

□ File No.: PS/00310/2021

RESOLUTION OF TERMINATION OF THE PROCEDURE FOR PAYMENT

VOLUNTEER

Of the procedure instructed by the Spanish Agency for Data Protection and based on
to the following

BACKGROUND

FIRST: On July 1, 2021, the Director of the Spanish Agency for
Data Protection agreed to initiate a sanctioning procedure against UNIVERSIDAD A
DISTANCE FROM MADRID, S.A. (hereinafter, the claimed party), through the Agreement
which is transcribed:

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Procedure No.: PS/00310/2021

AGREEMENT TO START A SANCTION PROCEDURE

Of the actions carried out by the Spanish Data Protection Agency before
the entity, UNIVERSIDAD A DISTANCIA DE MADRID, S.A., with CIF.: A81618894,
CEF-UDIMA educational group, (hereinafter, "the claimed party"), by virtue of
complaint filed by D. A.A.A., (hereinafter, "the complaining party"), and having
based on the following:

FACTS

FIRST: On 03/19/21, this Agency received a document submitted by
the claimant, in which he indicated, among others, the following:
"On 02/10/21 I requested the data controller (Universidad a Distancia de Madrid
UDIMA) through the email address, ***EMAIL.1 the deletion and
Opposition to the processing of all my data for any type of purpose.

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On 02/15/2021 I received an email from the UDIMA Data Protection Delegate at that the following was explicitly indicated to me: "In response to your request and given that your personal data is no longer necessary in relation to the purposes for which were collected or treated. We have proceeded to remove it from all our records".

On 03/17/21 I received a new email from UDIMA with advertising and the following subject Virtual Employment Fair Invitation through the address of email ***EMAIL.2".

The following documentation is attached to the written complaint:

- 1.- Email sent on 02/10/21, from the claimant's address to the email address ***EMAIL.1 requesting the deletion and opposition of the treatment of your personal data by attaching a copy of your ID.
- 2.- Email sent on 02/15/21, from the address, ***EMAIL.3, to the e-mail address of the claimant, indicating: "In response to your request and since your personal data is no longer necessary in relation to the purposes for those that were collected or treated. We have proceeded to eliminate all our records."
- 3.- Email sent on 03/17/21, from the address, Universidad UDIMA ***EMAIL.2, to the claimant's email address, including a invitation to the Job Fair organized on March 23, 24 and 25 by the Group Educational CEF.- UDIMA.
- 4.- Email sent on 04/14/21, from the address, Universidad UDIMA

***EMAIL.2, to the claimant's email address, with the Subject:

“UDIMA free online sessions”.

SECOND: On 04/30/21, this Agency sent a request

information to the claimed party, in accordance with the provisions of article 65.4

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of Organic Law 3/2018, of December 5, on the protection of personal data and guarantee of digital rights, (“LOPDGDD”).

THIRD: On 05/14/21, this Agency received a written response to the requirement, which, among others, indicated:

The reasons why UDIMA sent the emails object of the claim are linked to the information provided to all its students and applicants for information regarding employment opportunities that are presented linked to the studies that are taught.

In this sense, for the mere purposes of its knowledge by the AEPD, and for its assessment of what happened, it is reported that UDIMA is the first university private online from Spain; recognized in Law 1/2006, of June 14 of the Community of Madrid and that, together with the Center for Financial Studies (CEF) makes up the CEF Educational Group. - UDIMA.

By virtue of this reason, its methodology is based on online training, making priority use of new information and communication technologies. This way, it is pursued that, despite the distances, the student feels accompanied by the teacher and his classmates at all times, pretending to be a

"university close" to the student throughout the learning process. Hence it is

have established a variety of communication channels accessible to

students such as the following identified on the customer service page

UDIMA student (<https://www.udima.es/es/atencion.html>): • "Service line

telephone. Call center attended from 9:00 a.m. to 8:00 p.m. •

Academic Management Forum. Specific channel to make administrative queries to

through the Academic Management Forum • Material delivery service

Didactic. Specific channel to record requests and incidents in the reception of

teaching material on paper and textbooks. • Classroom technical support. is a service

developed to make queries or report incidents on technical aspects

of the functioning of the campus, the classrooms and the exploitation of all the services and

associated applications. • Suggestions, complaints and claims mailbox. The mailbox

to collect suggestions, complaints and claims is intended to record and leave

record of open references by users of the UDIMA on aspects

regarding its services and operation.

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The interested party can submit their complaint, claim or suggestion at the following

address ***EMAIL.4 • University Ombudsman.

