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On the basis of its inspection plan, the Office carried out an inspection in accordance with Act No. 101/2000 Coll., the subject of which was the processing of personal data when providing credit for installment purchases. As part of the inspection, he also checked the complaint regarding the alleged unauthorized processing of personal data by the inspected person.

The inspection proved that the main activity of the inspected person is mainly the acceptance of deposits, the provision of loans and payment services. In this context, it collects a wide range of personal data from its clients, including sensitive data (biometric signature when signing documentation in electronic form), while proceeding on the basis of the legal title referred to in § 5 paragraph 2 letter a) and § 9 letter a) of Act No. 101/2000 Coll. (data subject consent). In the course of its activities, the controlled person cooperates with sellers and other service providers who are in the position of processing personal data.

The controlled person submitted a contract on the processing of personal data that met the requirements of Act No. 101/2000 Coll. The inspectors found that the inspected person properly fulfills the obligations in the field of informing data subjects and handling their requests or complaints according to § 11 (obligation to provide information), § 12 (data subject access to information) and § 21 (access to data, right to explanation and correction) of Act No. 101/2000 Coll. The Office further checked the measures taken to ensure the security of processed personal data and evaluated these measures as meeting the requirements arising from Section 13 of the cited Act.

However, the inspection revealed that the inspected person processes audio recordings of phone calls with clients and biometric signatures of clients, while the processing of this data is not necessary for the fulfillment of the declared purpose of the processing. In relation to the records of telephone conversations with clients, it became clear that the controlled person kept them for ten years, although this processing of personal data was not necessary for the fulfillment of the purpose of the processing for such a long time. The controlled person also kept other personal data of the complainant even after they were no longer necessary to fulfill the purpose of the processing.

By the above-mentioned conduct, the controlled person violated the obligations set out in § 5 paragraph 1 letter d) (collection to an appropriate and necessary extent) and letter e) (retention only for the necessary period) of Act No. 101/2000 Coll.

Given that the inspected person immediately started the process of correcting the defective condition, the Office did not impose corrective measures and initiated infringement proceedings in the matter.

The inspection was conducted by the inspector Mgr. et Mgr. Božena Čajková.

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