

Summary Final Decision Art 60

Complaint

No violation

Background information

Date of final decision:	13 June 2019
LSA:	CY
CSAs:	AT, DE-Hessen, DK, ES, FR, NL, NO, SK, SE
Controller:	IQ OPTION EUROPE LTD
Legal Reference:	Right to Erasure (Article 17)
Decision:	No violation
Key words:	Right to erasure, e-commerce, Exercise of the rights of data subjects

Summary of the Decision

Origin of the case

The complainant alleged that he was denied erasure of his data due to his earlier consent to the general terms and conditions. The general terms and conditions, however, do not elaborate on the data subjects' rights but only refer in a general manner to the GDPR.

Findings

After seeking information from the data controller, the LSA found that the controller was regulated by AML national legislation, which requires the retention of data for at least five years to ensure that regulators, companies, and customers have access to key business records regarding financial transactions.

Decision

No violation as the processing was lawful under the provision Art 17(1)(b) GDPR providing that “the processing is necessary for compliance with a legal obligation which requires processing by Union or Member State law to which the controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller”.