



The Hamburg Commissioner for Data Protection and Freedom of Information

Hamburg, 22 September 2025

IMI Reference No. A60IC 654130, A60DD 794029, A60FD 828463

National Reference Number: E/01.01-739/2024

In the matter of a complaint, lodged by [REDACTED], Spain, with the Hamburg Commissioner for Data Protection and Freedom of Information pursuant to Article 77 of the General Data Protection Regulation, concerning North Data GmbH

FINAL DECISION

The Hamburg Commissioner for Data Protection and Freedom of Information (“**Hamburg SA**”) hereby issues the following decision for the complaint lodged on 9 February 2024 with the German Federal Commissioner for Data Protection and Freedom of Information by

[REDACTED], SPAIN [“**Complainant**”]

against

North Data GmbH, Hermannstraße 22, D-20095 Hamburg, GERMANY [“**Controller**”]

regarding an alleged violation of personal data:

Decision

The complaint is hereby dismissed.

The controller has not been found in breach of data protection law.

www.datenschutz-hamburg.de

E-Mail: gdpr@datenschutz.hamburg.de

Confidential information should be transmitted to us by electronic means only in encrypted form.

The public PGP-key is available on the internet (Fingerprint: 0932 579B 33C1 8C21 6C9D E77D 08DD BAE4 3377 5707).



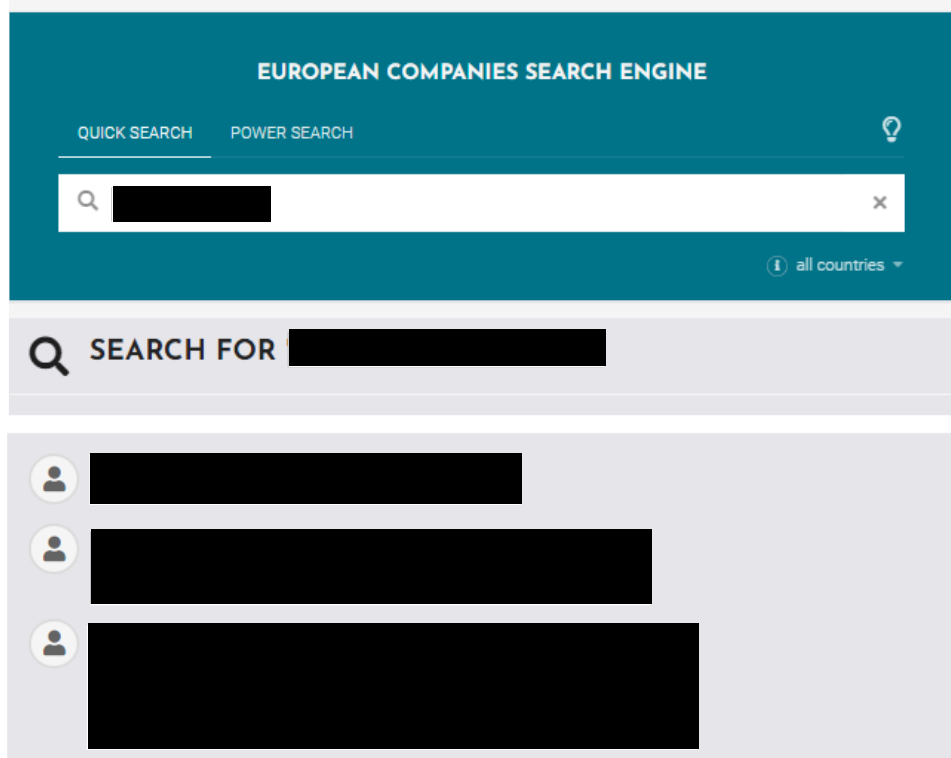
Legal grounds: Art. 5 (1) lit. d GDPR, Art. 17 (1), Art. 17 (3) lit. a GDPR, Art. 21 (1) GDPR

Reasoning

The complainant lodged a complaint with the German Federal Commissioner for Data Protection and Freedom of Information on 9 February 2024, as the controller had allegedly violated his right to data erasure.

