

Information and Data Protection Commissioner

CDP/COMP/57/2025

VS

COMPLAINT

1. On the 30th of January 2025, [REDACTED] (the “**complainant**”) lodged a data protection complaint with the Information and Data Protection Commissioner (the “**Commissioner**”) pursuant to article 77(1) of the General Data Protection Regulation¹ (the “**Regulation**”), alleging that [REDACTED] (the “**controller**”) had infringed the provisions of the Regulation, by processing his personal data in an unlawful manner and by impeding him from exercising his data protection rights under the Regulation. Pertinently, the complainant made the following allegations vis-à-vis the controller:
 - a. that the controller, while attempting to recover a debt which it asserted was owed by the complainant, sent the personal data of the complainant “*to a third-party debt collector without [the complainant’s] explicit consent*”;
 - b. that the controller infringed articles 12, 13 and 14 of the Regulation and the data subject’s right to be informed about the processing of his personal data, in particular because the controller “*never informed [the complainant] that [his] personal data was shared with a third party*”;

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.

- c. that the controller refused to act on the complainant's request for access to his personal data, pursuant to the right of access in article 15 of the Regulation, and in particular that, *"despite multiple formal requests, [the controller] has refused to provide full access to [the complainant's] personal data, including: A full breakdown of what personal data [the controller] has processed about [him]"*;
 - d. that the controller refused to act on the complainant's request for the erasure of his personal data, pursuant to the right to erasure in article 17 of the Regulation, whereby he requested the controller that *"if this debt cannot be substantiated with clear and lawful evidence, I request the deletion of all personal data related to it from [the controller's] systems."*; and
 - e. that the controller, in refusing to act on the complainant's right of access request and right to erasure request, had infringed article 12(3) of the Regulation.
2. For the purpose of supporting his allegations, the complainant submitted a copy of the exchange of email correspondence between himself and the controller. In his complaint, the complainant alleged that *"these emails show that [the controller] ignored multiple GDPR-related requests [and] failed to provide information on data processing"*. Given that a considerable amount of these communications are unrelated to data protection issues, and that, in accordance with article 57(1)(f) of the Regulation, the task of the Commissioner is to handle complaints lodged by a data subject and investigate to the extent appropriate, the subject matter of the complaint, the Commissioner will restrict his investigation to the subject-matter of the complaint lodged by the complainant.

INVESTIGATION

3. Pursuant to the internal investigative procedure of this Office, the controller was provided with a copy of the complaint, including the supporting documentation submitted by the complainant, and was provided with the opportunity to make any submissions it deemed relevant and necessary to defend itself against the allegations raised by the complainant.

Submissions of the controller

4. By means of an email sent on the 11th of February 2025, the controller made the following principal arguments for the Commissioner to consider in the legal analysis of the present case:

- a. that “*it is abundantly clear from the text of Article 6(1)(b) that processing is allowed where it is necessary for the performance of a contract to which the data subject is party*” and that “*Article 6(1)(f) also makes it clear that it is lawful to process personal data in the process of pursuing the legitimate interests of the controller, therefore of [the controller]*”;
- b. that a contract was signed between the complainant and the controller for the provision of a mobile phone under a repayment plan offered by the controller, and that the complainant “*did not adhere to his contractual obligations and failed to make payments due by him – a matter which is being asserted by [the controller] and which is outside the scope of this complaint*”;
- c. that, on the 21st of January 2025 “*evidence of both the contract of sale and the lack of payments was passed on to [the complainant]*”, and this is also evidenced by the supporting documentation that the complainant himself attached to his complaint;
- d. that all service contracts, whether for mobile services or for other electronic communication services provided by the controller, include the ‘*General Terms and Conditions*’, which also apply to the complainant’s contract, as stated in the ‘*Order Form*’ and in clauses 6(b)(ii) and 6(b)(iii) of the contract;
- e. that the ‘*General Terms and Conditions*’ are also available online at [REDACTED] and that clause N thereof clearly explains “*how personal data is processed and that it is shared with third parties in line with its legitimate interest for “credit reference, fraud prevention, business scoring, credit scoring, debt collection and recovery”*”;
- f. that, furthermore, in the email sent by the controller to the complainant on the 21st of January 2025, the controller provided a link to its privacy notice, which the controller stated “*explains processing-related matters in more detail*”;
- g. that following receipt of the controller’s email, the complainant did not seek any further clarifications on data protection matters nor did he request any supplementary information from the controller – rather, on that same day, he proceeded to make a number of new allegations against the controller;

- h. that the controller shared only that data which is strictly related to the alleged debt with the credit information agency, and that the controller's privacy notice – which was also shared with the complainant via email – explained that this will be done in the case of a debt owed to the controller;
- i. that in addition to the fact that the controller's privacy notice was sent to the complainant via email on the 21st of January 2025, it is also available online on the controller's website, as are the '*General Terms and Conditions*', and that *"it is standard practice for all companies with an anti-fraud and anti-risk policy to share details of debtors with credit information agencies and doing so cannot be considered to be a disproportionate act but rather, a responsible act owed to the rest of the business community"*;
- j. that all personal data which the controller has and is processing about the complainant in order to recover the debt from the complainant emanates directly from him, either through the signed contracts, order forms, or his payments (or lack thereof) to the controller, and that the controller does not hold any other personal data of the complainant;
- k. that the controller considers, after having third-party audits carried out at its own behest, that all the information requirements listed in article 13 of the Regulation are fulfilled through the '*General Terms and Conditions*' as well as through its privacy notice; and
- l. that the controller rejects the complainant's allegation that his request to exercise his right of access in accordance with article 15 of the Regulation was refused, and that *"this request was never made to [the controller] by [the complainant] in the various emails he sent to [the controller]. None of the emails sent by [the complainant] makes reference to Article 15, nor does it contain a request to access his data as collected by [the controller]. The complaint to the IDPC made by [the complainant] is the first time such a reference or request is being made [...]"*.