The University Ombudsman is a figure whose mission is to ensure respect for the

rights and freedoms of teachers, students and Administration staff and

Services, regarding the actions of the different bodies and services

college students ***URL.1. Other services and student support programs through

of which other types of queries are channeled: • The Department of Attention and DAOE Student Orientation. • The Department of Information, application and scholarship processing. • The Department of Validation and Recognition of Credits. Information, application and processing of recognition files. •

Degree student tutoring program. It is a program developed by the Academic Departments for accompaniment and orientation of the student of Degree. Each UDIMA undergraduate student is assigned a tutor on a regular basis. permanent since his admission and during his stay at the University. •

Academic Manager Assignment Program. It is a program developed by the Department of Academic Management for accompaniment and orientation of the student based on their needs. Varies according to needs detected and the availability of managers. • The Technical Unit for Quality and University Social Responsibility.

The organizational unit responsible for quality management and responsibility social unit of the University is the Technical Unit for Quality and RSU. The activity of the Technical Quality Unit provides service in terms of quality and responsibility to the different organizational areas and interest groups, attending to the regulatory requirements, the needs and requirements of its stakeholders, as well as as well as to the different mandates of the Management, the Rectorate and the General Secretariat to through the Quality Committee. ***URL.2” Including, especially: “Job Exchange and Entrepreneurs It is a free service for UDIMA students, it offers guidance and accompaniment in job placement, internships in companies and advice on entrepreneurship and self-employment***URL.3”

2º) Legal basis of said motivation: In the desire to provide the best service possible to all students and potential students with whom UDIMA relates has established a protocol, in terms of data protection, which seeks to give

response to all requests and questions that are made in the shortest period of time possible time including, of course, everything related to eventual exercises of rights by students and information seekers (SDI) and, among them, the management to comply with the manifestations that are received, expressing the desire not to receive advertising.

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Requests not to receive advertising are included, once everything has been verified.

related to the particular application, on a specific exclusion list of

advertising. Each time a campaign is carried out, and prior to

its launch, the list of students and SDI is crossed with the exclusion list referred to

for the purpose of excluding those who have exercised their right in this regard.

However, it has been internally assessed that the exercise of these rights by

students and SDI cannot be the object of an apparent treatment of worse condition towards the

same, in terms of the benefit of social services provided by UDIMA,

for the precise reason of having exercised their rights. This is the case of

free services provided to all students and SDI, notably in

matter of access to employment, since it is understood that it would go against the good faith that must be

save UDIMA with the people with whom it relates if because they request

not receive publicity, they will be excluded from the information related to the

employment opportunities. And, this was what happened in the case that is the subject of the claim.

3º) This section provides the chronology of events and the evidence

regarding the information provided:

A) the exercise of rights by the interested party was processed as follows:

- On February 10, 2021 2:31 p.m.: A request for SUPPRESSION and OPPOSITION to the treatment of all your personal data. - The same February 10, 2021 14:39:

the data verification protocol is started, noting first that in CEF,

There is no record of that information.

- On February 11, 2021 06:55: the procedures to request the department, that manages the email communications, that proves the origin of the data of the interested party. From which it follows that the data comes from an SDI of UDIMA.

- On February 11, 2021 09:48: once the location of the data is known, it is requests the systems manager to eliminate these, the user is also identified.

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person from the commercial department assigned to him, the follow-up of the interested party, to eliminate the personal information that it has.

- The same February 11, 2021 09:51: confirmed with the systems manager of CEF, that the procedure for exercising the rights of the interested, emphasizing that the origin of these data corresponds to UDIMA, clearly indicating that you have contacted the system and commercial manager and the protocol is closed with CEF computer services.

- On February 12, 2021 5:34 p.m.: since the Exercise protocol has started of Rights in terms of data protection, it is noted that the interested party has together with your request for information, a request for recognition of credits, for

Therefore, the approval of this process is needed before it is completely eliminated, making special mention of the possibility of having the information on paper.

- On February 15, 2021 12:17 It is confirmed from the department of Recognition of Credits, that no data of the interested party is saved, as well as the confirmation of the elimination of the interested party, the CRM and the database of the Web.

- The same February 15, 2021 15:13: Once the confirmation of the elimination of the data, we proceed to answer the interested party by sending him an email electronic

B) On the other hand, in this specific case, the notification of information to students and SDI of grades, happening that in January they had to prepare the unified campaigns for the four-month period due to the affected services due to the present circumstances imposed by the COVID pandemic, becoming Capture of the CRM Sugar of degrees in which the claimant was registered. As the next communication referred to information of interest to the referred students On the subject of employment, communications numbers XXXX and XXXX were labeled as "No promotions" and, consequently, with what was said in this writing, they were sent.

