

The President

By Letter with acknowledgement of receipt No 2C 151 961 8114 3

Paris, 15th June 2026

Dear Sir/Madam,

I refer to the various exchanges that took place between the services of the Commission nationale de l'informatique et des libertés ('CNIL') and the services of [REDACTED] which has a post office box located at [REDACTED] which took place in connection with the investigation of complaints registered under numbers [REDACTED] and [REDACTED] which concern '.be' websites that the company publishes. I note that those sites are also available in '.fr'.

I. Reminder of complaints and facts

As a preliminary point, I note that between 2018 and 2023, the CNIL received 23 complaints against [REDACTED] relating to difficulties in exercising the right to erasure of their personal data by professionals, practising in particular in the field of health.

The complainants informed the CNIL services that their personal data, in particular their personal addresses, appeared on websites published by [REDACTED] even though they had not asked to be referenced and that those data were sometimes incorrect. They stated that their requests for erasure had been unsuccessful.

The complaints concerned websites:

- [REDACTED] (10 referrals),
- [REDACTED] (7 referrals),
- [REDACTED] (4 referrals),
- [REDACTED] (1 referral)
- [REDACTED] (1 referral).

Thus, between 2020 and 2025, the CNIL services intervened with the [REDACTED] company about fifteen times in order to ask him about the complaints received and remind him of the rules to be respected regarding the processing of personal data.

With regard to complaints [REDACTED] and [REDACTED], [REDACTED] informed the CNIL services that, by email of 19 June 2023, they have requested the deletion of their contact details from the website [REDACTED] and from any publication and from the database of [REDACTED] (the interested party having found that their contact details were also included on the website [REDACTED]). They stated that they have not received a favourable reply from [REDACTED].

The complainant stated that they have not been informed of the uploading of their personal data on these websites and clarified that the data were not accurate as they have not been active for more than 10 years.

In order to investigate the complaints of [REDACTED], the CNIL's services contacted [REDACTED].

In the context of the exchanges between the services of the CNIL and those of [REDACTED] the answers provided call for the following observations.

II. Analysis of the facts

As a preliminary point, I would first like to draw your attention to the definition of cross-border processing.

Article 4.23 of the General Data Protection Regulation (GDPR) provides that cross-border processing is:

- processing of personal data which takes place in the Union in the context of the activities of establishments in more than one Member State of a controller or processor where the controller or processor is established in more than one Member State; or
- processing of personal data which takes place in the Union in the context of the activities of a single establishment of a controller or processor, but which significantly affects or is likely to significantly affect data subjects in more than one Member State.

In the replies provided, it appears that [REDACTED] considers that the treatment implemented is not cross-border.

However, the websites you edit are accessible in several EU Member States, at least in France and Belgium. The person concerned by the publications made on those sites and who has lodged a complaint with the CNIL is himself resident in Belgium. It follows that the processing significantly affects data subjects in several Member States and that the 'one-stop shop' mechanism provided for by the GDPR must therefore apply.

In the second place, your attention has been drawn to the obligation to base processing on one of the legal bases laid down in Article 6 of the GDPR for processing personal data.

On this point, [REDACTED] stated that 'the publication of the *contact details of healthcare professionals serves a legitimate interest (e.g.: facilitate access to care for patients)*' and that it undertakes, however, to put in place a system enabling data subjects to be informed of the processing of their personal data and to obtain their consent to the publication of their contact details, as well as to delete data for which it cannot provide a '*strong legal basis*'.

Therefore, in view of the commitments made by the company, there is no need to continue on these aspects.

1. Failure to ensure the accuracy of the data

As a matter of law, Article 5(1)(d) GDPR provides that personal data must be '*accurate and, where necessary, kept up to date; all reasonable steps must be taken to ensure that personal data which are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay (accuracy)*'.

Under the aforementioned provisions, it is the responsibility of the controller to ensure, by reasonable means, that it does not process inaccurate or incomplete data and to make the necessary corrections when such data are recorded.

In the present case, [REDACTED] stated in her email of 27 June 2023 to [REDACTED] that the information on the website published by [REDACTED] concerning her was not up to date because she is no longer a general practitioner, having been retired for 10 years.

It is apparent from those factors that [REDACTED] published inaccurate personal data on its website [REDACTED] even though that inaccuracy was reported to it by the complainant.

Consequently, I consider that [REDACTED] infringed Article 5.1(d) of the GDPR by disseminating inaccurate personal data on a website which it publishes.

2. Failure to respond to a request for erasure as soon as possible

As a matter of law, Article 17 of the GDPR provides that the data subject has the right 'to obtain from the controller the erasure, as soon as possible, of personal data concerning him or her and the controller has the obligation to erase those personal data as soon as possible'.

