



On the processing of personal data for telemarketing purposes

Published: 01.08.2018.

[The news](#)

[The Data State Inspectorate informs that in accordance with Section 1, Paragraph one of the Information Society Services Law \(hereinafter - ISPL\)](#)

[For the purposes of paragraph 3, a commercial communication is any communication in electronic form intended for the direct or indirect](#)

advertising services or promoting the image of a trader, organization or person carrying on a commercial activity,

economic activity or regulated professional activity. Information which gives an opportunity shall not be considered a commercial communication

directly access general information about the service provider and its activities (domain name or e-mail address).

The legal basis for sending commercial communications is defined [Article 9 of the ISPL](#), namely a commercial communication to a natural person

electronic mail address or other electronic means of communication is authorized, provided that the consent of that person is obtained or

there are all [The provisions of Section 9, Paragraph two of the ISPL](#), with additional observance[Section 9, Paragraph four of the ISPL](#).. Thus a commercial statement

sending must be in accordance with ISPL and Provisions of the [General Data Protection Regulation](#) (hereinafter the Regulation).

With regard to the receipt of commercial communications (these are calls, e-mails, etc.), the Inspectorate indicates that if, for example, a person receives

a commercial statement addressing on behalf of (for example, SIA “X” calls Jānis Bērziņš, addressing on their behalf and

surname to offer a specific product; The e-mail address is addressed to: Jānis Bērziņa, we offer you

...), it is considered to be a processing of personal data within the meaning of the Regulation, as a specific

person . On the other hand, if a person receives a commercial communication in which the name is not addressed (for example, SIA “X”

telephone number at random or by e-mail: Dear. Customer!), The person is not identifiable, and thus

no personal data is processed.

The circulation of information society services within its competence is monitored by the Data State Inspectorate, Consumer Rights

protection center as well as other supervisory and control authorities. Appropriately[Section 13, Paragraph six of the ISPL](#), the Data State Inspectorate has

the obligation to carry out an inspection if one recipient of the service has received at least 10 commercial communications from one within one year

the service provider and if the service recipient has submitted a complaint regarding this to the supervisory authority (Inspectorate). If, when evaluating

the Inspectorate does not find that the data subject has received at least 10 commercial

one service provider and that the data subject himself has exercised his right to the protection of his personal data, namely

has requested to stop sending commercial communications, the Inspectorate shall not commence the inspection.