Submissions of the complainant

- 5. The Commissioner shared the submissions of the controller with the complainant to provide him with the opportunity to respond to, and rebut the arguments presented by the controller. By

means of a number of emails sent on the 17th of February 2025, the complainant submitted the following principal arguments, which directly concern the subject-matter of the complaint, in response to the submissions of the controller:

- a. as to the disclosure of the complainant's personal data to a third party – that *“my financial data was processed without a lawful basis, contrary to GDPR requirements”* and that *“as a refugee under international protection, the unauthorized sharing of my personal and financial data with third parties poses a direct risk to my safety and legal status”*;
- b. as to the complainant's right of access request – that *“the controller claims that I never explicitly made an Article 15 request. However, this is factually incorrect”*, and that *“I explicitly requested a breakdown of how my data was processed, stored, and shared, which constitutes a valid Article 15 request under GDPR”*, and that *“Article 15 does not require the data subject to cite the legal provision explicitly — any clear request for access to personal data should be treated as such”*, and furthermore that *“[the controller] failed to respond comprehensively, violating Article 12(3) GDPR”*; and
- c. as to the controller's infringement of article 12(3) of the Regulation – that *“[d]espite their legal obligation to respond within one month, as required by Article 12(3) of the GDPR, I have not received any substantial response addressing my request. Their last communication, dated December 18, 2024, merely acknowledged receipt but failed to provide the requested information.”*

Further clarification sought by the Commissioner

6. After reviewing the complainant's submissions, the Commissioner requested the complainant to provide a copy of the email or other communication that was sent to the controller in which the complainant had *“explicitly requested a breakdown of how [his] data was processed, stored, and shared”*³.

³ As stated by the complainant in his submissions dated the 17th of February 2025.

7. In response, on the 17th of February 2025, the complainant submitted a copy of an email which was sent by him to the controller on the 18th of December 2024. In this email, the complainant made the following requests in relation to his personal data:

“Please confirm whether my personal data related to this alleged debt is still being processed”

and that,

“If the debt is prescribed or no longer legally recoverable, I formally request the deletion of all related personal data from your systems, as per Article 17 (Right to Erasure) of GDPR”

and that,

“[...] I request a full explanation of: The personal data [the controller] holds about me in relation to this alleged debt.”

Final submissions of the controller

8. In line with this Office’s internal complaint-handling procedure, the Commissioner shared with the controller the complainant’s submissions and a copy of the email sent on the 18th of December 2024, and provided the controller with the final opportunity to put forward any additional arguments to rebut the allegations made by the complainant.
9. By means of an email sent on the 26th of February 2025, the controller submitted the following salient arguments:
- a. that in the email sent to the controller by the complainant on the 18th of December 2024, the complainant *“did not make a full Article 15 request, but asked “whether my personal data related to this alleged debt is still being processed” and [for] “a full explanation of:- the personal data [the controller] holds about me [the complainant] in relation to this alleged debt’ ”;*

b. that in the reply sent by the controller on the 21st of December 2024, the controller
*“provided [the complainant] with all the information in relation to the alleged debt,
from contracts to statements.”;*

c. that, consequently, the controller is of the view that:

“(a) we did not breach any of our obligations under GDPR;

(b) [we] replied to both the above-quoted queries; and

*(c) in so doing, provided [the complainant] with whatever he needed to
understand where the alleged debt emanated from and what amount was still
outstanding or, at the very least, a starting point to be able to communicate, ask
further questions and possibly start a repayment programme for
[the complainant] to settle his dues in full.”;*

d. that the complainant *“quoted ‘Article 15’ for the first time in his email reply on the
same day”* (on the 21st of December 2024), and that *“this wasn’t within the context of
an actual request for personal data but an allegation that “[the controller] failed to
provide me with access to a clear breakdown of the debt or information on how my data
was processed, shared or stored.””;*

e. that on the very same day, the controller provided all the information in relation to the
debt, however *“[the controller’s] reply [to the complainant] was dismissive as [the
complainant’s] email clearly ignored the fact that documentation had actually been
sent”;*

f. that the email sent by the complainant to the controller on the 21st of December 2024
*“did not request any clarifications or contain questions on what was sent and any
possible ambiguities but, rather, an accusation”* and that *“this was the first time that
[the complainant] mentioned an interest in the manner in which his data was processed,
shared or stored.”;*

g. that, with respect to the complainant’s request to exercise his right to erasure under
article 17 of the Regulation, the controller asserted that the Commissioner should not
entertain the possibility of data subjects having a right to request the erasure of their

personal data when there is a disputed debt, and that the request “*would also go against article 17(3) of the Regulation*”;

- h. that, furthermore, the determination of whether the debt exists and whether it is due “*is a matter for the courts or relevant tribunals to establish*” and that “[the controller] *considers that until the matter of whether the debt exists is decided in a final matter by the appropriate legal forum, the issue of the data subject’s right to be forgotten should not be addressed*”; and
- i. that “*for the record, however, [the complainant’s] debt is not prescribed by law as the documents sent to [the complainant] as well as to [the Commissioner], specifically his [REDACTED] Order Form, clearly indicate*”.

- 10. Upon reviewing the controller’s submissions, the Commissioner requested the controller to provide a copy of the email sent to the complainant on the 21st of December 2024, in which the controller had responded to the complainant’s request and furnished the data subject with “*all the information in relation to the alleged debt, from contracts to statements*”⁴;
- 11. By means of an email dated the 10th of March 2025, the controller submitted a copy of the requested email, in which the controller provided the complainant with information about and copies of the following documents:
 - a. the signed copy of the complainant’s contract that was entered into with the controller;
 - b. the signed copy of the complainant’s ‘Mobile Number Portability Form’;
 - c. the judicial letter addressed to the complainant; and
 - d. the statement of account of the complainant.

However, the Commissioner noted that although the relevant information and documentation had indeed been provided, the email in question was actually sent to the complainant on the 21st of January 2025 (not on the 21st of December 2024, as originally stated by the controller).

- 12. When the Commissioner brought this to the attention of the controller, it acknowledged that there had been a mistake in the date of the email. The controller further stated that acknowledgement emails confirming receipt of the complainant’s email had been sent to the

⁴ As stated by the controller in its submissions dated the 26th of February 2025.

complainant on the 18th of December 2024 and on the 2nd of January 2025 respectively and provided copies of these emails to the Commissioner.

