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Company

The inspection was initiated based on several complaints received. The Office carried out an inspection, the subject of which was the processing of personal data in the form of their publication on websites operated by the inspected person. Personal data was published from various public registers. The subject of the control was also the exercise of the right to erasure by the data subjects, as well as the right to information about the processing of personal data. The complainants stated that their personal data is processed on the above-mentioned web portal without their knowledge and consent, and further, that in response to their objections to the processing of personal data the operator did not answer them. The controlled person obtained personal data of data subjects from various public registers.

As part of the "overturning" of the insolvency register, the inspected person did not provide legal title on the basis of which he would be authorized to carry out such processing of personal data, and therefore in the matter of publishing personal data from the insolvency register on the Internet (i.e. overturning) such processing is illegal, as it is not based on a legal title as required by Article 6 of Regulation (EU) 2016/679.

In the case of information on public contracts, the auditors came to the opinion that the audited person has a legal title according to Article 6 paragraph 1 letter f) Regulation (EU) 2016/679.

In the case of overturning the trade register, the inspected person did not provide legal title on the basis of which he would be authorized to carry out such processing of personal data, and therefore in the issue of publishing personal data from the trade register on the Internet (i.e. overturning) such processing was evaluated as illegal, as it is not based on a legal title, as required by Article 6 of Regulation (EU) 2016/679, with the exception of data that is listed in the ARES information system, the content of which belongs to the so-called open data, and for such processing the controlled person is evidenced by a legal title according to Article 6 paragraph 1 letter f) Regulation (EU) 2016/679.

In the case of overturning the commercial register, the inspected person did not provide legal title on the basis of which he would be authorized to carry out such processing of personal data, and therefore in the matter of publishing personal data from the commercial register on the Internet (i.e. overturning) such processing was evaluated as illegal, as it was not based on a legal title as required by Article 6 of Regulation (EU) 2016/679.

In the case of "vacant positions", the inspected person will be certified by a legal title according to Article 6 paragraph 1 letter f) Regulation (EU) 2016/679 in relation to records from ISoSS, and it will only be possible to transfer data from the central register of vacancies when this data set is "opened".

In the case of information transferred from registers in accordance with Act No. 529/1991 Coll., on the protection of topologies of semiconductor products, Act No. 527/1990 Coll., on inventions, industrial designs and improvement proposals and Act No. 441/2003 Coll., on trademarks, the inspected person did not provide legal title on the basis of which he would be authorized to carry out such processing of personal data, and therefore in the matter of publishing personal data from registers according to Acts No. 529/1991 Coll., 527/1990 Coll. and 441/2003 Coll. on the Internet (i.e. tipping), such processing was assessed as illegal as it was not based on a legal title as required by Article 6 of Regulation (EU) 2016/679.

In the case of a complaint directed to a request for information on the processing of personal data, the controlled person did not proceed in accordance with Article 15 in conjunction with Article 12, paragraph 3 of Regulation (EU) 2016/679, as he did not properly and timely respond to the question, whether it processes, and to what extent it processes, personal data. The controlled person violated Article 17 of Regulation (EU) 2016/679, as it did not comply with the requests of the data subjects, despite the fact that the data subjects objected to the processing in accordance with Article 21 of the Regulation (EU) 2016/679. The Authority imposed a fine of CZK 10,000 for the violations found.

Additional information:

The creation of databases from data published on the Internet in accordance with special laws, in the form of overturning public registers containing personal data, for business purposes, is not permissible processing of personal data, as such private legal action cannot be justified by the public interest and, as a rule, lacks a legal title for data processing according to Article 6 of the Regulation (EU) 2016/679.

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