

**A60 - Final Decision**

Case Register	626536
National file number	11.17.001.012.049
Controller	NAGA Markets Europe Ltd
Date	17/6/2025

NAGA Markets Europe Ltd
dpo@nagamarkets.com

Further to the exchange of communications between the Commissioner for Personal Data Protection and NAGA Markets Europe Ltd (the controller) concerning a complaint, we would like to bring to your attention the following assessment of the Commissioner.

Description of the Case

2. The complainant lodged a complaint with the Spanish Data Protection Authority (Spain SA), and was thereafter received by the Office of the Commissioner for Personal Data Protection (Cyprus SA) as a cross-border case in line with Article 56 GDPR.

3.1. According to the complainant, he exercised his rights to access, restriction of processing and erasure via email on 3 July 2023.

3.2. The complainant received a reply on 5 July 2023 from the Controller's Data Protection Officer, who requested from the complainant to specify the access request. The complainant replied and provided a more specific access request.

3.3. On 7 July 2023, the DPO send an email to the complainant explaining the reasons for not satisfying his erasure request. However no other information was provided as regards the rights of access and restriction of processing.

3.4. According to the complainant, he did not receive any other emails from the DPO.

Investigation by Cyprus SA

4.1. The Cyprus SA requested the views of the controller on the subject matter, and received the following information:

- In their response dated 7/7/2023, the controller advised the complainant to refer to its Privacy Policy, available on its website, for detailed information regarding data collection, usage, sharing, and transfer. It is noted that the complainant did not express dissatisfaction towards the controller following this response.
- The controller received a letter from the Spain SA regarding the complaint on 3rd of October 2023. The controller replied to the Spain SA on 5 July 2024 but did not receive other responses.
- Despite the above and taking into consideration the notification from the Spain SA and having understood that their response to the complainant might not had been clear enough, the

controller provided the complainant with a detailed response to his access request on 4 April 2024.

- Regarding the request for restriction of processing and erasure, NAGA Markets informed Mr. Casado on July 7, 2023, that data erasure could not be effected due to legal obligations to retain records for seven years.
- The company archived his personal data post-account closure, restricting further processing.

4.2. Upon reviewing the information provided to the complainant on 4 April 2024, Cyprus SA determined that all relevant information has been eventually provided in line with Article 15 GDPR (See relevant Documents).

Commissioner's conclusion

5. In view of the above, considering that

- i. the Controller's did not intend to not comply with the complainant's requests,
- ii. the Controller cooperated fully during the investigation and
- iii. the complainant's requests were eventually satisfied

the Commissioner considers that this case can be closed and there is no need for any corrective measures.

Cyprus SA