

REGISTERED LETTER

[REDACTED]
[REDACTED]
[REDACTED]

Your reference

Our reference

Attachment(s)

Date

DOS-2018-05665

Re: Complaint against [REDACTED] concerning data subject's rights

Dear,

Pursuant to article 95, §2 of the law of 3 December 2017 *establishing the Data Protection Authority*, the Litigation Chamber informs you that a dossier has been filed as a result of the complaint.

The complaint concerns the failure of [REDACTED] to comply with the request of [REDACTED] concerning the exercise of his right of access (article 15 GDPR) and then his right of erasure ("right to be forgotten"). His request was submitted on 27 May 2018 and the data subject did not receive a reply yet, although article 12.3. of the GDPR provides that the controller shall inform the data subject without delay and in any case within one month of receipt of his request about the follow-up of the request.

If you want to consult and copy the dossier, you should contact the secretariat of the Litigation Chamber in order to make an appointment.

If you request a copy of the file, you will receive the documents by ordinary mail, unless you want to pick up these documents on location at the secretariat of the Litigation Chamber.

Pursuant to article 58.2. c) of the General Data Protection Regulation¹ (hereinafter GDPR) and article 95, §1, 5 ° of the aforementioned Act of 3 December 2017, the Litigation Chamber has decided to order the controller to comply with the data subject's requests concerning the exercise of his rights, more specifically the right of access (article 15 GDPR) and afterwards the right of erasure ("right to be forgotten") (article 17 GDPR).

An appeal may be lodged against this decision within a period of thirty days, from the date of service of the notification², to the Court of Commerce³ (article 108, § 1 of the aforementioned Act of 3 December 2017).

Kind regards,

Dirk Van Der Kelen
President of the Litigation Chamber

¹ REGULATION (EU) 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 27 April 2016 *on the protection of individuals with regard to the processing of personal data and on the free movement of such data and repealing of Directive 95/46/EC*

² The date of this letter is the date of service of the notification

³ Court of Appeal of Brussels