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On the basis of seven initiatives, the Office carried out an inspection of the processing of personal data in connection with an unsolicited offer of goods by the inspected person.

The controlled person was supposed to process personal data for the purpose of offering goods despite previously expressed disagreement, or not allow withdrawal of consent.

The authority found that the controlled person offers goods to their former customers in writing (by sending out coupons intended for ordering goods) and also sends offers to addresses obtained from the database of other entities that the controlled person buys or rents for this purpose (address campaign). The controlled person also distributes offers and places them in mailboxes or in magazines (non-addressable campaign) and also sends out offers via e-mail, to the addresses of his customers or to addresses obtained from the database of other entities. The controlled entity also offers its goods by telephone through a call center, using both the telephone numbers of its customers and telephone numbers from another entity's database.

The Office found that the audited person violated the obligation according to § 5 paragraph 2 of Act No. 101/2000 Coll., as it processed the personal data of the complainants without a legal title. At the same time, a violation of Section 5, Paragraph 5 of Act No. 101/2000 Coll. was established, as the controlled person also processed the telephone numbers of customers and other persons without their consent for the purpose of offering business. Furthermore, the Office found a violation of the obligation pursuant to § 11 paragraphs 1 and 2 of Act No. 101/2000 Coll. (information obligation), as the information provided to the data subjects by the controlled person was insufficient for all methods of communication. The Chairperson of the Office rejected the objections submitted by the inspected person against the inspection findings. Given that the audited person informed the Office immediately after the end of the inspection that he had rectified the defective condition detected by the inspection, the Office did not impose corrective measures. The office will initiate proceedings for an offense in the matter.

The inspection was conducted by the inspector JUDr. Jiřina Rippelová.

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