As a cross-border complaint, this case is to be handled in accordance with Art. 60 GDPR. As the controller is based in Hamburg, Germany, the lead supervisory authority is the Commissioner for Data Protection in Hamburg in accordance with Art. 56 (1) GDPR.

The complainant is representative of several companies with limited liability (Sociedades de responsabilidad limitada), S.L.'s in Spain and Great Britain. The controller, North Data GmbH, reproduces current and former commercial register information in an online-database. When entering his name in the controller's database Website (████████████████████), the information regarding the complainant is displayed in a list, showing entries under his name (████████████████████) in the Commercial Register in London and in Spain and under his (former) name (████████████████████) in Spain.





When opening the entry [REDACTED], London [REDACTED]
[REDACTED], his relations are shown to the following companies:
[REDACTED]. (as director)
[REDACTED]. (as director)



When opening the entry [REDACTED] [REDACTED] [REDACTED] Spain
[REDACTED]
[REDACTED] companies:
[REDACTED] SL (as officer)
[REDACTED] SL (as director)
[REDACTED] SL (as director)
[REDACTED] SL (as director)
[REDACTED] SL (as director).

North Data depicts these relations in a graphic overview:



SPAIN Watch

NETWORK

— currently
— previously

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21 Oct 2022
Officer: [REDACTED]

7 Dec 2023
Registration: 24/11/2023 · Director: [REDACTED] Owner: [REDACTED] SL - Capital: €3,000.00 · Corporate Purpose

7 Dec 2023
Registration: 24/11/2023 · Director: [REDACTED] Owner (1) · Capital: €3,000.00 · Corporate Purpose

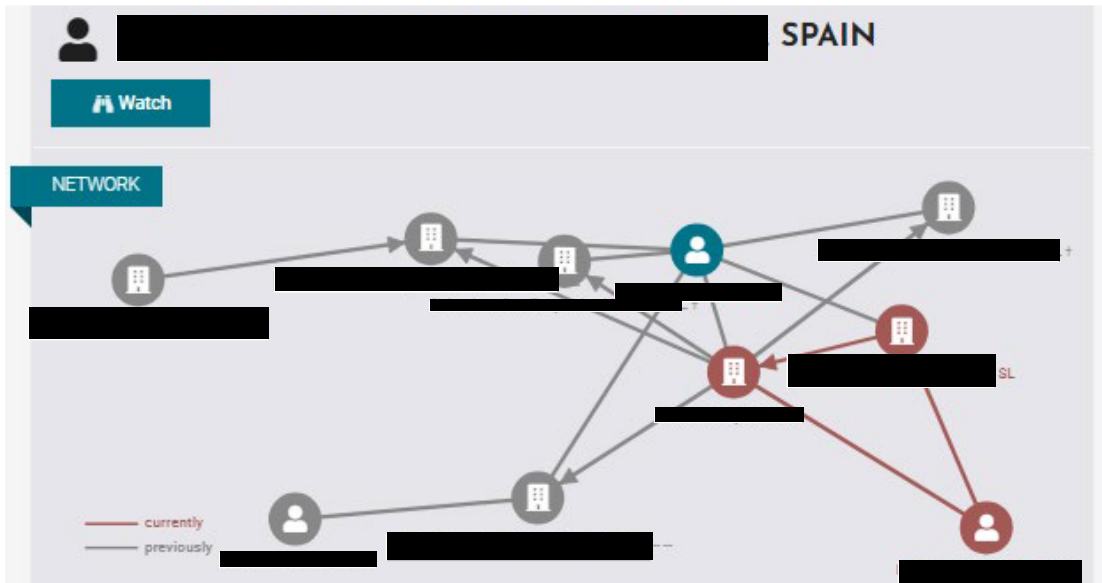
22 May 2023
Registration: 11/05/2023 · Director: [REDACTED] Owner (1) · Capital: €3,000.00 · Corporate Purpose

