

To: [REDACTED]
From: CBU2Complaints@dataprotection.ie
(By email)

30 January 2023

DPC Ref: [REDACTED]
Re: [REDACTED] v FedEx Express International B.V.

Dear [REDACTED]

This is a decision of the Data Protection Commission (**DPC**) in relation to your complaint originally lodged on 19 November 2019 against FedEx Express International B.V. (**FedEx**). As you are already aware, the Dutch Data Protection Authority, the Autoriteit Persoonsgegevens (**Dutch DPA**), investigated your complaint because it was the lead supervisory authority for FedEx. This decision is based on the investigation and information provided to the DPC by the Dutch DPA.

The DPC's role in relation to your complaint

The DPC's initial investigation confirmed that the processing at issue in relation to your complaint was 'cross border' for the purpose of applying the General Data Protection Regulation (**GDPR**). This meant that the DPC's role in relation to your complaint was as a concerned supervisory authority, and that the investigation into your complaint would be conducted by the lead supervisory authority for FedEx, the Dutch DPA. As part of its role in relation to your complaint, the DPC forwarded your complaint to the Dutch DPA and provided you with regular updates in relation to your complaint.

Draft Decision of the Dutch DPA dated 19 July 2022

Following the conclusion of the investigation into the Complaint and subsequent consultations with the DPC and other supervisory authorities in Europe, the Dutch DPA issued a draft decision in relation to your complaint pursuant to Article 60 GDPR.

The Dutch DPA rejected your complaint based on its investigation into the matter. The draft decision and reasoning of the Dutch DPA, to which the DPC had no objection, is enclosed for your information.

Decision of the DPC

As the supervisory authority with which your complaint was lodged, the DPC must adopt and issue the decision based on the investigation of the Dutch DPA that your complaint has been rejected. Accordingly, the purpose of this letter is to notify you that the DPC has adopted the enclosed draft decision of the Dutch DPA as the decision in respect of your complaint for the purposes of Article 60(8) GDPR.

A copy of this letter and adopted decision will also be provided to FedEx for its information.

Your right to an effective judicial remedy

Article 78 GDPR entitles you to an effective judicial remedy against a legally binding decision of a supervisory authority. The adoption of this rejection of your complaint is a “legally binding decision” of the DPC as defined by section 150 (12) of the Data Protection Act 2018 (**Act**). Pursuant to section 150 (5) of the Act, you may, within 28 days from the date you received this notice from the DPC, appeal against this decision to either the Circuit Court or the High Court.

Next Steps

As the Dutch DPA has completed its investigation into this matter and the DPC has issued you with the decision and informed of your rights, the DPC will close its file in relation to your complaint.

Yours sincerely,



Tony Delaney
Deputy Commissioner
Data Protection Commission