

**From:** [REDACTED] [REDACTED]@dataprotection.gov.cy>  
**Sent:** Πέμπτη, 5 Ιανουαρίου 2023 2:45 μμ  
**To:** 'Privacy VulkanVegas'  
**Subject:** Investigation of complaint under the General Data Protection Regulation (GDPR)

**Ref: 11.17.001.010.084**

**Tel: 22818456**

**Fax: 22304565**

**January 5, 2023**

Brivio Limited  
[privacy@vulkanvegas.com](mailto:privacy@vulkanvegas.com)

**Subject: Investigation of complaint under the General Data Protection Regulation (GDPR)**

Following the instructions of the Commissioner of Personal Data Protection, I would like to refer to the complaint lodged in Austria and was thereafter received by the Office of the Commissioner for Personal Data Protection in Cyprus SA on behalf of [REDACTED] (the Data Subject - DS).

2.1 The DS, who is a registered user on the online casino "vulkanvegas.com", submitted his access request via email to [privacy@vulkanvegas.com](mailto:privacy@vulkanvegas.com) on 04 November 2021, requesting that Brivio Limited (the Controller) provide him with information regarding the transactions, account activities and other account data as is his legal right according to Article 15 of the GDPR. After not receiving a reply, the DS lodged a complaint regarding the Controller's failure to fulfill the request within the one-month period pursuant to the Article 12(3) and (4) of the GDPR.

2.2 Our Office contacted you using the email address mentioned in your website and requested your views on the matter raised by the DS. The company's Compliance Team replied and informed us that, the request to access had been made by an attorney on behalf of the DS and the email address with which the request had been made was not associated with the registered account of the latter. Moreover, the Attorney had not provided any documents to confirm that they were lawfully entitled to act on behalf of the DS. The request had not been satisfied, as it deemed invalid due to the fact that you had reasonable grounds to doubt the legality of the request.

2.3 In our response, you were informed that, according to the Article 12(6) of the GDPR, the Controller may request the provision of additional information necessary to confirm the identity of the DS, when the former has reasonable doubts concerning the identity of the natural person making the request. Also, it was noted that, if the controller does not take action on the request, the controller shall inform the DS at the latest within one month of receipt of the request of the reasons for not taking action (Article 12(4)). Nevertheless, the request was submitted in November 2021 and according to the DS, you did not receive any answer to their email within the one-month period.

2.4 Moreover, you admitted that no additional information was requested to assure that the attorney was entitled to represent the DS. However, it was your position that, after receiving the complaint, you requested a document that confirmed the Attorney's right to submit the access request on behalf of the DS. A power of attorney had been provided and the DS's access request had been satisfied the same day.

2.5 Furthermore, you informed our Office about the following corrective actions taken to improve your practices and to avoid similar cases in the future: the issue tracking software was implemented, internal procedures for handling data subject requests were amended and extra training for staff who regularly interact with individuals was conducted.

2.6 Our Office confirmed, by contacting the DS's representative, that the access request had indeed been satisfied.

3.1 Considering the fact that Brivio Limited eventually complied with the access request, the Commissioner is of the view that the mere delay appears to be a minor infringement which only slightly affects the DS's rights and freedoms.

3.2 After consideration of the significance of the infringement and your cooperation in the investigation process, the Commissioner considers that the investigation proceedings can be concluded as no further supervisory measure is necessary at this stage.

Yours sincerely,



for the Personal Data  
Protection Commissioner