Furthermore, according to Article 12(3) GDPR, "the controller shall provide the data subject with information on the measures taken following a request pursuant to Articles 15 to 22, as soon as possible and in any event within one month of receipt of the request. If necessary, this period may be extended by two months, taking into account the complexity and number of requests. The controller shall inform the data subject of such extension and of the reasons for the postponement within one month of receipt of the request". Finally, according to paragraph 4 of that article, 'if the controller does not comply with the request made by the data subject, he shall inform the data subject without delay and at the latest within one month of receipt of the request of the reasons for his inaction and of the possibility of lodging a complaint with a supervisory authority and of seeking a judicial remedy'.

In the present case, [REDACTED] requested, by email of 19 June 2023 sent to [REDACTED] the deletion of her contact details from the website [REDACTED] and from any publication and database of the company [REDACTED]

In response, she received an email on 26 June 2023 stating 'We advertise to you free of charge. We bring you great visibility through our networks and search engines. Can you give me the link to your page please?'

On 27 September 2023, it informed the CNIL that it had reiterated its request on 27 June 2023, providing the link to the page [REDACTED] but that no reply had been given.

Following the intervention of the CNIL's services, [REDACTED] services stated, by email of 14 July 2024, that they had deleted the page referred to in the complaint [REDACTED]

It is apparent from those factors that [REDACTED] complied with [REDACTED]'s request for erasure more than a year after receiving it, and proceeded to erase her personal data without informing her.

Consequently, I consider that [REDACTED] infringed Articles 12 and 17 of the GDPR by failing to comply with [REDACTED] request for erasure within the time limits laid down by the legislation and by failing to inform him of the action taken on his request.

3. Failure to cooperate with the CNIL

As a matter of law, Article 31 of the GDPR provides that 'the controller and the processor and, where appropriate, their representatives shall cooperate with the supervisory authority, at the latter's request, in the performance of its tasks'.

Article 18 of the amended Law of 6 January 1978 (LIL) provides that '[...] managers of public or private companies, managers of various groups and, more generally, holders or users of personal data processing or files may not oppose the action of the Commission nationale de l'informatique et des libertés or its members and must, on the contrary, take all appropriate measures to facilitate its task.'

Under those provisions, it is for the controller not to oppose the action of the CNIL and to take all appropriate measures that could facilitate its task. In the event of non-cooperation, and in particular failure to respond to requests from the CNIL, the controller or processor is liable to a financial penalty and may be given formal notice or ordered to respond promptly to requests made to it.

In the present case, a first letter of instruction was sent to the services of [REDACTED] on 4 July 2024.

Then, the CNIL asked [REDACTED] to supplement its first reply by five letters of 19 July 2024, 10 September 2024, 3 December 2024, 7 January 2025 and 27 January 2025.

While the company responded to these requests by letters in July 2024, September 2024, January 2025 and February 2025, its responses were all incomplete in light of the explanations requested by the CNIL.

In those circumstances, although the information sent ultimately made it possible to deal with the complaints referred to the CNIL by [REDACTED], I note that the CNIL's services nevertheless had to write six times to the [REDACTED] company's services in order to obtain a detailed answer, making its task all the more complex.

Consequently, I consider that [REDACTED] which had already been questioned by the CNIL on its practices in the context of the numerous previous complaints received, infringed Article 18 of the LIL and Article 31 of the GDPR by failing to take the appropriate measures – in this case to provide a complete and detailed response, in order to facilitate the performance of its tasks by the CNIL. It will be up to [REDACTED] in the future to ensure a full response should it be questioned again.

III. Corrective action taken by the CNIL

In view of all those factors, and in agreement with the other data protection authorities concerned by that processing, it is therefore necessary to take the following corrective action against [REDACTED]

- **A REPRIMAND**, in accordance with the provisions of Article 58(2)(b) of the GDPR and Article 20.III of the Law of 6 January 1978 as amended, in the case of processing involving inaccurate personal data, failure to reply and measure within the time limits set to respond to a request for erasure and lack of cooperation with the supervisory authority.

That decision takes into account the measures implemented by [REDACTED] during the stages of investigation of the files in order to ensure that its processing operations comply with the data protection regulations.

I would like to inform you that, in accordance with Article 77 of the GDPR, the person who has lodged complaints with the CNIL at the origin of this file is informed of this decision.

That decision, which closes the investigation of complaints [REDACTED] and [REDACTED], does not preclude the CNIL from making use, in particular in the event of new complaints, of all the other powers conferred on it by the GDPR and the amended Law of 6 January 1978.

The services of the CNIL [REDACTED]
[REDACTED] are at your disposal for any further information.

This decision may be appealed to the Conseil d'État (Council of State) within two months of its notification, plus:

- one month for persons residing in Guadeloupe, French Guiana, Martinique, Réunion, Saint-Barthélemy, Saint-Martin, Mayotte, Saint-Pierre-et-Miquelon, French Polynesia, the Wallis and Futuna Islands, New Caledonia and the French Southern and Antarctic Lands;
- two months for persons who remain abroad.

Please accept, Madam, Sir, my distinguished greetings.

Marie-Laure Denis
The President