3 Nov 2023
Director: [REDACTED]

Moreover, the controller shows the complainant's relations under the name of [REDACTED]
[REDACTED]
[REDACTED]) to
[REDACTED] (as director)
[REDACTED] (as director),
[REDACTED] (as director)
[REDACTED] SL (as director)
[REDACTED] SL (as director)
[REDACTED] (as director)

[REDACTED] SL (as director)

in graphic overviews:





[REDACTED] SL

- 14 May 2018 as [REDACTED]
No longer Authorized signatory (ppa) (4)
- 22 Jan 2018 as [REDACTED]
Authorized signatory (ppa) (4)
- 22 Jan 2018 as [REDACTED]
No longer Authorized signatory (ppa): [REDACTED] Authorized signatory (ppa) (4)
- 21 Jul 2016 as [REDACTED]
Authorized signatory (ppa): [REDACTED]
- 14 Jul 2016 as [REDACTED]
Secretary [REDACTED] No longer CEO: [REDACTED] No longer Member of the board: [REDACTED] No longer Secretary: [REDACTED]
- 5 Apr 2016 as [REDACTED]
Authorized signatory (ppa): [REDACTED]
- 29 Jul 2015 as [REDACTED]
Registration · CEO: [REDACTED] Chair: [REDACTED] ppa: [REDACTED] Secretary: [REDACTED]
[REDACTED] Board (4) · Capital: €3,000.00

[REDACTED] SL

- 12 Jul 2016 as [REDACTED]
No longer CEO: [REDACTED] No longer Member of the board: [REDACTED] No longer Secretary: [REDACTED]
- 9 Jul 2015 as [REDACTED]
Registration · CEO: [REDACTED] Chair of the board: [REDACTED] Secretary: [REDACTED] Member of the board (4)
Capital: €3,000.00 · Corporate Purpose

[REDACTED] L †

- 20 Jun 2018
Director: [REDACTED] No longer Director: [REDACTED] Authorized signatory (ppa) (3) · Company statute
- 13 Sept 2016 as [REDACTED]
Director: [REDACTED] No longer Director: [REDACTED] Proprietor: ([REDACTED]) · Address · Name: ([REDACTED])
[REDACTED] SL · Company statute

[REDACTED] SL †

- 25 May 2018
Director: [REDACTED] No longer Director: [REDACTED] Authorized signatory (ppa) (3)
- 21 Sept 2017
Registration · Director: [REDACTED] Proprietor: [REDACTED] SL · Capital: €3,000.00 · Corporate Purpose

[REDACTED] SL †

- 26 Jun 2018
Director: [REDACTED] No longer Director: [REDACTED] Authorized signatory (ppa) (3) · Company statute
- 20 Sept 2016 as [REDACTED] SL
Director: [REDACTED] No longer Director: [REDACTED] Address · Name: [REDACTED] SL · Company statute · Corporate Purpose

[REDACTED] SL (LIQ)

- 22 Apr 2019
Director: [REDACTED] No longer Director: [REDACTED]
- 17 Mar 2016
Registration · Director: [REDACTED] Capital: €3,000.00 · Corporate Purpose

[REDACTED] SL †

- 29 Jun 2018
Director: [REDACTED] No longer Director: [REDACTED] Officer (3) · Company statute
- 19 Oct 2016
Registration: 22/09/2016 · Director: [REDACTED] Owner: [REDACTED] Capital: €3,000.00 · Corporate Purpose



The overviews include the company's names, register numbers and the address of the company's registered offices as well as the name and surname of the complainant as authorised representative. Moreover, extracts of the Spanish commercial register entries concerning the complainant are depicted, see e.g. [REDACTED]:

EUROPEAN COMPANIES SEARCH ENGINE

QUICK SEARCH POWER SEARCH

REGISTRATION: [REDACTED] · DIRECTOR: [REDACTED] · OWNER: [REDACTED] · CAPITAL: €3,000.00 · CORPORATE PURPOSE [REDACTED]