CONCLUSION: The facts that have given rise to this claim had place when the dates of the procedure for managing the exercise of rights of

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data protection and information processes provided by UDIMA to its undergraduate and master's students and SDI.

Chronologically, as already stated, in January the communications were prepared informative that were qualified as non-promotional. In this list was the claimant as SDI Law Degree. That qualification as "no promo" together with the alterations caused in the ordinary management by the state of pandemic made the check of the list of recipients was postponed. Meanwhile, the procedure for exercising data protection rights followed its deadlines according to internal protocols. The consequence was that the recognition of rights made in February could not be reflected in the January list and hence the gap. The intention was to try to satisfy the interested party by treating his claim with the greatest diligence and speed, communicating it often and comply with the policy of maximum care of people and with the principle of good faith in relationships that are maintained with them, which led to the interested party not being deprived of information that was understood to be favorable to him because it was free and referred to employment opportunities.

Of course, no profit was sought and it was a fact point in time that was influenced by the concurrent circumstances. For other party, no other claim has been received apart from the one communicated by the AEPD. It should be emphasized that after the recognition of the rights, all the appropriate measures to give them effectiveness, so that, currently, the they must be satisfied.

Finally, the offer is made, if the AEPD deems it appropriate, to send communication to the claimant informing him of what happened, as well as the guarantee of the effectiveness of their rights. By virtue of the foregoing, I REQUEST that, considering presented, in time and form, this document and the warnings made in attention to the object of the notification, consider the request for information fulfilled effected.

FOUNDATIONS OF LAW

I- Competition:

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- On the exercise of the rights recognized in the RGPD and the treatment of personal information:

It is competent to initiate and resolve this Sanctioning Procedure, the Director of the Spanish Agency for Data Protection, by virtue of the powers that art 58.2 of Regulation (EU) 2016/679, of the European Parliament and of the Council, of 04/27/16, regarding the Protection of Natural Persons with regard to the Treatment of Personal Data and the Free Circulation of these Data (RGPD) recognizes each Control Authority and, as established in arts. 47, 64.2 and 68.1 of the Law Organic 3/2018, of December 5, on the Protection of Personal Data and Guarantee of Digital Rights (LOPDGDD), Sections 1) and 2), of article 58 of the RGPD, list, respectively, the investigative and corrective powers that the supervisory authority may provide to the effect, mentioning in point 1.d), that of: "notifying the person in charge or in charge of the treatment of alleged infringements of these Regulations" and in 2.i), that of: "impose an administrative fine under article 83, in addition to or instead of the measures mentioned in this section, according to the circumstances of each case."

- About sending advertising emails without consent:

In accordance with the provisions of art. 43.1, second paragraph, of the Law

34/2002, of July 11, on Services of the Information Society and Commerce

Electronic System (LSSI), is competent to initiate and resolve this Procedure

Sanctioning, the Director of the Spanish Agency for Data Protection.

II

In the present case, the respondent states that the reason why they were

The two promotional emails in question were sent to the claimant

is your link to the information that is provided to all of your students and

applicants for information regarding employment opportunities that arise

linked to the courses taught.

In addition, it informs that it has a specific advertising exclusion list, the

which is taken into account, according to their version, on each occasion that a

campaign (prior to its launch), but which: "has internally assessed

that the exercise of data protection rights by students and applicants for

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information cannot imply an apparent treatment of a worse condition in terms of the

benefits of the social services that are provided on their behalf", understanding that, "if

exclude such persons from information relating to employment opportunities

when they have requested not to receive advertising, then it would go against the good faith that should

save with the people with whom you relate".

Notwithstanding the foregoing, the respondent states that, in relation to the specific case

claimed, the information was managed from students and information seekers in such a way

so that, in January 2021, the four-month period campaigns were prepared

unified because the services are affected by the circumstances arising from the COVID-19 pandemic and adds that, as he understood that the information was of interest for students and applicants for information, sent the two communications e-mails claimed categorized as “non-promotional”.