LEGAL ANALYSIS AND DECISION

13. For the purpose of this legal analysis, the Commissioner sought to principally examine the following allegations made by the complainant:

- a. that the controller unlawfully processed the personal data of the complainant by disclosing it to a third party without his consent;
- b. that the controller failed to inform the complainant that his personal data would be disclosed to a third party, thereby infringing on his right to be informed, pursuant to articles 12, 13 and 14 of the Regulation;
- c. that the controller refused to comply with the complainant's request for access to his personal data, pursuant to article 15 of the Regulation;
- d. that the controller refused to comply with the complainant's request for the erasure of his personal data, pursuant to article 17 of the Regulation; and
- e. that the controller infringed article 12(3) of the Regulation by failing to act on the complainant's right of access request and right to erasure request within one (1) month from the date of receipt of the requests.

The disclosure of personal data to a third-party

14. In his complaint, the complainant alleged that the controller had disclosed his personal data *"to a third-party debt collector without [his] explicit consent"*. Accordingly, for this part of the legal analysis, the Commissioner undertook to examine the relevant legal grounds under article 6(1) of the Regulation which the controller relied upon to process (and subsequently disclose to a third-party) the complainant's personal data, and to determine whether the complainant's consent was required under the applicable legal grounds.

15. As a preliminary remark, the processing of personal data is only deemed to be lawful where it falls within one of the exhaustive grounds set forth in article 6(1) of the Regulation, namely:

(a) the consent of the data subject; (b) the performance of a contract to which the data subject is a party; (c) compliance with a legal obligation to which the controller is subject; (d) the protection of vital interests of the data subject or another natural person; (e) the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller; or (f) the legitimate interest pursued by the controller or by a third party. In the absence of at least one applicable legal ground, the processing of personal data – which, in accordance with article 4(2) of the Regulation, also includes within the scope of its definition the “disclosure” and “making available” of personal data to third parties – would be considered unlawful.

16. The Commissioner noted that in its submissions, the controller had stated that *“it is abundantly clear from the text of Article 6(1)(b) [of the Regulation] that processing is allowed where it is necessary for the performance of a contract to which the data subject is party”,* and that, *“Article 6(1)(f) also makes it clear that it is lawful to process personal data in the process of pursuing the legitimate interests of the controller”*. Additionally, the controller had explained that only *“data strictly relating to the debt was shared with credit information agencies only and the email sent had provided [the complainant] with a link to [the controller’s] privacy notice which clearly explains that this will be done in case of a debt owed to [the controller]”*. The Commissioner took note of (i) the privacy notice that the controller had shared with the complainant, which stated that personal data may be shared with *“other companies with whom we have a contractual relationship”, “to follow up on debt collection through agencies or other debt recovery organisations”,* and (ii) the contract that was entered into between the complainant and the controller, which required the complainant to make payments to the controller in order to receive the service provided by the controller as specified in the contract. Accordingly, the Commissioner proceeded to assess the applicability of the legal grounds under article 6(1)(b) and article 6(1)(f) of the Regulation.

17. The legal ground under article 6(1)(b) of the Regulation states that the processing of personal data is lawful where it is *“necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract”* [emphasis has been added]. Accordingly, after establishing that a valid and legally enforceable contract existed between the complainant and the controller, namely the [REDACTED] contract, the Commissioner proceeded to assess whether the processing of the complainant’s personal data was objectively necessary for the performance of that contract.

18. To this end, the Commissioner examined the clauses of the contract, under which the complainant was required to make payments to the controller in exchange for the service indicated in the contract. In particular, the Commissioner noted the following salient clauses:

- a. that on page one (1) thereof, under the sub-heading [REDACTED] it is stated that a payment of EUR 24.99 is to be made monthly by the complainant, for thirty (30) months, amounting to the total of EUR 749.70;
- b. that on page one (1) thereof, in the paragraph directly preceding the signature line where the complainant signed and entered his details, it is clearly stated that, *"I, the undersigned, am hereby applying for the Service indicated in this agreement and agree to pay all the relative charges. I also hereby agree to have read, understood and agree to be bound by all the Terms & Conditions relating to the Service as well as any other applicable Terms & Conditions which are being provided with this Agreement and which are also published on the [REDACTED] for ease of reference."* [emphasis has been added];
- c. that in the [REDACTED] annexed to the contract in pages three (3) and four (4), in the second clause titled 'Definitions', sub-clause (d) states that *"'Monthly Payment' means 'each scheduled monthly payment as stated on the Order Form which shall be paid by You to Us for the duration of the Term as a means of gradual payment for the [REDACTED]'"*, and in addition, sub-clause (g) states that *"'Term' means 'the term of this Agreement which commences on the date Your Order Form is signed by You until the [REDACTED] is paid for in full. Subject to clause 6, the normal and intended duration of this Agreement shall be of thirty (30) months.'" [emphasis has been added];*
- d. that in the third clause titled 'Terms', sub-clause (d) states that *"You will not be able to change the Monthly Payments which You opt for once Your Order Form has been signed."*;
- e. that in the fifth clause titled 'Payment', sub-clause (b) states that *"The [REDACTED] Plan shall be paid in 30 equal Monthly Payments as stated in Your Order Form. Each Monthly Payment shall appear and be charged on the same bill as Your Eligible Mobile Tariff Plan until any outstanding balance for the [REDACTED] is paid for in full."* In addition, sub-clause (h) states that *"Any termination under clause 6.b.ii, 6.b.iii and 7.a shall require You to pay the outstanding balance for the [REDACTED]"*

Plan in full upon notification of termination by You or by Us and You bind yourself to pay such outstanding balance in full. You should also read the applicable terms and conditions for Your Eligible Mobile Tariff Plan as early termination fees and other charges or penalties may also apply if Your Eligible Mobile Tariff Plan is also terminated by You.” ; [emphasis has been added].

19. The Commissioner also reviewed the statement of account of the complainant, a copy of which was submitted by the controller (and by the complainant) during the course of the investigation as evidence of the outstanding balance on the complainant’s account. Upon examining the document, the Commissioner noted that while some payments had been made by the complainant since the account had been opened, there was still an outstanding balance that remained on the account, and which was still due by the complainant.

