

Notice: This document is an unofficial translation of the Swedish Authority for Privacy Protection's (IMY) decision, 2023-05-26 no. IMY-2023-2978. Only the Swedish version of the decision is deemed authentic.

Registration number

IMY-2023-2978 IMI.Case
491994 Complaint, LDA-
1085.310276/20-1.

Date of final decision:

2023-05-26

Date of translation:

2023-03-22

Final decision pursuant to Article 60 under the General Data Protection Regulation — Klarna Bank AB

Decision of the Swedish Authority for Privacy Protection (IMY)

The Swedish Authority for Privacy Protection (IMY) finds that the investigation has not shown that Klarna Bank AB has processed the complainant's personal data in breach of Articles 12(3) and 15 of the General Data Protection Regulation (GDPR)¹ in the manner alleged in the complaint.

The case is closed.

Report on the supervisory report

Processing

The Swedish Authority for Privacy Protection (IMY) has initiated supervision regarding Klarna Bank AB (the company or Klarna) due to a complaint. The complaint has been submitted to IMY, as responsible supervisory authority for the company's operations pursuant to Article 56 of the General Data Protection Regulation from the supervisory

authority in (Germany) where the complainant has lodged their complaint in accordance with the GDPR's provisions on cooperation in cross-border processing. The investigation in the case has been carried out through written correspondence. Since this is a complaint relating to cross-border processing, IMY has used the mechanisms for cooperation and consistency contained in Chapter VII GDPR. The supervisory authorities concerned has been the data protection authorities in Denmark, Germany, Norway, Netherlands, Poland, Italy, Finland and Austria.

The complaint

In its complaint, the complainant essentially stated the following. On 9 October 2020,

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¹ Regulation (EU) 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).

the complainant requested access to his/her personal data in according to Article 15 of the GDPR. The complainant received no information or document from Klarna. The complainant received only one automatic e-mail from Klarna, which contained information that it had received the complainant's e-mail concerning the request for access to her/his personal data.

What Klarna has stated

Klarna Bank AB has mainly stated the following. Klarna is not the data controller for the current processing to which the complaint relates. The request was received by Klarna on 9 October 2020. Klarna has handled the request received and has taken these following steps. On 12 October 2020, Klarna's customer service asked the complainant to add information about his/her identity and requested which of the complainant's e-mail inbox was used for the purchase from Klarna. The complainant has not returned with reply. At the time of the request, Klarna had reason to doubt the complainant's identity and was therefore unable to fulfil his/her's request.

The complainant's request was one of the complaints communicated to Klarna with the supervisory authority in Germany (Berlin) in June to August 2021. In connection with the contact with the he supervisory authority in Germany (Berlin), information was sent to the complainant pursuant to Article 15, by post on 13 August 2021 and Klarna informed the complainant by e-mail the same day.

Klarna considers that information to the complainant has been provided within the specified timeframe in pursuant to Articles 12(3) and 15 of the GDPR after the complainant has provided the necessary information regarding his/her identity.

Justification of the decision

Applicable provisions, etc.

Article 12(3) of the GDPR requires the controller to provide the data subject, upon request, without undue delay and in any event no later than one month after receiving the request, with information on the actions taken pursuant to Article 15. The one-month time limit may be extended by a further two months where the request is particularly complex or the number of requests received is high. If the time limit of one month is extended, the controller shall inform the data subject of the extension.

Notification of the extension of the deadline shall take place within one month of receipt of the request. The controller shall also indicate the reasons for the delay.

Without prejudice to Article 11, where the controller has reasonable grounds to doubt the identity of the natural person making a request pursuant to Articles 15 to 21, the controller may request the provision of additional information necessary to confirm the identity of the data subject. This is clear in Article 12(6).

Pursuant to Article 15, the data subject has the right to obtain from the controller a copy of the personal data processed by the controller. The data subject shall also receive other information, such as the purpose for which the personal data are processed and to which recipients or categories of recipients the data are disclosed.

Assessment of the Swedish Authority for Privacy Protection (IMY)

The investigation shows that Klarna Bank AB has started handling the complainant's request for access of personal data within one week of receipt of the request. Klarna has also informed the complainant that the processing of the request for access will commence as soon as sufficient information is received to verify the complainant.

The request was completed on the same day as additional information was received to the company. IMY considers that there has been no reason to question Klarna's information in this part.

IMY considers that the complainant's request has been handled and fulfilled without undue delay within the meaning of Article 12(3) and 15 of the GDPR.

Against this background, IMY notes that the investigation in the case has not shown that Klarna Bank AB has processed the complainant's personal data in breach of Article 12(3) and 15 of the GDPR.

The case is closed.