

GZ: D155.081
2023-0.913.809

[REDACTED]

Data protection complaint (§ 24 DSGVO)

[REDACTED] (A56ID 389756, 402508)

Subject: Final decision; Discontinuation of the procedure

The complainant [REDACTED], legally friendly represented by [REDACTED] at [REDACTED], filed on 6 April 2022 with the Land Commissioner for Data Protection and Freedom of Information Lower Saxony against [REDACTED] (1. Respondent) and [REDACTED] (2. The respondent's complaint and alleged an infringement of the right to information by the fact that the 2nd Respondent did not respond to its request in this regard or had responded incompletely (1. Respondent).

The Austrian Data Protection Authority was notified by the Land Commissioner for Data Protection and Freedom of Information of Lower Saxony on the submission of the aforementioned complaint on 25 May 2022 on the Internal Market Information System of the European Union (IMI 389756), took over the further conduct of the proceedings and subsequently invited the respondents to comment.

The 2nd By letter dated 8 June 2022, the respondent informed the complainant in the ongoing proceedings before the Austrian data protection authority that she had in the meantime provided the complainant with information about her personal data (which subsequently eliminated the alleged infringement).

The 1st By letter dated 24 June 2022, the respondent informed the complainant in the ongoing proceedings before the Austrian Data Protection Authority that it had recently provided the complainant with information about her personal data.

By letter of 27 July 2022, the appellant informed that the information provided by the The respondent is not complete because there is no information on the origin of the data.

As a result, the 2nd By letter dated 30 January 2023, the respondent informed the appellant that it had provided the appellant with further information.

By several letters between the appellant and the 2. The Respondent's password for access to the information-providing documents was clarified.

By letter dated 27 June 2023, the complainant was asked by the Land Commissioner for Data Protection

of Lower Saxony whether the case between the appellant and the two respondents could be terminated by an amicable settlement.

By letter of 12 July 2023, the appellant approved the amicable settlement by its legal representation.

On 29 September 2023, the Austrian Data Protection Authority submitted to the Land Commissioner for Data Protection and Freedom of Information Lower Saxony a draft decision (“draft decision”) for the termination of the proceedings concerning the internal market information system of the European Union (IMI 553497) (cf. Art. 60(3) GDPR). The Land Commissioner for Data Protection and Freedom of Information Lower Saxony, by letter dated 19. The draft was approved in December 2023 and did not raise a relevant and reasoned objection, making the draft decision binding (cf. Art. 60(6) GDPR).

Therefore, the present appeal must be regarded as having been settled amicably and the present appeal proceedings were – as the appellant’s legal-friendly representation agreed by letter of 12 July 2023 – as agreed by the appellant’s legal representation, as agreed by letter of 12 July 2023. Section 24(6) DSG informally discontinued.

20.12.2023

For the Deputy Head of the Data Protection Authority:

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