

Fine for GDPR violation

On 29.11.2019, the National Supervisory Authority completed an investigation at an Owners' Association and found a violation of certain provisions of the General Data Protection Regulation.

The Owners' Association was sanctioned as follows:

for the contravention found according to art. 12 of Law no. 190/2018, by reference to the provisions listed in art. 83 para. (5)

lit. a) from the RGPD - fine in the amount of 2389.05 lei, the equivalent of 500 euros;

for the contravention found according to art. 12 of Law no. 190/2018, by reference to the provisions listed in art. 83 para. (5)

lit. b) from RGPD – warning;

for the contravention found according to art. 12 of Law no. 190/2018, by reference to the provisions listed in art. 83 para. (4)

lit. a) from RGPD – warning.

The sanctions were applied as a result of a complaint in which the petitioner complained about the access, use and disclosure to various people, without legal basis, of some images of his person, originating from the video surveillance system of the Owners' Association.

Following the investigation, it was found that the Owners' Association did not adopt sufficient security, technical and organizational measures, adequate to protect the personal data collected through the video surveillance system.

At the same time, the following corrective measures were applied to the Owners' Association:

the corrective measure to ensure compliance with the RGPD of the processing operations carried out through the video surveillance system for the purpose of informing the persons concerned according to art. 12 and 13 of the RGPD, including by posting warnings and information notes near the places where the video cameras are installed, within 10 working days from the date of communication of this report (art. 58 para. (2) letter d) from GDPR);

the corrective measure to ensure compliance with the RGPD of the processing operations by adopting security, technical and organizational measures, adequate to protect the personal data collected through the video surveillance system, including the integration of data protection principles (such as of the limited storage of records), of the establishment of a limited number of persons to have access to this system, of the rights that can be assigned to each of them, of the provision of clear processing instructions for the persons who process data under the authority of the association, so that to avoid accessing, disseminating or processing in another unauthorized way the personal data processed through this system, according to art. 25 and art. 32 of

the RGPD, within 30 days from the date of communication of these minutes (art. 58 paragraph (2) letter d) of the RGPD).

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