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Flask

The inspection was carried out on the basis of two complaints received. In the first, the complainant stated that a transaction had taken place on his bank account without his knowledge. The second complaint related to an unsolicited commercial message. The check carried out in relation to the first complaint revealed that the owner of the account in question was the development company, not the complainant. It was a so-called escrow account, established for the purpose of payment for the transfer of business shares. The complainant was one of the transferors. The individual parties of the escrow account are not the owners of the contract, only the person signing the contract is identified. The personal data of such a person are then not kept in any of the bank's internal systems, i.e. are listed only in the contractual documentation. In this case, no violation of Regulation (EU) 2016/679 was found. Regarding the second complaint, it was found that the complainant was a client of the bank until December 2016, when he stopped using the credit card. During the termination of the card, a human error occurred that a record of simultaneous termination of Internet banking was not entered in the internal system. For that reason, it happened that in 2019 he was mistakenly included among the clients who were sent information about the changed conditions of internet banking management. At the time of the inspection, the error was corrected. The inspected party processed his personal data for the period necessary and appropriate for the purpose of processing personal data for the fulfillment of legal obligations (fulfilment of archiving obligations according to the file regulations for a period of 10 years from the end of the transaction), but not for the purpose of marketing activities . He therefore used his personal data for the purpose of marketing activities (sending an informational e-mail about new product conditions of internet banking services) illegally.

The inspection revealed a violation of Article 5 paragraph 1 letter e) and Article 6, paragraph 1 of Regulation (EU) 2016/679.

The inspected person corrected the condition before the end of the inspection.

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