

# Summary Final Decision Art 60

## Complaint

### Reprimand to controller

#### Background information

Date of final decision:	27 January 2020
LSA:	FR
CSAs:	AT, BE, DE, ES, IT, NL, UK
Legal Reference:	Transparency (Article 12), Right to erasure (Article 17), Right to object (Article 21)
Decision:	Infringement of the GDPR
Key words:	Erasure request, Objection, Direct marketing emails, Electronic communications, Reprimand

#### Summary of the Decision

##### Origin of the case

The complainant requested to have his account and personal data deleted and objected to the reception of direct marketing emails. According to the complainant, the controller did not comply with his requests.

##### Findings

The LSA found that, despite having deleted the complainant's account and personal data a few days after receiving the erasure request, the controller did not inform the complainant of the erasure.

Moreover, in order for the complainant to unsubscribe from direct marketing emails, he had to have an account with the controller's services. As his account was deleted, the complainant did no longer have the possibility to unsubscribe from direct marketing emails. However, the LSA found that the controller erased the complainant from the direct marketing databases, even though with a delay due to the lack of synchronisation between his direct marketing database and the tool used by his subsidiary to send emails to members.

## Decision

The LSA found that the controller did not comply with his obligations under the GDPR and issued him a reprimand.