



REPUBLIC OF ESTONIA
DATA PROTECTION INSPECTORATE

FOR INTERNAL USE

Information Holder: Data Protection Inspectorate
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Section 2 valid until the decision enters into force
Bases: Section 35(1)(2), Section 35(1)(12) of the PIA

All SA's

21.11.2025 No. 2.1-12/25/676-1465-6

ARTICLE 60 FINAL ADOPTED DECISION

Termination of supervisory proceedings in the matter of personal data protection

The Estonian Data Protection Inspectorate (the Estonian DPI) has processed¹ a complaint submitted by the Maltese data protection authority on behalf of [REDACTED] (the complainant) against [REDACTED] regarding access to information about their personal data.

The Estonian DPI reviewed the privacy terms of the [REDACTED] Food service, according to which the controller is [REDACTED] and not [REDACTED]. Therefore, the Estonian DPI submitted an inquiry to [REDACTED].

Circumstances of the complaint

According to the complaint, on 09.09.2024, the complainant submitted a request for access to personal data to [REDACTED] Food. The complainant was notified that the response deadline would be extended by two months, but no response was received.

Controller's explanations

[REDACTED] confirmed that, according to the list of [REDACTED] Group companies and controllers, the controller for the Malta [REDACTED] Food service is [REDACTED].

[REDACTED] explained that, due to human error, the customer support team (CS team) did not follow the proper internal procedure when handling the data subject access request (DSAR). Specifically, the process for internally forwarding the DSAR to the customer support privacy team (CSPC team), responsible for analyzing the request and supporting the extraction of the customer's data from [REDACTED]'s internal systems, was not followed.

On 29 May 2025, [REDACTED] contacted the complainant via the [REDACTED] Food app and provided a copy of the personal data. Since the response was provided, [REDACTED] has not received any further replies or additional questions from the complainant.

[REDACTED] has discussed this issue internally with relevant stakeholders and provided training to the CS team member who made the error, to prevent similar situations in the future. [REDACTED] is committed to responding fully and promptly to all DSARs submitted by its customers. To fulfill this obligation, a dedicated team was established in April 2025 as a reliable part of the customer support function, primarily to support the handling of such cases.

Position of the Estonian Data Protection Inspectorate

¹ The Inspectorate initiated the proceedings on the basis of Section 56(1) and (3) point 8 of the Personal Data Protection Act. The legal basis for requesting explanations: Sections 57–58 of the Personal Data Protection Act, Section 30(1) and (3) of the Law Enforcement Act, and Article 58(1)(a), (e), and (f) of the General Data Protection Regulation.

1. Under Article 15(1) of the General Data Protection Regulation (GDPR), a data subject has the right to obtain from the controller confirmation as to whether or not his or her personal data are being processed and access to both personal data and information concerning the processing. Pursuant to Article 12(3) GDPR, the controller shall respond to the data subject's request without undue delay, but no later than one month after receiving the request. Under certain conditions, the controller may, where necessary, extend the period for responding to a request for access by a further two months, taking into account the complexity and number of requests. The European Data Protection Board has emphasized that this option is an exception to the general rule and should not be used excessively.²
2. According to the complaint, the complainant submitted a data access request to [REDACTED] on 09.09.2024. He was informed that the response deadline would be extended by two months, but did not receive a response even after the additional two months had passed. [REDACTED] responded to the complainant on 29 May 2025, after receiving an inquiry from the Estonian DPI.
3. Given that the complainant received a response only after the intervention of the supervisory authority, this indicates that the controller's processes for handling data subject requests did not ensure compliance with data protection regulations and did not function properly. The controller thus violated Article 12(3) and Article 15(1) of the GDPR.
4. The Estonian DPI requested the Maltese data protection authority to contact the complainant to confirm receipt of the response. The Estonian DPI also asked to be informed if the complainant had any further questions regarding the fulfillment of their request. The Maltese authority informed the Estonian DPI that it had contacted the complainant, but, to the Estonian DPI's knowledge, no feedback was received.
5. The Estonian DPI takes into account that the complainant's request has been answered and no further questions have been received from the complainant. The Estonian DPI also takes into account [REDACTED]'s explanations that training was provided to the team member involved in this case and that organizational measures to improve the handling of data subject requests were implemented even before the start of the supervisory proceedings. Thus, the controller has taken measures to prevent similar violations in the future.

On the basis of the above, the Estonian DPI terminates the supervisory proceedings. However, the controller's attention is drawn to the following.

The fact that a large company receives a high volume of requests cannot be a reason for extending the response deadline. The controller, especially when processing large amounts of data, should have processes and mechanisms in place to be able to handle requests within 30 days under normal circumstances.³

This notice of termination of the supervisory proceedings can be challenged within 30 days by submitting an appeal to the administrative court under the Code of Administrative Court Procedure⁴.

Respectfully,

[REDACTED]
lawyer
authorized by the Director-General

² European Data Protection Board. Guidelines 01/2022 on data subject rights – Right of access, ver 2.1, adopted on 28 March 2023, paragraph 162, p. 51. - https://www.edpb.europa.eu/system/files/2024-04/edpb_guidelines_202201_data_subject_rights_access_v2_en.pdf

³ Guidelines 01/2022, paragraph 164, p. 52.

⁴ <https://www.riigiteataja.ee/en/eli/ee/512122019007/consolide/current>