20. In assessing whether the processing of the complainant’s personal data was objectively necessary for the performance of that contract, the Commissioner examined the European Data Protection Board (the “EDPB”) Guidelines 2/2019⁵, which explicitly state that “*for applicability of Article 6(1)(b), it is required that the processing is objectively necessary for a purpose that is integral to the delivery of that contractual service to the data subject.*” [emphasis has been added]. The Commissioner also referred to the EDPB Binding Decision 2/2022,⁶ in which it was explained that “*for the assessment of necessity under Article 6(1)(b) GDPR, ‘[i]t is important to determine the exact rationale of the contract, i.e. its substance and fundamental objective[...]*””, and that the controller “*should be able to justify the necessity of its processing by reference to the fundamental and mutually understood contractual purpose.*” This reasoning was also adopted in the EDPB Binding Decision 5/2022,⁷ wherein the EDPB further elaborated that when assessing whether article 6(1)(b) can be relied upon as a legal ground for the lawful processing of personal data, “*regard should be given to the particular aim, purpose, or objective of the service and, for applicability of Article 6(1)(b) GDPR, it is required that the processing is objectively necessary for a purpose and integral to the delivery of that contractual service to the data subject*”. [emphasis has been added].

⁵ EDPB Guidelines 2/2019 on the processing of personal data under Article 6(1)(b) GDPR in the context of the provision of online services to data subjects, Version 2.0, adopted on the 8th October 2019 (paragraph 30).

⁶ EDPB Binding Decision 2/2022 on the dispute arisen on the draft decision of the Irish Supervisory Authority regarding Meta Platforms Ireland Limited (Instagram) under Article 65(1)(a) GDPR, adopted on the 28th of July 2022 (paragraph 89-90).

⁷ EDPB Binding Decision 5/2022 on the dispute submitted by the Irish SA regarding WhatsApp Ireland Limited (Art. 65 GDPR), adopted on the 5th of December 2022 (paragraph 105).

21. In this regard, the Commissioner considered that in the process of fulfilling a contract, the controller may find it necessary to process personal data in order to recover outstanding payments owed by the data subject under a contract – and such a situation has also been recognised by the EDPB in its guidance. In particular, the Commissioner analysed the EDPB Guidelines 2/2019⁸ which explain that, in the context of relying on article 6(1)(b) of the Regulation as a legal ground for processing, “*certain actions can be reasonably foreseen and necessary within a normal contractual relationship, such as sending formal reminders about outstanding payments*”, and that as a result, “*Article 6(1)(b) may cover processing of personal data which is necessary in relation to such actions.*”
22. The Commissioner further noted that, contrary to situations where consent serves as the legal ground for processing – allowing the data subject to withdraw the consent to the processing at any time – where the data subject is a contractual partner to the controller, he or she cannot freely terminate the processing of the personal data that is based on contract. In fact, even if the contractual relationship between the parties is terminated, some personal data may still need to be retained, particularly with respect to the establishment, exercise, or defence of legal claims.
23. In this context, and after taking into account (i) the relevant clauses of the contract which bound the complainant to make payments for the service rendered to him by the controller, and which also made the complainant responsible to pay for any applicable fees, charges and penalties due under it, and (ii) the complainant’s statement of account which evidenced the existence of an outstanding balance, the Commissioner considered that the controller was able to justify the necessity of its processing, as recovering the outstanding balance is integral to the delivery of that contractual service to the data subject. Consequently, the controller lawfully processed the complainant’s personal data pursuant to article 6(1)(b) of the Regulation.
24. In its submissions, the controller had indicated that the processing of the personal data of the complainant was also carried out on the basis of its legitimate interests. Pursuant to article 6(1)(f) of the Regulation, the processing of personal data is lawful if it is “*necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data*”.

⁸ EDPB Guidelines 2/2019 (paragraph 38).

25. The Court of Justice of the European Union (the “CJEU”) has reaffirmed on a number of occasions that the reliance on article 6(1)(f) of the Regulation as a legal basis for processing is contingent on the satisfaction of a three-part test. In particular, in its landmark *Rīgas*⁹ ruling, the CJEU stated that the three cumulative conditions that must be satisfied are as follows:

“first, the pursuit of a legitimate interest by the data controller or by the third party or parties to whom the data are disclosed; second, the need to process personal data for the purposes of the legitimate interests pursued; and third, that the fundamental rights and freedoms of the person concerned by the data protection do not take precedence.”

26. Accordingly, the Commissioner assessed the present case in light of these three (3) cumulative conditions, each of which had to be present for the controller to lawfully rely on article 6(1)(f) of the Regulation for the processing – and, by extension, for the subsequent disclosure of the complainant’s personal data to a third party. Namely, that:

- a. there must be a legitimate interest, pursued by the controller or by a third party, that justifies the processing of personal data;
- b. the processing must be necessary for the realisation of that legitimate interest; and
- c. there must be the prevalence of that legitimate interest over the rights and interests of the data subject, which calls for a balancing of interests.

27. With respect to the first condition of the test, a specific legitimate interest pursued either by the controller or by a third party, must exist that justifies the processing of personal data. The Regulation does not provide a definition for “*legitimate interest*”, and it is ultimately the responsibility of the controller to make its own assessment to determine whether there is a legitimate aim capable of justifying an interference with the data subject’s right to the protection of personal data. The Commissioner interprets the term “*interest*” in this regard to mean the broader stake that a controller may have in the processing of the personal data, or the benefit that a controller may derive from such processing in the context of its relationship with the data subject. This interpretation is substantiated by recital 47 of the Regulation, which provides *inter alia* that “*legitimate interest could exist for example where there is a relevant and appropriate*

⁹ Case C-13/16, *Rīgas satiksme*, decided 4th May 2017 (paragraph 28).

relationship between the data subject and the controller in situations such as where the data subject is a client or in the service of the controller” [emphasis has been added].

28. The Commissioner examined the submissions of the controller including, in particular, evidence of the statement of account of the complainant. This documentation demonstrated that the complainant had defaulted in payment for a service that was being provided to him by the controller under a contractual agreement entered into by the complainant. Accordingly, the Commissioner agreed that the recovery of payments is indeed considered to constitute a “legitimate interest”.
29. With respect to the second condition of the test, the Commissioner proceeded to determine whether the processing of personal data was actually necessary for the realisation of that legitimate interest. To begin with, the Commissioner referred to the principle of data minimisation pursuant to article 5(1)(c) of the Regulation, which requires that personal data shall be “adequate, relevant, and limited to what is necessary in relation to the purpose for which they processed”. It follows, therefore, that there must be a clear and relevant connection between the processing activity and the legitimate interest being pursued, and that the personal data being processed must be limited to what is plausibly necessary to pursue the legitimate interest. In the present case, the Commissioner noted that the personal data that was disclosed to the third party debt collection agency was limited to information relating to the complainant’s allegedly outstanding payments.
30. Consequently, the Commissioner considered that the controller’s disclosure of the complainant’s personal data, limited to the personal information concerning the alleged debt, was necessary in order for the controller to pursue the recovery of the payments it considered were owed. Thus, the Commissioner determined that the processing was indeed necessary for the legitimate interest identified in the first limb of the test to be realised.
31. With respect to the third condition of the test, a balancing test must be carried out in order to determine whether the legitimate interest of the controller or the third party (in this case, the controller) are overridden by the interests or fundamental rights and freedoms of the data subject (in this case, the complainant). So, in order for the processing to be lawful, the outcome of the balancing test must be such that the interests of the data subject do not outweigh those of the controller. In this regard, account shall be taken, *inter alia*, of the nature of the legitimate interests being pursued, the nature of the personal data at issue, and the impact that may be felt by the data subject. This is supported by recital 47 of the Regulation, which provides that:

*“The legitimate interest of a controller, including those of a controller to which the personal data may be disclosed, or of a third party, may provide a legal basis for processing, provided that the interests or the fundamental rights and freedoms of the data subject are not overriding, taking into consideration **the reasonable expectations of data subjects based on their relationship with the controller**” [emphasis has been added].*

32. The notion of “reasonable expectations” plays a central role in ensuring the lawfulness of the processing activity. In this regard, the EDPB explains¹⁰ that the processing should not be surprising to the data subject, having regard to the particular relationship between the data subject and the controller, as well as any possible adverse consequences that the processing may have on the data subject. Accordingly, when carrying out the balancing of interests, the Commissioner had to assess whether, based on the nature of the relationship that the data subject has with the controller, the complainant would reasonably expect the processing of his personal data in that regard.

33. During the course of the investigation, the controller submitted evidence demonstrating that on the 21st of January 2025, an email was sent to the complainant, which read as follows:

“To this effect, you may wish to also refer to [the controller’s] privacy notice and to the relevant provisions of the GDPR relating to legitimate interest. Your personal data will therefore continue to be processed in line with the provisions of the GDPR until the pending balance is settled in full.”

34. The Commissioner also reviewed the controller’s privacy notice, which was linked within the email. The relevant sections of the privacy notice state the following:

“How we share your information

In order to provide, improve, customise, support and market our services, we engage the services or use the products of other companies with whom we have a contractual relationship. As much as possible, we limit their access to any of your data. However, if aspects of your personal data need to be shared by us with them or can be accessed by them for them to be able to assist us with our operations, they will only use or access that information under our instruction,

¹⁰ EDPB Guidelines 2/2019 (paragraph 12).

and in accordance with policies and procedures designed to protect your information.

We use such companies or their products for the following purposes:

[...]

6. to follow up on debt collection through agencies or other debt recovery organisations”.

35. Taking into account the facts of the present case, the Commissioner assessed whether the complainant could reasonably expect that his personal data would be processed by the controller for that purpose. The Commissioner considered that, while the controller’s interest to recover payment of the outstanding balance certainly differed from the complainant’s interest to avoid settling the balance, it was indeed reasonable for the complainant to expect that the controller would take steps to achieve that interest. Therefore, in the present case, the Commissioner determined that the interest of the controller would not be overridden by the interest of the complainant, and consequently, the balance is in favour of the controller.
36. Thus, in the present case, the Commissioner considered that the controller was able to validly rely on article 6(1)(b) and article 6(1)(f) of the Regulation in order to process the complainant’s personal data, including to disclose information about the alleged debt to the third-party debt collection agency. Accordingly, the Commissioner concluded that the consent of the complainant was not required as the processing of personal data in the present case was based on the valid lawful grounds of article 6(1)(b) and article 6(1)(f) of the Regulation.

The right to be informed

37. After establishing that the processing carried out by the controller was lawful pursuant to article 6(1)(b) and article 6(1)(f) of the Regulation, the Commissioner proceeded to examine the allegation raised by the complainant in relation to his right to be informed, namely, that the complainant *“was never informed that my personal data was shared with a third party, which is a direct violation of GDPR transparency requirements.”*
38. Transparency is one of the fundamental principles relating to the processing personal data and is set out in article 5(1)(a) of the Regulation, which provides that personal data shall be *“processed lawfully, fairly and in a transparent manner in relation to the data subject”*. Transparency is essential to empower data subjects to exercise control over their own personal

data, and to ensure the effective protection of their personal data. In this regard, the Article 29 Working Party Guidelines on transparency under Regulation 2016/679 (which have been endorsed by the EDPB) highlight that transparency is an obligation incumbent upon controllers that applies to three main areas: *“(1) the provision of information to data subjects related to fair processing; (2) how data controllers communicate with data subjects in relation to their rights under the GDPR; and (3) how data controllers facilitate the exercise by data subjects of their rights”*.¹¹

39. The principle of transparency is further articulated in recital 39 of the Regulation, which provides that *“It should be transparent to natural persons that personal data concerning them are collected, used, consulted or otherwise processed and to what extent the personal data are or will be processed.”* Accordingly, the underlying rationale of the principle of transparency and its interrelated provisions – in particular articles 13 and 14 of the Regulation – is to ensure that data subjects are informed about the existence of the processing activity (or activities) being carried out by the controller, and that data subjects are provided with (at a minimum) the information outlined in article 13, and where applicable, article 14 of the Regulation. Whereas article 13 applies to situations where the personal data is obtained from the data subject, article 14 applies where the personal data has not been obtained directly from the data subject. Importantly, the use of the term *“shall”* in both articles 13 and 14 makes it clear that providing the information is mandatory, unless the controller can effectively demonstrate that one of the exemptions in article 13(4) or article 14(5) applies.

40. To this end, article 12(1) of the Regulation states that the controller *“shall take appropriate measures to provide any information referred to in Articles 13 and 14”* in a manner that is *“concise, transparent, intelligible and easily accessible form, using clear and plain language.”* The Article 29 Working Party Guidelines provide further clarification on how this essential information shall be communicated to data subjects.¹² Notably, the Guidelines explain that in order to ensure that the principle of fairness is respected, the language used by the controller must be *“concrete and definitive”* and must not *“leave room for different interpretations”*.