OVERVIEW

- Capital: €3,000.00
- Corporate Purpose
- Director
- Registration: 24/11/2023
- Owner

TEXT

Constitución. Comienzo de operaciones: 24.11.23. Objeto social: Comercio al por mayor de [REDACTED]. Comercio al por mayor de [REDACTED]. Comercio al por mayor de productos [REDACTED]. Comercio al por mayor de bebidas. Comercio al por mayor de productos [REDACTED]. Comercio al por mayor de [REDACTED]. Domicilio: C/ [REDACTED] - (DONOSTIA-SAN SEBASTIAN). Capital: 3.000,00 Euros. Declaración de unipersonalidad. Socio único: [REDACTED]. Nombramientos. Adm. Unico: [REDACTED]. Datos registrales. T [REDACTED]. I/A 1 (29.11.23).

On 9 February 2024, the complainant requested deletion of the information regarding his person or the companies he is authorised representative/administrator of (amongst others, [REDACTED] and [REDACTED], SL), stating the information caused serious reputational damage. The controller refused to delete the information the same day.



Hamburg SA heard the controller concerning the information about the complainant depicted with regard to [REDACTED] SL and with regard to [REDACTED] [REDACTED] SL as in the overviews information about the complainant's (sole) ownership of the corporations where published ("socio único"). The controller deleted the information about the complainant's (sole) ownership and his role as sole director, accordingly. With regard to [REDACTED] SL the controller does not show any reference to the person of the complainant [REDACTED] [REDACTED] in the freely accessible database.

The complainant is of the opinion that the controller is obliged to delete all the information about himself and the companies he is director / officer of.

According to Art. 17 (1) lit. c, Art. 17 (3) lit. a, Art. 21 (1) GDPR the data subject has a right to demand erasure of personal data concerning him or her when the data subject objects to the processing in accordance with Art. 21 (1) GDPR and there are no overriding legitimate grounds for the processing. This is especially the case when there are compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject.

With regard to the register information about the complainant depicted by the controller there are overriding legitimate grounds for the processing. The controller can base processing of the data on Art. 6 (1) lit. f GDPR. There are moreover compelling legitimate grounds for the processing which override the interests, rights and freedoms of the complainant (see Art. 21 (1) GDPR).

The public register has the function to make transparent for third persons, such as contract partners, who is the (natural) person acting on behalf of the company. Third persons contracting with the companies on behalf of which he is acting can have a legitimate interest in knowing who is the authorised representative of the company.

The controller's processing is in line with the aims of the Directive (EU) 2019/1024 on open data and the reuse of public-sector information and of the Directive (EU) 2019/1151 on the use of digital tools and processes in company law. The controller, thus, has a legitimate interest in processing the data.

The Open Data Directive (EU) 2019/1024 for government bodies aims to support the reuse of documents that are associated with important socio-economic benefits and are of particularly high



value for the economy and society. This should also include data from the company register (companies and ownership structures of companies) (recital 66 Open Data Directive). The aim is also to facilitate the further use of data qualified as open data by third parties, as this supports developers and start-ups in the development of new services and products (recitals 32 and 9 ff. Open Data Directive). To this end, the EU legislator recommends to the member states:

“Dynamic data [...] shall be made available via an application programming interface (hereinafter “API”) immediately after collection or, in the case of a manual update, immediately after modification of the data set, in order to enable Internet, mobile and cloud development - Facilitate applications based on such data. If this is not possible due to technical or financial limitations, public bodies should make the documents available within a period that allows their full economic potential to be exploited.”

(recital 31 Open Data Directive).

According to the Implementing Regulation (EU) 2023/138 register data containing basic company information and company ownership information are to be considered high quality data sets. The Implementing Regulation aims to maximise the availability and usability of public data to achieve economic, social and environmental benefits, increase administrative efficiency and improve the transparency and accountability of public bodies.

