



02 March 2021

Final Decision

Complaint against [REDACTED] –

Principles relating to processing of personal data (Article 5), Right to erasure (Article 17), Transparency and Information (Articles 12, 13 and 14)

A56ID: 155131
Case: 165432
A60DD: 174674
A60RD: 180164

The Hessian Commissioner for Data Protection and Freedom of Information (hereinafter “HBDI”) refers to the complaint lodged by [REDACTED] (hereinafter “Complainant”) against [REDACTED] (hereinafter “[REDACTED]”) with the Danish Data Protection Authority regarding the right to erasure.

1. Case description

A sales company asking for another data subject contacted the Complainant. The Complainant asked where the company got his phone number. The company stated that it came from a competition on Facebook and that the other data subject must have given the wrong phone number in connection with the competition. Further, the company stated that it had purchased the information from [REDACTED] and that the complainant should contact [REDACTED] to have his data deleted.

The complainant contacted [REDACTED] on August 05, 2020 and again on August 13, 2020, but did not receive a response. Therefore, the complainant lodged a complaint with the Danish Data Protection Authority on September 22, 2020.

2. Investigation outcome

The HBDI has conducted an investigation and contacted [REDACTED]. As a result, it should be noted that the telephone number of the Complainant was blocked immediately after his complaints of August 05 and 13, 2020 on August 17, 2020 and has also been deleted in the meantime. The data recipients were informed of this by [REDACTED] in accordance with Article 19 GDPR. However, [REDACTED] failed to inform the Complainant about this in accordance with Article 12 GDPR. This information has now been made up for by e-mail to the Complainant on December 14, 2020.

3. Decision

In the course of the investigation, the HBDI has found that [REDACTED] failed to comply with its obligations pursuant to Article 12 GDPR. The HBDI will therefore issue a reprimand pursuant to Article 58(2)(b) GDPR.

The Hessian DPA