

01.11.2021

Penalty for GDPR violation

On 01.10.2021, the National Supervisory Authority completed an investigation at the operator S.P.E.E.H. Hidroelectrica S.A. and found the violation of the provisions of art. 32 para. (1) lit. b) and para. (2) of the General Data Protection Regulation (RGPD), as well as the violation of the provisions of art. 5 para. (1) lit. a) and of art. 6 para. (1) of the GDPR.

Operator S.P.E.E.H. Hidroelectrica S.A. was penalized as follows:

- fine in the amount of 24,739.50 lei, the equivalent of 5,000 EURO, for violating the provisions of art. 32 para. (1) lit. b) and para. (2) from GDPR;
- warning, for violating the provisions of art. 5 para. (1) lit. a) and of art. 6 para. (1) of the GDPR.

The investigation was started as a result of the transmission by the operator of several notifications of personal data security violations.

The national supervisory authority found that the operator did not implement adequate technical and organizational measures to ensure a level of security corresponding to the risk presented by the processing.

This situation led to the illegal access or disclosure to wrong recipients of the personal data of 325 natural persons.

Also, the operator processed the personal data of 3 natural persons, own clients, after exercising the right to delete the data and withdrawing the consent for data processing by them. Thus, the processing was carried out without the existence of one of the legal bases provided by art. 6 para. (1) of the GDPR, although the operator had the obligation to process the data in a legal, fair and transparent manner towards the data subject.

At the same time, the following corrective measures were applied to the operator:

- reviewing and updating the technical and organizational measures implemented as a result of the risk assessment for the rights and freedoms of individuals, including the work procedures related to the protection of personal data, as well as the implementation of measures regarding the periodic training of persons acting under his authority, regarding their obligations according to the provisions of the RGPD, including the risks involved in the processing of personal data, depending on the specifics of the activity;
- the identification and implementation of measures to ensure that the processed personal data are accurate and up-to-date, taking into account the purposes for which they are processed, including the record of the data subject's exercise of the right to

delete personal data.

Legal and Communication Department

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