



Berliner Beauftragte
für Datenschutz
und Informationsfreiheit

Berlin, 28. April 2020

521.11540 / 631.144.1

A56ID 105454

CR 112682

DD 114100

FD 123064

Final Decision

Reprimand

To:
N26 Bank GmbH
Klosterstr. 62
10179 Berlin

Dear [REDACTED]
Dear [REDACTED]

We hereby reprimand your company for an infringement of the General Data Protection Regulation (GDPR) when processing personal data in your area of responsibility.

Justification:

Our decision is based on the following considerations:

I.
We have established the following facts:

On 1 June 2019, the complainant exercised his right to information under Article 15 GDPR. You only fulfilled the right to information after we wrote to you on 17 July 2019. The reason for the delay was the mistake of an individual employee. There has been a breach of Art. 12 (3) (1) GDPR (one-month period).

You have also transferred data about the complainant through the Facebook Custom Audiences program. This was done without consent and without a justifiable legal provision (see memorandum by [REDACTED] dated 19 September 2019).

II.
The reprimand is based on Art. 58 (2) (b) GDPR. There has been a violation of the GDPR in your area of responsibility.

Berlin Commissioner for Data Protection and Freedom of Information

Friedrichstr. 219
10969 Berlin

Visitors' entrance:
Puttkamer Str. 16-18

The building is fully accessible to
disabled members of the public.

Contact us

Phone: +49 (0)30 13889-0
Fax: +49 (0)30 215 50 50

Use our encrypted contact form
for registering data protection
complaints:
www.datenschutz-berlin.de/beschwerde.html

For all other enquiries, please
send an e-mail to:
mailbox@privacy.de

Fingerprint of our
PGP-Key:

D3C9 AEEA B403 7F96 7EF6
C77F B607 1D0F B27C 29A7

Office hours

Daily from 10 am to 3 pm,
Thursdays from 10 am to 6 pm
(or by appointment)

How to find us

The underground line U6 to
Kochstraße / Bus number M29
and 248

Visit our Website

<https://privacy.de>

Taking into account the specific circumstances of the facts of the case under investigation, we consider a reprimand to be appropriate following the conclusion of our investigation. With regard to the violation of Art. 12 GDPR, we have taken into account that this was the fault of an individual employee and that you further trained this employee. Regarding the transfer of data to Facebook, we refrained from initiating administrative offence proceedings only because you changed the procedure following our criticism.

In the safe expectation that you will comply with data protection regulations in the future, we consider the matter closed.

With kind regards,