

Summary Final Decision Art 60

Complaint

Administrative fine

EDPBI:DEBB:OSS:D:2020:139

Background information

Date of final decision:	25 September 2020
Date of broadcast:	25 September 2020
LSA:	DEBB
CSAs:	DK, DE, ES FI, FR, HU, IT, NO, SI
Legal Reference:	Security of processing (Article 32)
Decision:	Administrative fine
Key words:	Administrative fine, data security, electronic communications, Password, User account

Summary of the Decision

Origin of the case

The complainant initially made an access request. In response, the controller transmitted 13 documents related to his account at the controller's platform. The complainant considered that this response is incomplete as the reasons behind his account suspension are not included in these documents. Following to this request, the complainant asked for his account deletion.

User of the controller's services lodged a complaint before one of CSAs concerning violation of Articles 15 and 17 GDPR. The complaint itself revealed that the user received an email with encrypted documents and received a password to open those documents shortly after, which raised concerns of possible violation of Article 32 GDPR.

Findings

The LSA conducted an assessment of the technical and organisational measures of controller's services on web pages, following the user's complaint. As a result of that proceeding the LSA concluded that both the sending of the password in an (only transport- encrypted) email and the quality of the password ("first name last name123") did not comply with the state of the art.

The LSA considered that the controller did not redesign the process of sending the password by unencrypted e-mail and the password quality in such a way that it complies with Article 32 GDPR on its web pages.

The LSA concluded that all data concerned, in present case, should be classified as requiring high protection and therefore in this case a transport encryption is not a suitable technical measure within the meaning of Article 32 GDPR. The LSA further considered that a password based on the "first name last name123" scheme does not satisfy the state of the art, even if three character classes are used and a minimum length of eight characters is specified.

Decision

The LSA imposed an administrative fine of EUR 300.000,00.