41. Both articles 13 and 14 of the Regulation provide a predetermined list of information that the controller is required to incorporate in its data protection notice. Amongst these is the requirement to inform the data subject where personal data will be shared with third parties

¹¹ Article 29 Working Party Guidelines on transparency under Regulation 2016/679, last revised and adopted on the 11th April 2018 (paragraph 1).

¹² Ibid. (paragraph 12).

(“recipients”), as provided in article 13(1)(e) and article 14(1)(e), respectively. In such situations, the controller must provide the data subject with information about the recipients, or at a minimum, the categories of recipients.

42. After taking into account the foregoing considerations, the Commissioner made the following observations with respect to the present case:

- a. that this notice is publicly accessible on the controller’s website, and that – in line with the Article 29 Working Party’s guidance¹³ – a direct link to the notice is visible on every page of the website, and is displayed under a commonly used term (in this case, “Privacy Notice”);
- b. that in addition, the notice was also directly brought to the attention of the complainant via email, and that the controller included a link to the notice within the same email;
- c. that within the email, the controller had provided the following explanation to the complainant regarding how his personal data would be processed and shared, namely that:

“the debt exists, has been created as a result of your default in payment for the mobile phone you acquired from [the controller], has been acknowledged by you and, according to our records and the documentation herein provided, remains due. Therefore, [the controller] has the legal right to contact you and make demands to ensure its legitimate interest and that you settle this debt without further delay. To this effect, you may wish to also refer to [the controller’s] privacy notice and to the relevant provisions of the GDPR relating to legitimate interest. Your personal data will therefore continue to be processed in line with the provisions of the GDPR until the pending balance is settled in full.”;

- d. that upon reviewing the relevant section of the notice – specifically the section titled “How we share your information” – it was clear that the controller had provided a list of categories of recipients, stating that:

¹³ Article 29 Working Party Guidelines on transparency under Regulation 2016/679, last revised and adopted on the 11th April 2018 (paragraph 11).

“In order to provide, improve, customise, support and market our services, we engage the services or use the products of other companies with whom we have a contractual relationship. As much as possible, we limit their access to any of your data. However, if aspects of your personal data need to be shared by us with them or can be accessed by them for them to be able to assist us with our operations, they will only use or access that information under our instruction, and in accordance with policies and procedures designed to protect your information.

We use such companies or their products for the following purposes:

[...]

6. to follow up on debt collection through agencies or other debt recovery organisations” [emphasis has been added].

- e. that in assessing whether the controller had informed the data subject of this in a “concise, transparent, intelligible and easily accessible form, using clear and plain language” as required under article 12(1) of the Regulation, the Commissioner considered that the information was presented succinctly, without being worded using overly complex language or sentence structures, and without being unnecessarily lengthy. The Commissioner also considered that the wording used was likely to be easily understood by an average member of the intended audience. Furthermore, the notice had been provided to the complainant directly, via a link sent by email, and was also accessible on the controller’s website at any time. Accordingly, the Commissioner considered that the data subject had also been informed in a manner that was easily accessible.

43. Consequently, the Commissioner concluded that contrary to the complainant’s allegation, the controller had informed the complainant that his personal data would be disclosed to a third party, and thus, had provided the essential information required pursuant to article 13(1)(e) of the Regulation, and had not acted in breach of the principle of transparency nor the complainant’s right to be informed.

The right of access

44. The right of access is a fundamental right afforded to data subjects under the Regulation, which aims to enable individuals to have control over their own personal data, and to be aware of, and verify the lawfulness of the processing of that data. Pursuant to article 15(1) of the Regulation, the data subject has the right to obtain confirmation from the controller as to whether personal data concerning him or her is being processed, and where it is, the data subject also has the right to obtain access to the personal data and to receive comprehensive information about the processing operations that are carried out in relation to that personal data. Furthermore, as part of its obligation to respond to the request, the controller is required to provide a copy of the personal data undergoing processing to the data subject, pursuant to article 15(3) of the Regulation. The right of access aligns with the overarching objective of the Regulation, as articulated in recital 10, that is to ensure a consistent and high level of protection of natural persons within the European Union.
45. Accordingly, the Commissioner noted how the right of access is of fundamental importance within the scope of the Regulation, and ought to be treated as such by controllers. To this end, controllers are expected to handle access requests in a manner that ensures the broadest and most effective realisation of the right, and this is also in line with the controller's duty to facilitate the exercise of data subject rights. In this regard, the Commissioner noted that the imposition of certain pre-conditions on the exercise of this right – such as requiring the data subject to explicitly refer to article 15 when making the request – would unduly restrict the proper exercise of the right of access. Imposing such requirements would go against the very intention behind article 15, which seeks to ensure that data subjects can easily obtain access to their personal data, without facing unnecessary constraints.
46. With regard to his right of access, the complainant stated in his complaint that “*despite multiple formal requests, [the controller] has refused to provide full access to my personal data, including: A full breakdown of what personal data [the controller] has processed about me*”. Therefore, as a preliminary step in the legal analysis, the Commissioner proceeded to examine the nature of the request which was made by the complainant.
47. When requested by the Commissioner to provide a copy of the communication sent to the controller where he had first made his access request, the complainant submitted a copy of an email sent to the controller on the 18th of December 2024. Upon reviewing the contents of the email, the Commissioner observed that, among other requests, the complainant specifically requested the controller to “*confirm whether my personal data related to this alleged debt is*

still being processed". Additionally, within the same email, the complainant had requested the controller to provide *"a full explanation of: the personal data [the controller] holds about me in relation to this alleged debt."*

