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Summary of ANSPDCP activity - 2020

In order to meet the objective of the National Supervisory Authority to provide information to operators, data subjects and the general public, we present a summary of the most significant aspects of the activity of the National Supervisory Authority carried out during 2020.

Thus, in 2020, the National Supervisory Authority received a total of 5480 complaints, notifications and notifications regarding security incidents, based on which 694 investigations were opened.

As a result of the investigations, 29 fines were applied in a total amount of 892115.95 lei.

Also, 64 warnings were applied and 65 corrective measures were ordered.

In 2020, regarding the activity of resolving complaints, the Supervisory Authority received a total number of 5082 complaints, on the basis of which 296 investigations were initiated.

Regarding security incidents, in 2020 the data operators transmitted, both under the RGPD and Law no. 506/2004, a number of 194 notifications, and the notifications regarding possible non-compliances with the provisions of the RGPD amounted to a number of 204.

As a result of the notifications received and the security breaches notified by the personal data controllers, during 2020, a number of 398 ex-officio investigations were opened at the level of the Supervisory Authority.

Also, in the context of cooperation with other supervisory authorities in order to ensure mutual assistance, 56 requests were handled regarding the application and compliance with Regulation (EU) 679/2016.

At the same time, during 2020, a number of 1151 requests to the National Supervisory Authority were sent for the views on various issues regarding the interpretation and application of Regulation (EU) 679/2016, by operators and their proxies, from public and private domain, by other entities as well as by individuals.

In addition, the operators, the public and the persons concerned were also informed through the 62 answers provided to citizens and the media, according to Law no. 544/2001.

Regarding the activity of representation in court, in 2020 the National Supervisory Authority managed a number of 127 cases pending before the courts in different procedural stages.

During 2020, operators continued to declare those responsible for data protection, registering with the National Supervisory

Authority a number of 2081 officials appointed by public and private sector operators.

The National Supervisory Authority continued, in 2020, the communication activities intended to inform the general public about the specific rules for the processing of personal data, in the context of Regulation (EU) 2016/679.

Thus, for the celebration of the European Data Protection Day in 2020, the National Supervisory Authority organized the Conference on "Practical aspects of application of the General Regulation on Data Protection and incidental national regulations", at the Palace of the Parliament, on January 31, 2020 .

The event provided an opportunity for debate on the application of the new requirements of the General Regulation on data protection, of Law no. 129/2018 and of Law no. 190/2018 on some measures for the implementation of the General Data Protection Regulation, also related to the competences of the Authority.

To mark this event, the Supervisory Authority prepared and made available to the public on its website www.dataprotection.ro some informative materials (brochures, leaflets) dedicated to the European Day of Data Protection.

Also, on the national television station TVR and in the means of transport STB, the informative clip dedicated to the General Regulation on Data Protection was broadcast in 2020 - a message of public interest regarding the main aspects regulated by Regulation (EU) 2016/679, made by our institution, and at the headquarters of the Authority was organized "Open Day".

On the occasion of the celebration of two years since the application of Regulation (EU) 679/2016, the National Supervisory Authority organized, in May 2020, an online drawing contest for children up to 14 years old, with the theme: " What does personal data / personal data protection mean " .

Also, to mark this event, the Supervisory Authority posted a press release on the institution's website. He also posted the video prepared by the European Data Protection Board.

In relation to the specific issue of 2020, the Supervisory Authority issued a press release entitled "Processing of personal data in the context of elections for local government authorities", given the obligation of entities involved in this process to pay more attention to compliance on the protection of personal data, to ensure that personal data are used responsibly and that the rights of data subjects are respected.

The Supervisory Authority also issued a press release entitled "Data processing by owners 'associations", which explains how data processing by owners' associations and the obligations they reported to the provisions of the RGPD and the regulations own specific.

Throughout 2020, our institution has actively participated in data protection meetings, organized by various public institutions or private entities, including online.

At these events, the representatives of the National Supervisory Authority clarified certain aspects regarding the conditions of use of data, respect for the rights of data subjects and ensuring the confidentiality of personal data processing, which reflects the continuity of the Authority's openness to civil society.

