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Hotel

The inspection was initiated on the basis of

complaints of a Polish citizen through the system for the exchange of information about

internal market (IMI). This complaint concerned the unauthorized processing of personal data

data, specifically taking scans of identity cards and their others

processing by a controlled person. The subject of the inspection was

compliance with personal data protection obligations when conducting business activities

natural persons doing business, in particular Articles 5 to 7 and Articles 13 to 22 of the General Regulation

with respect to that person's client database. The inspectors found that the subject was taking scans

of citizenship and other identity documents when concluding accommodation contracts, allegedly

on the basis of consents of data subjects. However, she was unable to document these consents. To process

she did not have the personal data listed on the scans of her clients' identity cards

the controlled person no reason, thus violated Article 6, paragraph 1 of the general regulation. Controlled

the person was not able to document even the granting of consent according to Article 7, paragraph 1 of the general regulation,

further violated the principle according to Article 5 paragraph 1 letter c) of the general regulation according to which

personal data must be adequate, relevant and limited to the necessary scope in

relation to the purpose for which they are processed (data minimization).

Records of processing activities that the controlled person has documented, in addition

did not contain information according to Article 30 paragraph 1 letter a) and b) of the general regulation. Specifically

it was about the absence of communication of the purpose of processing in the case of processing for

for the purpose of providing information about the foreigners staying at the residence to the foreign police a

in the case of processing for the purpose of keeping a record book.

Provisions were also violated

Articles 13 to 22 of the general regulation, when the controlled person of his duties

(information obligation and obligations arising from the rights of data subjects)

she fulfilled only verbally, while she was unable to prove that towards clients

proceeded correctly and transparently according to Article 12, paragraphs 1 and 2 of the general regulation. The controlled person did not object

objection control protocol. In the subsequent administrative proceedings, the Office

imposed a fine and corrective measures.

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