The respondent states that the events that gave rise to the claim took place when the dates of the exercise management procedure overlapped. rights of data protection and of the informative processes directed to their students and information seekers and insists that in January 2021 they prepared informative communications classified as non-promotional, among which recipients was the claimant as information requester, who exercised their data protection rights in February 2021 and ended up receiving the communications in March 2021 and in April 2021 and points to the alterations caused in the ordinary management by the state of the COVID-19 pandemic as reason why the verification of the recipients to whom it was sent was postponed. They conducted communications.

- On the exercise of the rights recognized in the RGPD,

III

In this sense, article 12 of the RGPD, establish that:

1.- The person responsible for the treatment will take the appropriate measures to facilitate the interested all information indicated in articles 13 and 14, as well as any communication under articles 15 to 22 and 34 relating to processing, in the form concise, transparent, intelligible and easily accessible, with clear and simple language, in particular any information directed specifically at a child. Information shall be provided in writing or by other means, including, if applicable, by

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electronics. When requested by the interested party, the information may be provided

verbally provided that the identity of the interested party is proven by other means.

2. The person responsible for the treatment will facilitate the interested party in the exercise of their rights in

under articles 15 to 22. In the cases referred to in article 11, paragraph 2,

The person in charge will not refuse to act at the request of the interested party in order to exercise their

rights under articles 15 to 22, unless you can show that you are not in

conditions to identify the interested party.

3. The data controller will provide the interested party with information regarding their

proceedings on the basis of a request under articles 15 to 22, and, in

in any case, within one month from receipt of the request. Saying

The term may be extended for another two months if necessary, taking into account the

complexity and number of requests. The person in charge will inform the interested party of

any such extension within one month of receipt of the

request, indicating the reasons for the delay. When the interested party submits the

request by electronic means, the information will be provided by electronic means

when possible, unless the interested party requests that it be provided in another way.

For its part, article 17.1 of the same RGPD, regarding the "Right to suppress

(«the right to be forgotten»)", establishes that:

1. The interested party shall have the right to obtain, without undue delay, from the person responsible for the

treatment the deletion of personal data that concerns you, which will be

obliged to delete personal data without undue delay when any

of the following circumstances: a) the personal data is no longer necessary in

relation to the purposes for which they were collected or otherwise processed; b) the

The interested party withdraws the consent on which the treatment is based in accordance with Article 6(1)(a) or Article 9(2)(a) and it is not based on another legal basis; c) the interested party opposes the treatment in accordance with the Article 21, paragraph 1, and other legitimate reasons for the treatment do not prevail, or the interested party opposes the treatment in accordance with article 21, paragraph 2; d) the personal data has been unlawfully processed; e) the personal data must be suppressed for the fulfillment of a legal obligation established in the Right of the Union or the Member States that applies to the data controller; F) the personal data has been obtained in relation to the offer of services of the information society referred to in article 8, paragraph 1.

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According to the evidence available at this time, and without

Prejudice to what results from the investigation, the exposed facts could suppose the violation of article 17.1 of the RGPD, in relation to article 12 of the aforementioned Regulation, since it has been proven that the entity did not act diligently,

by having sent new advertising emails to claimant after having exercised it, the right of suppression.

For its part, article 72.1.k) of the LOPDGDD considers it very serious, for the purposes of prescription, “The impediment or the obstruction or the repeated non-attention of the exercise of the rights established in articles 15 to 22 of the Regulation”.

This infraction can be sanctioned with a maximum fine of €20,000,000 or,

in the case of a company, an amount equivalent to a maximum of 4% of the global total annual turnover of the previous financial year, opting for the of greater amount, in accordance with article 83.5.b) of the RGPD.

In accordance with the precepts indicated, and without prejudice to what results from the instruction of the procedure, in order to set the amount of the sanction to be imposed in the present case, it is considered appropriate to graduate the sanction to be imposed in accordance with the following aggravating criteria established in article 83.2 of the RGPD:

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The facts object of the claim are a consequence of the clear lack of due diligence on the part of the entity complained against, (paragraph b).

The balance of the circumstances contemplated in article 83.2 of the RGPD, with Regarding the infraction committed by violating the provisions of article 17.1 of the RGPD, in relation to article 12 of the RGPD, allows setting an initial penalty of 3,000 euros, (three thousand euros).

IV

- On the sending of advertising emails without the consent of the interested,

In this sense, article 21 of the LSSI provides the following:

"1. The sending of advertising or promotional communications by email or other equivalent means of electronic communication

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previously they had not been requested or expressly authorized by the

their recipients.

2. The provisions of the preceding section shall not apply when there is a prior contractual relationship, provided that the provider had legally obtained the contact details of the recipient and will use them to send communications commercial references to products or services of your own company that are similar to those initially contracted with the client.

