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para. 1 of the Regulations for the Activities of the Commission for the Protection of Personal Data and its Administration (PDKZLDNA) – there are data on the complainant; nature of the request; date of knowledge of the violation; person against whom the complaint is filed; date and signature. The complaint is procedurally admissible - submitted within the period under Art. 38, para. 1 of the GDPR by a data subject with a legal interest. The same has as its subject an allegation of violation of rights under Regulation 2016/679 or the PPE. The complaint was referred to a body competent to make a decision - the Commission for the Protection of Personal Data, which according to its powers under Art. 10, para. 1 of the Labor Code in connection with Art. 57, paragraph 1, letter "f" of Regulation 2016/679 deals with complaints submitted by data subjects. The prerequisites for admissibility are also present under Art. 27, para. 2 of the APC. The Commission for the Protection of Personal Data is an independent supervisory authority that protects individuals when processing their personal data and when accessing this data, as well as monitoring compliance with Regulation (EU) 2016/679 of the European Parliament and of the Council of April 27, 2016 on the protection of natural persons in relation to the processing of personal data and on the free movement of such data (in short "the Regulation" or Regulation 2016/679) and the Personal Data Protection Act (PDPA). One of the tasks of the CPLD under Art. 10, para. 1 of the Labor Code in connection with Art. 57, paragraph 1, letter "f" of Regulation 2016/679 is to consider complaints submitted by data subjects and to investigate the subject of the complaint to the extent appropriate. The expediency in considering appeals is pre-procedurally developed in Art. 38, para. 4 AZLD - when the complaint is clearly groundless or excessive, the complaint can be left without consideration by a decision of the Commission. Regulation 2016/679 and the Personal Data Protection Act (PDPA) define the rules regarding the protection of natural persons in connection with the processing of their personal data, as well as the rules regarding the free movement of personal data. The aim is to protect fundamental rights and freedoms of natural persons, and in particular their right to protection of personal data. The processing of personal data by personal data administrators, both in the public and in the private sphere, is lawful and permissible, if any of the legal grounds exhaustively listed in Art. 6, paragraph 1 of Regulation (EU) 2016/679: a) the data subject has given consent to the processing of his personal data for one or more specific purposes; b) the processing is necessary for the performance of a contract to which the data subject is a party, or to take steps at the request of the data subject prior to the conclusion of a contract; c) the processing is necessary for compliance with a legal obligation that applies to the controller; d) the processing is necessary to protect the vital interests of the data subject or another natural person; e) the processing is necessary for the performance of a task of public interest or in the exercise of official powers granted to the

controller; f) the processing is necessary for the purposes of the legitimate interests of the controller or a third party, except when such interests are overridden by the interests or fundamental rights and freedoms of the data subject that require the protection of personal data, in particular when the data subject is kid. Consent under letter "a" is one of the grounds for collecting and processing personal data. Regardless of the fact that it is stated in the first place, all legal grounds are alternative and equal, and they are not arranged in a hierarchical relationship. The presence of any of these makes the processing lawful. As can be seen from the written evidence submitted to the complaint, a writ of execution was issued against the complainant in favor of L.H. The latter has authorized with a notarized power of attorney a third party - J.Y., to initiate and conduct an enforcement case on the basis of the issued enforcement document. Given the thus established representative authority, J.Y. has filed an application for the initiation of an enforcement case. It is the processing of personal data in connection with the authorization and the initiation of an enforcement case that is disputed by the applicant as illegal. From a reference in the Register of Advocacy, it is established that the authorized person does not practice the legal profession. There is no information in the power of attorney that the person is a parent, child or spouse of the person authorizing. Therefore, the authorized person is actually not from the circle of representatives under Art. 32 of the Civil Procedure Code (CPC). In this case, however, the representation does not necessarily have to be in accordance with Art. 32 of the Civil Code. The authorization to initiate and conduct enforcement proceedings does not constitute an act of legal representation within the meaning of Chapter Five of the Code of Criminal Procedure (among which is also Article 32), where legal representation in court proceedings is regulated. Motives in this sense are contained in Decision No. 109/27.01.2010 of the Supreme Court, TC, I T.O. according to the Civil Code No. 22/2010. Therefore, the authorization can be issued according to the general substantive legal order of Art. 36 of the Law on Obligations and Contracts (ZZD), according to which one person can represent another under a provision of the law or at the will of the represented person. The consequences of the legal actions that the representative performs arise directly for the represented. In the case under consideration, the authorization is at the will of the represented. In the rules for representation under Art. 36-43 of the ZZD there are no restrictions regarding the persons who can be authorized to perform certain actions. Given the above, there is a legitimate interest for L.H. to be enforced by means of the initiation of an enforcement case awarded in her favor in the court proceedings for which a writ of execution has been issued. The fact that there is a legally established possibility of authorizing a third party to carry out the actions to initiate and conduct the enforcement case substantiates the superiority of the legitimate interest of L.H. before the interests or fundamental

rights and freedoms of the data subject that require the protection of personal data. Therefore, the basis for the admissibility of the processing of personal data according to Article 6, paragraph 1, letter "f" of Regulation 2016/679 is present, which is why the complaint is unfounded. Thus motivated and based on Art. 38, para. 4 of the Labor Code in connection with Art. 38, para. 1 of the Regulations for the activities of the CPLD and its administration, the Commission for the Protection of Personal Data DECIDES: Leave complaint No. PPN-01-51/18.01.2021, filed by E.S., without consideration as obviously unfounded. This decision can be appealed within 14 days of its delivery through the Commission for the Protection of Personal Data, before the Administrative Court of Sofia - city. CHAIRMAN: MEMBERS: Ventsislav Karadzov /m/ Tsanko Tsolov /m/ Maria Mateva /m/

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