

Decision concerning Groupon International Limited

Date of Decision: 16 December 2020

Acting in its capacity as lead supervisory authority, the DPC commenced an examination of a complaint originally received by the Polish Data Protection Authority. The complaint concerned cross-border processing in which the DPC was competent to act as lead supervisory authority. This complaint concerned Groupon's practice at the time of the complaint of requiring data subjects to verify their identity with an electronic copy of a national identity card. This requirement applied when data subjects made certain requests, including requests for erasure of personal data, but the requirement did not apply when data subjects created a Groupon account.

The decision-making followed the procedure set out in Article 60 of the GDPR for cross border processing. The procedure included an examination of the complaint by the DPC, including an attempt to amicably resolve the complaint; a Draft Decision circulated amongst the Concerned Supervisory Authorities; the DPC's careful consideration of each relevant and reasoned objection received; a Revised Draft Decision circulated amongst the Concerned Supervisory Authorities; the adoption of the Final Decision; and finally the Polish Data Protection Authority was responsible for informing the complainant of the decision.

- The decision found that Groupon infringed the principle of data minimisation in Article 5(1)(c) GDPR by requiring the complainant to verify their identity by submitting a copy of a national ID document in circumstances where a less data-driven solution to the question of identity verification (namely by way of confirmation of email address) was available to Groupon.
- The decision also found that Groupon infringed Articles 12(2), 17(1)(a) and 6(1) in the circumstances of the complainant's case.
- The decision also reprimanded Groupon in respect of the infringements.