the fact that he reported this situation to the operator, but did not receive a response.

During the investigation, Telekom Romania Mobile Communications SA could not prove the accuracy of the processed data, which led to the violation of the basic principle for data processing provided by art. 5 para. (1) lit. d) from GDPR.

Thus, according to art. 5 para. (1) lit. d) from Regulation (EU) 679/2016, "personal data are:

d) accurate and, if necessary, updated; all necessary steps must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are deleted or rectified without delay ("accuracy")."

It was also found that the operator did not take adequate technical and organizational measures to ensure the confidentiality of personal data, a fact that led to the disclosure of the personal data of a customer of the operator by sending to the petitioner's address some invoices issued in the name the respective client.

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