48. When the Commissioner had shared a copy of this email with the controller, the controller had initially argued that the complainant did not refer to article 15 of the Regulation in his email, and so in its view, the complainant had not made a valid request under article 15. Notwithstanding this, the controller submitted that in an email sent to the complainant on the 21st of December 2024, it had provided the complainant with all the requested information, including copies of the contracts and statements that it held in relation to the complainant. During the course of the investigation, however, the Commissioner determined that the email was actually sent on the 21st of January 2025, not on the 21st of December 2024.
49. In light of the above, the Commissioner proceeded to assess whether the complainant's initial request made via email on the 18th of December 2024 constituted a valid access request under article 15 of the Regulation. In making the assessment, the Commissioner analysed the EDPB Guidelines 01/2022 on Data Subject Rights – the Right of Access,¹⁴ which state that *"the GDPR does not impose any requirements on data subjects regarding the form of the request for access to the personal data."* It follows, therefore, that for an access request to be valid it does not necessarily have to include an explicit reference to the right of access or to article 15 of the Regulation. The Commissioner emphasised that while identifying the specific legal provision being invoked may be helpful to the controller, this is not an *ad validitatem* requirement for the exercise of the right. Rather, controllers bear the responsibility to recognise when a data subject is exercising their right of access – or any other right under the Regulation – and to ensure that staff who regularly interact with individuals or process personal data as part of their work roles are well-trained to identify and handle such requests. What is required is that the data subject conveys that he is requesting access to his personal data, or information about the processing of that data. In the present case, the Commissioner considered that the wording used by the complainant – specifically the request to *"confirm whether my personal data related to this alleged debt is still being processed"* and to provide *"a full explanation of: the personal data [the controller] holds about me in relation to this alleged debt"* – did clearly convey this. The Commissioner therefore concluded that the absence of an explicit reference to article 15 of the Regulation did not invalidate the complainant's request. Consequently, the date of the initial request was the 18th of December 2024.

¹⁴ EDPB Guidelines 01/2022 on Data Subject Rights – the Right of Access, adopted on the 28th March 2023 (paragraph 52).

50. On the other hand, while the Commissioner considered that it was clear that the complainant was exercising his data subject rights under the Regulation – particularly because the email in which the requests were made was addressed to the Data Protection Officer of the Controller – the access request was included within a longer communication that also referred to a number of other unrelated matters including, by way of example, the enforceability of the alleged debt and its period of prescription. While this does not relieve the controller of its obligation to act on a request, the Commissioner observed that, after reviewing the entirety of the communications exchanged between the complainant and the controller, the complainant would frequently send lengthy emails combining multiple requests in a manner that was at times convoluted. Consequently, the Commissioner acknowledged that this may have had an impact on the controller’s ability to appropriately respond to each specific request made by the complainant.

The right to erasure

51. Article 17 of the Regulation grants data subjects the right to have their personal data erased without undue delay, where one of the grounds outlined in article 17(1)(a) to (f) of the Regulation applies. The right to erasure is therefore not an absolute right, and can be exercised only where one of the following grounds exists:

“

- (a) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;*
- (b) the data subject withdraws consent on which the processing is based according to point (a) of Article 6(1), or point (a) of Article 9(2), and where there is no other legal ground for the processing;*
- (c) the data subject objects to the processing pursuant to Article 21(1) and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to Article 21(2);*
- (d) the personal data have been unlawfully processed;*
- (e) the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject;*

(f) the personal data have been collected in relation to the offer of information society services referred to in Article 8(1).

”

52. Notwithstanding that one or more of the grounds outlined in article 17(1)(a) to (f) might exist, the data subject’s right to the erasure of his personal data, and accordingly, the controller’s obligation to erase that personal data, shall not apply where the controller can demonstrate that the processing of the personal data is necessary for any of the purposes set forth in Article 17(3)(a) to (e). This means that, in accordance with the principle of accountability under article 5(2) of the Regulation, the controller bears the burden of demonstrating that the processing of the personal data pertaining to the complainant complies with the principles of data processing.
53. The obligation to erase personal data does not arise exclusively where a request to that effect is made by the data subject. It may also arise in situations where the controller is processing the personal data in a manner that infringes the fundamental principles of processing as set forth in article 5(1) of the Regulation including, by way of example, the principles of lawfulness, transparency, and purpose-limitation. Accordingly, where a controller is lawfully processing personal data and has a legitimate need to process that personal data, the right to erasure pursuant to article 17 of the Regulation does not apply.
54. In the present case, the Commissioner’s investigation established that the complainant sought to exercise his right to erasure on the 18th of December 2024, by sending an email to the controller stating the following: *“If the debt is prescribed or no longer legally recoverable, I formally request the deletion of all related personal data from your systems, as per Article 17 (Right to Erasure) of GDPR”* [emphasis has been added].
55. In its submissions dated the 26th of February 2025, the controller had submitted that given the existence of a disputed debt, it should not be required to comply with the complainant’s request, stating that doing so *“would also go against article 17(3) of the [Regulation]”*. The controller had also stated that the debt in question was not yet time-barred, and that the matters relating to the disputed debt would be decided before the competent court or tribunal, as appropriate. Following the Commissioner’s request for clarification regarding the specific ground under article 17(3) which the controller sought to invoke, the controller confirmed that it was invoking article 17(3)(e) of the Regulation, which provides that: *“Paragraphs 1 and 2*

*[of article 17] shall not apply to the extent that processing is necessary:
(e) for the establishment, exercise or defence of legal claims.”*

56. Accordingly, the Commissioner proceeded to assess the applicability of the ground in article 17(3)(e) in the present case. The Commissioner also analysed the wording of article 17(3), which requires the processing to be “*necessary*” under one of the listed purposes. In this regard, the Commissioner noted that the concept of necessity under the Regulation is intrinsically linked to the purpose of processing, and that when seeking to rely on an exception under article 17(3), a case-by-case assessment must be carried out to balance the different interests and rights involved, which may often be in conflict with one another. In the present case, the Commissioner noted that on the one hand, the complainant sought to obtain the erasure of his personal data pertaining to the disputed debt (which he argued was not owed by him), while on the other hand, the controller had a competing interest in retaining the personal data of the complainant to pursue the payment of the disputed debt (which the controller argued was lawfully due).
57. The Commissioner then proceeded to analyse the specific wording of sub-article (e) of article 17(3). In this regard, the Commissioner noted that article 17(3)(e) establishes an exception which prevents data subjects from demanding the erasure of their personal data where that personal data is necessary for the establishment, exercise, or defence of legal claims. Accordingly, for this ground to apply, the erasure of the personal data must have the effect of preventing or hindering the exercise of those rights. The Commissioner also emphasised that in order to invoke this exception, the legal claim should already be filed, and cannot be merely a remote or hypothetical possibility, as this would lead to the unlawful processing of personal data.
58. The Commissioner noted that the controller repeatedly stated in its submissions that the matter of the disputed debt was going to be decided before the appropriate legal forum. Based on the documents and information received during the course of the investigation from both the controller and the complainant – including, but not limited to, copies of the complainant’s account statements showing the amounts paid and outstanding, and a copy of the judicial letter filed before the Court of Magistrates in Malta demanding payment from the complainant for the amount allegedly owed – the Commissioner considered that the controller had demonstrated that the processing of the complainant’s personal data was necessary for the controller to be able to exercise its legal rights, as provided in article 17(3)(e) of the Regulation, and that this was not remote nor hypothetical. Consequently, the Commissioner decided that the controller

had not infringed the provisions of the Regulation when it refused to erase the personal data of the complainant.