In any case, the provider must offer the recipient the possibility of opposing the processing of your data for promotional purposes through a simple procedure and free, both at the time of data collection and in each of the commercial communications addressed to you.

When the communications have been sent by email, said means must necessarily consist of the inclusion of an email address electronic or other valid electronic address where this right can be exercised, sending communications that do not include said address is prohibited.”

Therefore, according to the evidence available at this time, and without prejudice to what results from the investigation, the facts exposed could suppose the violation of article 21 of the LSSI, by the claimed entity, by send several advertising emails without the consent of the affected party.

The aforementioned infraction is typified as minor in art. 38.4.d) of said standard, which qualifies as such, "The sending of commercial communications by e-mail electronic or other equivalent means of electronic communication when in said shipments do not meet the requirements established in article 21 and do not constitute Serious offense".

Pursuant to the provisions of article 39.1.c) of the LSSI, minor infractions may sanctioned with a fine of up to €30,000, establishing the criteria for its graduation in article 40 of the same norm.

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After the evidence obtained, and without prejudice to what results from the investigation, considers that in this case it acts as an aggravating circumstance:

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The existence of intent (section a), since the entity claimed sent commercial advertising through advertising emails, without the consent of the interested party.

In accordance with these criteria, it is considered appropriate to impose a sanction on the defendant initial payment of 2,000 euros (two thousand euros).

The balance of the circumstances contemplated in the present case, with respect to the infractions committed by the claimed entity allows a total initial sanction to be set of 5,000 euros, (five thousand euros): 3,000 euros for infraction of article 17.1 of the RGD and 2,000 euros for violation of article 21 of the LSSI.

Therefore, in accordance with the foregoing, By the Director of the Agency Spanish Data Protection,

HE REMEMBERS:

START: SANCTIONING PROCEDURE against the entity, UNIVERSITY A DISTANCIA DE MADRID, S.A., with CIF.: A81618894, in accordance with the provisions of the Articles 63 and 64 of Law 39/2015, of October 1, on Administrative Procedure Common of the Public Administrations (LPACAP), for the presumed infraction of the article 17.1, with respect to article 12 of the RGD, and violation of article 21 of the LSSI.

APPOINT: instructor to D. B.B.B. and, as secretary, Ms. C.C.C., indicating that any of them may be challenged, where appropriate, in accordance with the provisions of the Articles 23 and 24 of Law 40/2015, of October 1, on the Legal Regime of the Sector Public (LRJSP).

INCORPORATE: to the disciplinary file, for evidentiary purposes, the claim filed by the claimant and his documentation, the documents obtained and

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generated by the Subdirector General for Data Inspection during the research.

WHAT: for the purposes provided in art. 64.2 b) of Law 39/2015, of October 1, of the Common Administrative Procedure of the Public Administrations, the sanction that could correspond would be a total fine of 5,000 euros (five thousand euros), without prejudice to what results from the instruction.

NOTIFY: this agreement to the entity, UNIVERSIDAD A DISTANCIA DE MADRID, S.A., granting a hearing period of ten business days for formulate the allegations and present the evidence that it deems appropriate.

If within the stipulated period it does not make allegations to this initial agreement, the same may be considered a resolution proposal, as established in article 64.2.f) of Law 39/2015, of October 1, of the Common Administrative Procedure of Public Administrations (hereinafter, LPACAP).

In accordance with the provisions of article 85 of the LPACAP, in the event that the sanction to be imposed was a fine, it may recognize its responsibility within the

term granted for the formulation of allegations to this initial agreement; it which will entail a reduction of 20% of the sanction to be imposed in this procedure, equivalent in this case to 1,000 euros. With the application of this reduction, the sanction would be established at 4,000 euros, resolving the procedure with the imposition of this sanction.

Similarly, you may, at any time prior to the resolution of this procedure, carry out the voluntary payment of the proposed sanction, which will mean a reduction of 20% of the amount of the same, equivalent in this case to 1,000 euros. With the application of this reduction, the sanction would be established in 4,000 euros and its payment will imply the termination of the procedure.

The reduction for the voluntary payment of the penalty is cumulative with the corresponding reduction for the acknowledgment of responsibility, provided that this acknowledgment of the responsibility is revealed within the period granted to formulate arguments at the opening of the procedure. The voluntary payment of the referred amount in the previous paragraph may be done at any time prior to the resolution. In

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In this case, if it were appropriate to apply both reductions, the amount of the penalty would be set at 3,000 euros (three thousand euros).