In this context, we note that the Supervisory Authority has participated in a number of meetings, symposia and seminars, including online, such as:

at the GDPR National Conference "Data Protection - Solutions and Responsibilities", organized online by the Universul Juridic Editorial Group and the Romanian Journal for the Protection and Security of Personal Data (RRPSDCP), by giving a lecture on the role and competencies of the National Supervisory Authority;

at the National Agency of Civil Servants, at the seminars held during the project "Training in the field of personal data processing for the structures within the coordination, management and control system of FESI in Romania";

at the National Agency of Civil Servants, at the meeting on data protection within the European funds from 02.10.2020;

at the Ministry of Public Works, Development and Administration, at the workshop on "Debating the issues highlighted in the process of analyzing the applicable legislation, situations and difficulties encountered in practice by public authorities and institutions regarding the main categories of acts and administrative contracts" organized within the project "Tools for systematization of legislation, monitoring and evaluation in public administration";

at the workshop "Mobility, a challenge for the application of GDPR", by holding a lecture on practical and theoretical issues related to the issue of securing personal data on mobile devices;

at the European webinar "The DPO in times of Covid 19", organized by the Association of Privacy and Data Protection Specialists (ASCPD) together with the Confederation of European Data Protection Organizations (CEDPO);

at the meeting of the Dapix Working Group, together with representatives of the Ministry of Administration and Interior;

at a video conference with members of the Romanian-American Chamber of Commerce (AmCham Romania), during which issues were discussed regarding the application of the provisions of the General Regulation on Data Protection (RGPD) regarding the transfer of personal data to countries outside the Union Following the decision of the Court of Justice of the European Union in Schrems II (C-311/18).

On the other hand, we point out that telephone advice has been provided to several public and private operators on how to implement the provisions of Regulation (EU) 2016/679, making explicit and clarifying a number of measures on which operators are obliged to implement them in order to comply with the provisions of this regulation, in the conditions in which the activity of granting hearings at the headquarters was required to be suspended in the context of the pandemic triggered in March 2020.

The Supervisory Authority participated in the meetings of some inter-institutional working groups in order to discuss the draft normative acts initiated by some ministries, but also on various complex issues related to the protection of personal data. At the same time, the Supervisory Authority took part in meetings with public authorities and institutions, including online, such as: Directorate of Public Records and Database Administration, Romanian Office for Prevention and Combating Money Laundering, National Bank of Romania, Ministry Education and Research, Ministry of Regional Development and Public Administration, Ministry of Administration and Interior, Romanian Digitization Authority.

The Supervisory Authority also participated in the specialized parliamentary committees, including online in order to support proposals or draft laws aimed at personal data protection issues.

Regarding the private sector operators, during some videoconferences but also working meetings at the headquarters of the Supervisory Authority, discussions were held on issues regarding the legal conditions of data processing in various fields of activity, including the transfer of personal data to countries outside the European Union, following the decision of the Court of Justice of the European Union in Schrems II (C-311/18).

Thus, meetings were held with the Romanian-American Chamber of Commerce (AmCham), the Romanian Association of Banks (ARB), the Romanian Transmedia Audit Bureau (BRAT), the Council of Foreign Investors (FIC), the Association for Technology and Internet (ApTI), Privacy International.

Also, in order to raise awareness about the obligations of operators, according to the provisions of Regulation (EU) 2016/679, the National Supervisory Authority sent two addresses to the Association of Romanian Municipalities and the Association of Romanian Communes by which it requested their support in order to announce to all members of the associations regarding the obligation to announce to the National Supervisory Authority the person in charge designated at the level of each local public authority, according to art. 37 of Regulation (EU) 2016/679.

At the same time, the representatives of our institution participated in the EDPB Plenary Sessions, held online starting with

March 2020.

Prompt and efficient information of individuals, but also of operators, was made through the Authority's website, both in terms of the 60 press releases posted in the "News" section, and the information from the special section dedicated to the Regulation General on Data Protection.

In this context, we also recommend consulting the brochure dedicated to the European Data Protection Day - 2021, available in the section General information / Information of public interest / Information materials.

Legal and Communication Department

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