The infringement of article 12(3) and 12(4) of the Regulation

59. Finally, the Commissioner proceeded to determine whether the controller had infringed article 12(3) and 12(4) of the Regulation, which require *inter alia* that the controller shall provide a response to the data subject without undue delay and in any event within one (1) month of receipt of the request.
60. In his complaint, the complainant alleged that “[d]espite their legal obligation to respond within one month, as required by Article 12(3) of the GDPR, I have not received any substantial response addressing my request. Their last communication, dated December 18, 2024, merely acknowledged receipt but failed to provide the requested information.” During the course of the investigation, it was established that the complainant had made his access request and erasure request on the 18th of December 2024.
61. Upon reviewing the controller’s submissions, the Commissioner noted that the controller had replied to the complainant’s request on the 21st of January 2025 and had sent acknowledgement emails confirming receipt of the complainant’s email on the 18th of December 2024 and on the 2nd of January 2025 respectively. Whereas the controller did provide the complainant with information and documents in response to the complainant’s access request, the controller failed to provide any information to the complainant regarding his erasure request. In this regard, the Commissioner noted that while the EDPB Guidelines 01/2022¹⁵ provide that “*the EDPB considers as good practice for the controllers to confirm receipt of requests in writing, for example by sending e-mails [...] to the requesting persons confirming that their requests have been received*”, this alone is not enough, and the “*date of receipt of the request by the controller triggers, as a rule, the one month period for the controller to provide information on action taken on a request, in accordance with Art. 12(3) GDPR.*” [emphasis has been added].
62. Therefore, based on the facts of the present case, the Commissioner concluded that with respect to the complainant’s access request, the controller infringed article 12(3) of the Regulation by failing to provide its response within the timeframe of one (1) month from the date of receipt of the request. Furthermore, with respect to the complainant’s erasure request,

¹⁵ EDPB Guidelines 01/2022 on Data Subject Rights – the Right of Access, adopted on the 28th March 2023 (paragraph 57).

the Commissioner concluded that the controller infringed article 12(4) of the Regulation by failing to inform the complainant of the reason for not taking action in relation to his request within one (1) month from the date of receipt.

63. Notwithstanding the foregoing, the complainant also alleged that he had made "*multiple formal requests*" [emphasis has been added] to the controller, yet that the controller had continually refused to act on his request. In this regard, the Commissioner observed that even following the controller's response of the 21st of January 2025, the complainant continued to send emails to both the controller and the Commissioner in which he would repeatedly state that the controller refused to respond to his request. However, upon examining these emails, the Commissioner noted that at no point did the complainant specify what personal data he believed to be missing from the controller's response, nor did the complainant seek further clarification about the information and documents already provided to him by the controller. Although the Commissioner repeatedly requested the complainant to specify what he believed was missing from the controller's response, the complainant failed to provide any definitive answer. Consequently, the Commissioner concluded that it was not possible to establish what was not provided to the complainant in response to his access request.

On the basis of the foregoing considerations, the Commissioner is hereby deciding that:

- a. with respect to the complainant's allegation that the controller unlawfully processed the personal data of the complainant by disclosing it to a third party without his consent, the controller lawfully processed the personal data pursuant to article 6(1)(b) and article 6(1)(f) of the Regulation, and therefore, this allegation is being dismissed in its entirety;**
- b. with respect to the complainant's allegation that the controller infringed its transparency obligations and the complainant's right to be informed about the processing of his personal data, the controller provided the essential information required pursuant to article 13(1)(e) of the Regulation, and therefore, this allegation is being dismissed in its entirety;**
- c. with respect to the complainant's allegation that the controller refused to act on his request for access to his personal data, as set forth in article 15 of the Regulation, the Commissioner found no evidence to conclusively determine that the controller had failed to provide the complainant with the full extent of the requested personal data, and therefore this allegation is being dismissed in its entirety;**

- d. with respect to the complainant's allegation that the controller refused to comply with the complainant's request for the erasure of his personal data, as set forth in article 17 of the Regulation, the controller lawfully processed the personal data pertaining to the complainant and consequently, there is no applicable ground pursuant to article 17(1) of the Regulation to erase the personal data. Therefore, this allegation is being dismissed in its entirety; and
- e. however, the Commissioner holds that the controller infringed article 12(3) of the Regulation, by failing to provide the complainant with information on the action taken on his request to access his personal data within the timeframe of one (1) month from the date of receipt of such request, as the controller's response to the complainant's request was made outside of this timeframe. The controller also infringed article 12(4) of the Regulation by failing to inform the complainant of the reason for not taking action in relation to his request to exercise his right of erasure within one (1) month from the date of receipt.

After taking into consideration the circumstances of the case and the facts established during the investigation, the controller is hereby being reminded to take the necessary steps to ensure that proper data protection awareness and training is routinely given to employees in particular those whose work duties involve the handling of personal data. The training should ensure that employees are consistently able to identify when data subjects are making requests and exercising their rights under the Regulation, and to handle them without undue delay and in any case within the timeframes established under the Regulation. This training should take place both during the induction period for new staff, and periodically for all members of staff.

Ian
DEGUARA
(Signature)

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by Ian DEGUARA
(Signature)
Date: 2025.07.09
09:24:46 +02'00'

Ian Deguara
Information and Data Protection Commissioner

Right of Appeal

The parties are hereby being informed that in terms of article 26(1) of the Data Protection Act (Chapter 586 of the Laws of Malta), any person to whom a legally binding decision of the Commissioner is addressed shall have the right to appeal to the Information and Data Protection Appeals Tribunal within twenty (20) days from the service of the said decision as provided in article 23 thereof.¹⁶

An appeal to the Tribunal shall be made in writing and addressed to “*The Secretary, Information and Data Protection Appeals Tribunal, 158, Merchants Street, Valletta*”.

¹⁶ Further information is available on the IDPC’s portal at the following hyperlink: <https://idpc.org.mt/appeals-tribunal/>

