

3 November 2023

J.No. 2023-7320-0189

Doc.no. 506285

Caseworker
[REDACTED]

Your complaint regarding Finansi

1. The Danish Data Protection Agency (hereinafter referred to as 'the Danish DPA') returns to the case in which you have complained to the Swedish Authority for Privacy Protection (hereinafter referred to as 'IMY') about Finansi's processing of your personal data.

Pursuant to Article 56 of the General Data Protection Regulation¹ (GDPR) IMY has forwarded the complaint to the Danish DPA, which has the assumed role of leading supervisory authority in relation to Finansi.

2. It appears from the case that you over the lapse of a year received advertising from Finansi. You have on two occasions asked Finansi to delete you from their database due to the fact that the information related to your phone number is wrong, as you never took a loan from Finansi. You also stated that you did not wish to receive advertising from credit/loan companies.

On June 3rd 2022 the Danish DPA asked FIRSTBORN ApS, who seems to be the rightful owner of Finansi, to provide the following information:

- whether Finansi has erased all personal data about the complainant
- If no, whether Finansi intends to accommodate the complainant's request in the light of the complaint to the DPA, and
 - if no, Finansi's reasons for refusing to erase the personal data; and
 - Whether the processing of the personal data in Finansi's view is in accordance with the requirements of Article 5(1)(e) of the GDPR on "limitation of storage"

On June 15th 2022 Firstborn ApS confirmed that your details have been deleted from all their systems.

3. On this basis, the Danish DPA finds no basis for taking further action in relation to your complaint about Finansi's handling of your request for erasure.

**The Danish Data
Protection Agency**
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¹ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).

This is due to the fact that a closer investigation of the case – regardless of whether the Danish DPA will find a breach of the data protection rules – will not significantly improve your legal position. The resources required for such an investigation is not commensurate with what could be achieved by doing so.

The Danish DPA has placed emphasis on the fact that Finansi has now deleted your personal information from all their systems.

The Danish DPA refers to Article 57(1)(f) of the GDPR, which states that a supervisory authority shall handle complains lodged by a data subject and investigate, to the extent appropriate, the subject matter of the complaint.

In making this assessment, the DPA may, for example, consider the resources available to the DPA and the potential result expected to be achieved by an examination of the subject matter of the complaint.

4. The Danish DPA hereby considers the case to be closed.

This decision cannot be brought before any other administrative authority, cf. Section 30 of the Data Protection Act². However, the decisions of the Danish DPA may be brought before the courts, cf. Section 63 of the Danish Constitution.

Kind regards



² Act No. 502 of 23 May 2018 on supplementary provisions to the regulation on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (the Data Protection Act).