



[REDACTED]
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INOFFICIAL TRANSLATION

**Bayerisches Landesamt für
Datenschutzaufsicht**
Promenade 18 | 91522 Ansbach
Telefon: 0981 180093 0
Fax: 0981 180093 800
E-Mail: poststelle@lda.bayern.de
Web: www.lda.bayern.de

Your sign/writing from

Our reference number

[REDACTED]

Ansbach, 14.11.2022

Supervision according to Art. 58 General Data Protection Regulation (GDPR)

Complaint by [REDACTED] – Final decision

Dear Sir or Madam,

We would like to come back to the proceedings conducted with us under the above file number.

Pursuant to Article 60 (9) sentence 2 of the GDPR, we hereby inform you that, in our opinion, there has been a breach of the provisions of Article 15 of the GDPR.

According to the documents available to us, the complainant's request for information dated 11/09/2018 was answered by e-mail dated 12/09/2018. However, this e-mail did not provide information on the specific personal data processed, but only the data categories (title, first name, last name, e-mail address, address, height, weight). However, this does not allow the data subject to fully check the lawfulness of the processing (cf. recital 63 to the GDPR), since, for example, incorrectly stored data cannot be detected. In this context, we refer to the Guidelines 01/2022 of the European Data Protection Board (EDPB) (available at https://edpb.europa.eu/system/files/2022-01/edpb_guidelines_012022_right-of-access_0.pdf), in particular para. 19.

However, it is no longer possible to obtain (subsequent) information on the specific personal data processed, as you have credibly demonstrated the deletion of the complainant's personal data after the judicial hearing (cf. your e-mail of 07/01/2020). This is a further violation of the requirements of Article 15 of the GDPR, since it is not apparent that the complainant would have requested this deletion (cf. in this regard the above-mentioned Guidelines 01/2022 of the EDPB at para. 39).

In accordance with our due discretion, we refrain from taking formal remedial action in this case pursuant to Article 58 (2) of the GDPR and hereby consider the matter to be settled.

Kind regards

Notes on the processing of your personal data:

The Data Protection Authority of Bavaria for the Private Sector is processing your personal data in the context of this message. Further information on the processing of your data, in particular the rights to which you are entitled can be found on our homepage at www.lida.bayern.de/Informationen or in any other way under the aforementioned contact details.