



Republic of Austria

Data
protection
authority

GZ: D155.035
2023-0.534.104

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Data protection complaint (§ 24 DSG)

[REDACTED] (IMI no.: A56ID 167330)

FINAL DECISION

Subject: Cessation of the procedure

On 14 May 2020, the complainant [REDACTED] lodged a complaint against [REDACTED] (respondent) with the State Commissioner for Data Protection and Freedom of Information North Rhine-Westphalia, alleging an infringement in the right of access and deletion due to the respondent failing to respond to his requests in this regard.

The Austrian Data Protection Authority was notified by the State Commissioner for Data Protection and Freedom of Information North Rhine-Westphalia about the submission of the above-mentioned complaint on 2 December 2020 via the Internal Market Information System of the European Union (IMI 167330), took over the further conduct of the proceedings as Lead Supervisory Authority and subsequently requested the respondent to submit a statement.

By letter dated 12 January 2021 in the ongoing proceedings before the Austrian Data Protection Authority, the respondent informed the complainant that it had in the meantime made available to the complainant the personal data including a deletion option (which subsequently eliminated the alleged infringement).

By letter of 11 February 2021 from the Austrian Data Protection Authority, the complainant was notified of the respondent's statement via the State Commissioner for Data Protection and Freedom of Information North Rhine-Westphalia. Delivery of this letter is indicated on 3 March 2021. The complainant did not dispute access to this letter within the right to be heard and, despite a respective request, did not submit any further statement within the time limit granted.

The Austrian Data Protection Authority issued to the State Commissioner for Data Protection and Freedom of Information North Rhine-Westphalia on 15 December 2015 a draft decision ('draft decision') via the Internal Market Information System of the European Union (IMI 468994) suggesting the cessation of the present proceedings (see Article 60/3 of the GDPR). The State Commissioner for Data Protection and Freedom of Information North Rhine-Westphalia did not raise a relevant and reasoned objection to the draft within the time limit set, hence the draft decision became binding (see Art. 60/6 GDPR).

Therefore, the complaint is regarded as amicably settled and the present complaint procedure – as communicated to the complainant by letter from the Austrian Data Protection Authority of 11 February 2021 – is closed.

19 July 2023

For the Head of the Data Protection Authority:

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