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On the basis of the initiative, the Office carried out an inspection in accordance with Act No. 101/2000 Coll., the subject of which was the security of personal data during the activities of the tax office. The subject of the complaint was the delivery of an enforcement order to the wrong address.

The audit focused on assessing whether and to what extent the obligations of the audited person, as a personal data controller, arising from the provisions of § 13 paragraphs 1 to 4 of Act No. 101/2000 Coll. (security of personal data). As part of the inspection, the Office evaluated the internal regulations of the inspected entity governing the handling of documents, the procedure for employee training, including in relation to the use of the automated tax information system. He also checked the measures taken to ensure the physical security of the premises where personal data is processed.

The Office found that the controlled person adopted and implemented sufficient technical and organizational measures to ensure the security of processed personal data. The incident in question was therefore not caused by the absence or inadequacy of measures on the part of the inspected person, but by the misconduct of an employee of the inspected person.

The Office therefore found a violation of § 14 of Act No. 101/2000 Coll. (processing under conditions set by the administrator), which is not, however, an offence. Such employee misconduct is dealt with in disciplinary or disciplinary proceedings as part of the employment relationship.

The inspection was conducted by the inspector JUDr. Jiřina Rippelová.

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