

HURTIGRUTEN GROUP AS
Langkaia 1
0150 OSLO

*Exempt from public disclosure:
Offl. § 20 første ledd B*

Your reference

Our reference
21/02687-7

Date
16.05.2024

'Sui Generis' Decision - Hurtigruten

On 27 July 2021, the Hamburg Commissioner for Data Protection and Freedom of Information (“Hamburg SA”) shared with the Norwegian Data Protection Authority (“Datatilsynet”, “us”, “our”) a complaint that [REDACTED] (the “complainant”) lodged against Hurtigruten Group AS (“controller”) with the Hamburg SA.

In March 2021, the controller wrote to the complainant to inform her about a data security incident that affected the complainant’s passport information that the controller collected in 2018.

Following this communication, on 15 March 2021, the complainant wrote to the Hamburg SA to complain about the excessive retention of her personal data from the part of the controller. The complaint was shared through the Internal Market Information System (IMI) on 27 July 2021, and Datatilsynet was identified as the lead supervisory authority within the meaning of Article 56(1) GDPR.

Further to our inquiry, it appears that some of the personal data of the complainant had indeed been retained longer than was actually necessary for the purposes for which the personal data had been processed. However, the controller informed us that this excessive retention of personal data was due to an occasional oversight from their part, which the controller has acknowledged and remedied since the complaint was lodged in 2021.

We have therefore sought to facilitate an amicable settlement with the controller in accordance with Recital 131 GDPR, and encouraged the controller to reach out to the complainant for this purpose.

On 29 February 2024, the controller wrote to the complainant to explain that the excessive retention of her passport data was due to an occasional breach of the controller’s internal routines, and to apologize for any inconvenience caused. The controller also offered the complainant to cover any expenses related to the change of passport, and to provide further assistance in relation to the incident.

In light of the above, and given that the complainant has not responded to the above-mentioned letter, we consider that the subject matter of the complaint has been investigated to the extent appropriate in accordance with Article 57(1)(f) GDPR, and that the matter may be deemed to be resolved to the complainant's satisfaction. We have therefore decided to close the present case in accordance with Article 60(7) GDPR and the requirements of Internal EDPB Document 06/2021 on the practical implementation of amicable settlements (adopted on 18 November 2021).

A draft of the present decision was shared with the complainant and with the other supervisory authorities concerned in accordance with Article 60(3) GDPR. None of them has raised any objections.

Kind regards,

Tobias Judin
Head of International

Luca Tosoni
Specialist Director

This letter has electronic approval and is therefore not signed

Copy to: Complainant
HmbBfDI