

[DATE]

J.nr. 2022-7320-3316

Dok.nr. 619522

Sagsbehandler

Your complaint regarding DSV A/S

On 22. September 2021 you have lodged a complaint concerning DSV A/S' processing of personal data with the Norwegian Data Protection Authority.

In accordance with Article 56 of the General Data Protection Regulation¹, the Danish Data Protection Agency (hereinafter the Danish DPA) has been designated as the leading supervisory authority for the case.

In your complaint, you have stated that DSV A/S has carried out a credit rating of your individual enterprise, [REDACTED], even though you are not and do not wish to become a customer of DSV A/S.

It follows from your correspondence with DSV A/S, that they have informed you that the credit rating was carried out by their service center in Poland by mistake, and that no information has been stored on you as a result of this check.

The Danish DPA has decided not to initiate a closer investigation into the case

Having examined the information that you have provided to the Danish DPA, the DPA has decided not to initiate a closer investigation into the case. However, the Danish DPA has decided to send an informative letter to DSV A/S in which the DPA draws attention to the rules which your complaint concerns. A copy of the letter is attached for your information.

This means, that the Danish DPA has not decided on whether the rules have been infringed in your case

This also means, that this letter marks the conclusion of your case at the Danish DPA.

The grounds for the decision of the Danish DPA

The Danish DPA has made its decision on the case on the basis of Article 57(1)(f) of the GDPR.

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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).

It follows from the mentioned provision that the DPA shall handle complaints lodged by a data subject and investigate, to the extent appropriate, the subject matter of the complaint. The decision of the Danish DPA to not initiate a closer investigation into your case is based on an assessment made by the DPA of what may potentially be achieved by initiating such an investigation, including to which degree this may specifically be of help to you, or whether such an investigation would be suitable in generally increasing the level of data protection. Included in the overall assessment is also the use of resources which such an investigation may involve.

In its assessment, the Danish DPA has specifically placed emphasis on the fact that DSV A/S has informed you that the credit rating was carried out by mistake and that no information has been stored on you as a result of the check. Furthermore, the information of the credit rating result appears not to have been used by DSV A/S.

The Danish DPA has noted, that DSV A/S has apologized for the occurred.

Taking into account the above-mentioned facts, the Danish DPA consider that the subject matter of the complaint has been investigated to the extent appropriate in accordance with Article 57(1)(f) GDPR.

Your inquiry will be of use to the Danish DPA

Although the Danish DPA has decided not to initiate an investigation on the present basis, the DPA has made note of your complaint. In selecting subjects for inspections and organizing investigations of its own motion, the Danish DPA takes received complaints into consideration. While the Danish DPA may not pursue all individual cases, the DPA thus makes an effort to gain a larger overview over the areas in which there may be particular cause to conduct a closer investigation, e.g. because the processing in question influences a large number of people or because processing of sensitive personal data occurs. Your complaint will therefore be included in the foundation on which the Danish DPA bases its more general supervisory activities.

Kind regards,

