



**Data Protection Authority of
Bavaria for the Private Sector
(BayLDA)**

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BayLDA Reference	LDA-1085.3-9103/23-I
LSA Reference	11.606
Case transferred via IMI Reference	VMN 590665
IMI Draft Decision Reference	DD 891738
Respondent	[REDACTED]
Date of Complaint	02.11.2023
Adopted on	27.04.2026

On the basis of the draft decision of the Commission Nationale pour la Protection des Donnees (CNPD) No. 11606, the Data Protection Authority of Bavaria for the Private Sector (BayLDA) pursuant to Article 60(8) of the GDPR issues the following

Final Decision:

The complaint is rejected.

I. Facts and procedure

1. In the framework of the European cooperation, as provided for in Chapter VII of the GDPR, the Supervisory Authority of Bavaria for the private sector (Germany) submitted to the National Data Protection Commission (hereinafter: the "CNPD") a complaint (national reference of the concerned authority: LDA-1085.3-9103/23-I) via IMI in accordance with Article 61 procedure - 590665.
2. The complaint was lodged against the company [REDACTED] (hereinafter "the "Controller"), who has its main establishment in Luxembourg. Under Article 56 GDPR, the CNPD is therefore competent to act as the lead supervisory authority.
3. The original IMI claim stated the following:
"The complainant submitted a request for information to the controller on 27/10/2023. The requested information was then also provided to him in English on 27.10.2023. On 02.11.2023, the complainant then contacted the Brandenburg State Commissioner for Data Protection and the Right of Access to Files, from where his complaint was forwarded to the Data Protection Authority of Bavaria for the Private Sector on 14.11.2023, because the controller has its German branch in Munich. In his complaint, the complainant states that the information provided by the controller was given in English and that it was not complete. The complainant then requested further documents on 20.12.2023, which were also submitted on 20.12.2023. As can be seen from the complainant's email of 20.12.2023, he considers the provision of the information in English to be a violation of Art. 12 para. 1 GDPR. The fact that the information was not complete was apparently merely an assumption. The complainant states that he was unable to check the completeness of the information as he does not speak English."

4. In essence, the complainant asks the CNPD to order the Controller to fully comply with the complainant's access request.
5. The complaint is therefore based on Articles 12 and 15 GDPR.
6. On the basis of this complaint and in accordance with Article 57(1)(f) GDPR, the CNPD requested the Controller to take a position on the facts reported by the complainant and to provide a detailed description of the issue relating to the processing of the complainant's personal data, in particular with regard to his right of access.
7. The CNPD received the requested information within the deadlines set.

II. In law

1. Applicable legal provisions

8. Article 77 GDPR provides that "without prejudice to any other administrative or judicial remedy, every data subject shall have the right to lodge a complaint with a supervisory authority, (...) if the data subject considers that the processing of personal data relating to him or her infringes this Regulation."

9. In accordance with Article 15 GDPR "The data subject shall have the right to obtain from the controller confirmation as to whether or not personal data concerning him or her are being processed, and, where that is the case, access to the personal data and the following information (...)."

10. Pursuant to Article 15(3) GDPR, "The controller shall provide a copy of the personal data undergoing processing. For any further copies requested by the data subject, the controller may charge a reasonable fee based on administrative costs. Where the data subject makes the request by electronic means, and unless otherwise requested by the data subject, the information shall be provided in a commonly used electronic form."

11. Pursuant to Article 12(1) GDPR, the controller "shall take appropriate measures to provide any information referred to in Articles 13 and 14 and any communication under Articles 15 to 22 and 34 relating to processing to the data subject in a concise, transparent, intelligible and easily accessible form, using clear and plain language, in particular for any information addressed specifically to a child. The information shall be provided in writing, or by other means, including, where appropriate, by electronic means. When requested by the data subject, the information may be provided orally, provided that the identity of the data subject is proven by other means."

12. Furthermore, in application of Article 12(2) GDPR "the controller shall facilitate the exercise of data subject rights under Articles 15 to 22". Recital 59 GDPR emphasises that "Modalities should be provided for facilitating the exercise of the data subject's rights under this Regulation, including mechanisms to request and, if applicable, obtain, free of charge, in particular, access to and rectification or erasure of personal data and the exercise of the right to object. The controller should also provide means for requests to be made electronically, especially where personal data are processed by electronic means."

13. Article 56(1) GDPR provides that "(...) the supervisory authority of the main establishment or of the single establishment of the controller or processor shall be competent to act as lead supervisory authority or the cross-border processing carried out by that controller or processor in accordance with the procedure provided in Article 60."

14. According to Article 60(1) GDPR, "The lead supervisory authority shall cooperate with the other supervisory authorities concerned in accordance with this Article in an endeavour to reach consensus. The lead supervisory authority and the supervisory authorities concerned shall exchange all relevant information with each other."

15. According to Article 60(3) GDPR, "The lead supervisory authority shall, without delay, communicate the relevant information on the matter to the other supervisory authorities concerned. It shall without delay submit a draft decision to the other supervisory authorities concerned for their opinion and take due account of their views."

2. In the present case

16. Following the intervention of the Luxembourg supervisory authority, the Controller confirmed that it has taken all required actions under the GDPR to comply with the complainant's access request.

As a matter of fact, the Controller's records do not indicate that the data subject raised concerns about the language of the documents in the DSAR response at the time of his request.

Much of the personal data the Controller provides to their customers consists of universal identifiers (such as order IDs), timestamps and standardized transaction data. The data provided in the DSAR response will sometimes be in English – for example, data that originates directly from the Controller's systems, which use English language as standard.

However, where a customer purchases items in their local language from the Controller – e.g., [REDACTED], they will see this item in their DSAR response in that language. Similarly, if a customer communicates with the Controller's customer service team in one of their preferred languages, the Controller will provide a copy of that communication in that language. The Controller also provides data subjects with a description of their data, which they can find in their DSAR response in their preferred language to facilitate their understanding of the dataset. In addition, the Controller provides the Article 15 letter in a customer's preferred language. Should any questions remain, the Controller invites data subjects to contact their customer service to ensure comprehensive understanding of the information provided.

The CNPD therefore concludes that the Controller has implemented appropriate measures to ensure and facilitate the complainant's exercise of their rights of access under the GDPR.

3. Outcome of the case

17. The CNPD, in a plenary session, therefore did not identify, on the basis of the information provided, any infringement by the Controller of the obligations set out in Regulation (EU) 2016/679 (GDPR). Thus, it seems appropriate to dismiss the complaint as per Article 60(8) GDPR

As the concerned supervisory authorities (including BayLDA) did not object to this draft decision, the BayLDA hereby adopts this draft decision as final decision in accordance with Article 60(8) of the GDPR.

Ansbach, 27.04.2026