

Dispute room

Decision on the merits 61/2021 of 19 May 2021

File number : DOS-2019-04867

Subject: Revocation of decision 5/2021 of 22 January 2021

The Dispute Chamber of the Data Protection Authority, composed of Mr Hielke

Hijmans, chairman and Messrs. Jelle Stassijns and Frank De Smet, members;

Having regard to Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April

2016 on the protection of individuals with regard to processing

of personal data and on the free movement of such data and revocation of

Directive 95/46/EC (General Data Protection Regulation);

Having regard to the law of 3 December 2017 establishing the Data Protection Authority;

Considering that the Market Court in its rulings 2020/AR/813 of 18 November 2020 and

2021/AR/1159 of 24 February 2021 pointed out the importance of prioritizing data subjects

to inform the handling of the file of the exact allegations and/or infringements

what he might be guilty of;

Considering that during the appeal to the Market Court against the decision on the merits 5/2021

of 22 January 2021 stated that in the procedure preceding this decision

is insufficiently informed about the exact allegations and/or infringements;

Has decided to:

- the decision on the merits 5/2021 of 22 January 2021 against Y by means of the present

decision to withdraw.

- reopen the proceedings before the Disputes Chamber and the parties with due observance of

to request the provisions of Article 98 of the GBA Act to submit new defenses

serve.

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The parties will be informed by separate letter about the new terms within which they  
are expected to submit their defenses to the Disputes Chamber.

Under Article 108, §1 WOG, an appeal can be lodged against this decision within  
a period of thirty days, from the notification, to the Marktenhof, with the  
Data Protection Authority as Defendant.

(Get).Hielke Hijmans

Chairman of the Disputes Chamber