In any case, the effectiveness of any of the two reductions mentioned will be conditioned to the abandonment or renunciation of any action or resource in via administrative against the sanction.

If you choose to proceed to the voluntary payment of any of the amounts indicated

above, you must make it effective by depositing it in the account ES00 0000

0000 0000 0000 0000 opened in the name of the Spanish Agency for the Protection of

Data in Banco CAIXABANK, S.A., indicating in the concept the number of

reference of the procedure that appears in the heading of this document and the

cause of reduction of the amount to which it is accepted.

Likewise, you must send proof of payment to the General Subdirectorate of

Inspection to proceed with the procedure in accordance with the quantity

entered.

The procedure will have a maximum duration of nine months from the

date of the start-up agreement or, where appropriate, of the draft start-up agreement.

Once this period has elapsed, it will expire and, consequently, the file of

performances; in accordance with the provisions of article 64 of the LOPDGDD.

Finally, it is pointed out that in accordance with the provisions of article 112.1 of the LPACAP,

There is no administrative appeal against this act.

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Director of the Spanish Agency for Data Protection.

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SECOND: On July 15, 2021, the claimed party has proceeded to pay

the sanction in the amount of 3,000 euros making use of the two reductions

provided for in the Start Agreement transcribed above, which implies the

acknowledgment of responsibility.

THIRD: The payment made, within the period granted to formulate allegations to the opening of the procedure, entails the waiver of any action or resource in via administrative action against the sanction and acknowledgment of responsibility in relation to the facts referred to in the Initiation Agreement.

FOUNDATIONS OF LAW

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By virtue of the powers that article 58.2 of the RGPD recognizes to each authority of control, and as established in art. 47 of the Organic Law 3/2018, of 5 December, of Protection of Personal Data and guarantee of digital rights (in hereinafter LOPDGDD), the Director of the Spanish Agency for Data Protection is competent to sanction the infractions that are committed against said Regulation; infractions of article 48 of Law 9/2014, of May 9, General Telecommunications (hereinafter LGT), in accordance with the provisions of the article 84.3 of the LGT, and the infractions typified in articles 38.3 c), d) and i) and 38.4 d), g) and h) of Law 34/2002, of July 11, on services of the society of the information and electronic commerce (hereinafter LSSI), as provided in article 43.1 of said Law.

II

Article 85 of Law 39/2015, of October 1, on Administrative Procedure Common to Public Administrations (hereinafter, LPACAP), under the rubric "Termination in sanctioning procedures" provides the following:

- "1. Started a sanctioning procedure, if the offender acknowledges his responsibility, the procedure may be resolved with the imposition of the appropriate sanction.
2. When the sanction is solely pecuniary in nature or it is possible to impose a pecuniary sanction and another of a non-pecuniary nature, but the inadmissibility of the second, the voluntary payment by the alleged perpetrator, in

any time prior to the resolution, will imply the termination of the procedure, except in relation to the replacement of the altered situation or the determination of the compensation for damages caused by the commission of the infringement.

3. In both cases, when the sanction is solely pecuniary in nature, the competent body to resolve the procedure will apply reductions of, at least, 20% of the amount of the proposed sanction, these being cumulative with each other.

The aforementioned reductions must be determined in the notification of initiation of the procedure and its effectiveness will be conditioned to the withdrawal or resignation of any administrative action or recourse against the sanction.

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The reduction percentage provided for in this section may be increased regulations."

In accordance with the above, the Director of the Spanish Agency for the Protection of Data

RESOLVES:

FIRST: TO DECLARE the termination of procedure PS/00310/2021, of in accordance with the provisions of article 85 of the LPACAP.

SECOND: NOTIFY this resolution to DISTANCE UNIVERSITY OF MADRID, S.A.

In accordance with the provisions of article 50 of the LOPDGDD, this

Resolution will be made public once it has been notified to the interested parties.

Against this resolution, which puts an end to the administrative procedure as prescribed by

the art. 114.1.c) of Law 39/2015, of October 1, on Administrative Procedure

Common of the Public Administrations, the interested parties may file an appeal contentious-administrative before the Contentious-administrative Chamber of the National Court, in accordance with the provisions of article 25 and section 5 of the fourth additional provision of Law 29/1998, of July 13, regulating the Contentious-Administrative Jurisdiction, within a period of two months from the day following the notification of this act, as provided in article 46.1 of the aforementioned Law.

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Director of the Spanish Data Protection Agency

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