The Digitalisation Directive (EU) 2019/1151 moreover, aims at making register information easier to be found and used for investors, stakeholders and business partners, among others, by storing it by registers in a machine-readable and searchable format or as structured data. This is intended to enable software applications to easily identify, recognize and extract concrete data and its internal structure. This also expressly includes information about the persons who are authorized to represent the company as a body or as members of a corresponding body (recitals 27 and 30 Digitalisation Directive).

Consequently, the information about the complainant as authorised representative of the companies is provided online for reuse and for the development of new services and products by the registers (in Spain <https://opendata.registradores.org/>, see e.g. [REDACTED]), where the information about the complainant can be found without any restrictions to access (e.g. proof of a legitimate interest) or need for identification of the person accessing the data.



Likewise, the UK Companies House publishes information about the complainant regarding the companies he is director of that are registered in the UK (see [REDACTED] and [REDACTED]).

This interest in information overweighs the complainant's interest in preventing his name from becoming publicly visible in relation to the companies he acts as representative/director of. The Spanish commercial register information (*Registro Mercantil Central*) is publicly available, so that any person can have access. Information published in the commercial register, thus, is less worthy of protection.

The controller's aim to increase transparency with regard to company register information and to offer easy access to information about the companies and its authorised representative is in the interest of (former) contract partners or other persons who were in contact with the LLP in the context of its business activities.

In the balancing test under Art. 6 (1) f GDPR, the complainant's fundamental rights to respect for his private life and protection of personal data (Art. 7 and Art. 8 CFR) cannot be determined to predominate over the public interest in information (Art. 11 CFR) and the controller's freedom to conduct its business (Art. 16 CFR).

It has to be taken into consideration that the function to show information about company representatives by searching for their names in the controller's public register search engine and the fact that the controller's websites are shown when searching for the representative's names in an online search engine, leads to an easier public findability than it is the case when information about company representatives can only be found by searching for the company's name in an internet search engine or in the relevant register's search engine. This increases the impairment of the complainant's fundamental rights.

This increase in the impairment, though, does not have the effect that the complainant's rights would automatically, nor in this specific case overweigh the public interest in information and the controller's right to conduct its business.

The information about the complainant's function as director of several companies does not touch the core of the complainant's fundamental rights. There is no indication that the information about



the companies refers in any way to information of a personal, private nature, providing information about his private life, e.g. his private place of residence. The information rather only refers to his professional activity, thus. The controller, moreover, only publishes information about the complainant that is subject to compulsory disclosure and, thus, relevant e.g. for contracting partners (see also CJEU, judgment of 4 October 2024 C 200/23).

In the case at hand, there are overriding legitimate grounds for the processing. The complainant is authorized representative / director and as such, represents the companies when they are entering into contractual relations with third persons, within the scope of their respective (business) activities. The commercial register has the function to make transparent for third persons, such as contract partners, who is the (natural) person acting as representative on behalf of legal entities. As a consequence, a general interest in the publication of commercial register information, also with regard to the complainant's role as legal representative, has to be assumed. The controller, through its services, reveals other information that may be of relevance for contractual partners and creditors of the companies the complainant is director of. Potential contractual partners (e.g. creditors or employees) may, for example be interested in the fact that he is director of a large number of companies, partly with similar corporate purposes.

From the controller's overviews it moreover becomes clear that the complainant, in the past had acted as representative under the name of [REDACTED], whereas today he is acting as representative under the name of [REDACTED]. The information that he has changed his name may be of interest for any creditors that may have claims against the complainant due to any acting as a business representative under his former name.

Even if the material scope of the GDPR is opened, thus, the legitimate interest of the controller in processing publicly available information would not be outweighed here by interests of the complainant.

A violation of data protection law cannot be determined.

The complaint is therefore dismissed.

Hamburg, 22 September 2025

[REDACTED]
on behalf of Hamburg SA



Legal appeal:

An action against this decision can be filed with the Hamburg Administrative Court (Lübeckertor-
damm 4, 20099 Hamburg) within one month of its announcement.