



Malta SA
All CSA-s

Ours 22.12.2025 nr 2.1-12/25/1202-2562-6

Article 60 Final Decision

Reprimand and termination of supervisory proceedings

Estonian Data Protection Inspectorate (DPI) received [REDACTED]s (the Complainant) complaint from Malta SA on 23 July 2025 via the cross-border procedure system IMI, stating that [REDACTED] (the Controller, [REDACTED]) did not properly respond to the Complainant's General Data Protection Regulation (GDPR) Article 15 request. Complaint was originally submitted to Malta SA on 28 May 2025.

Circumstances of the complaint

The Complainant submitted his request to the Controller on 15 April 2025 asking for a copy of the personal data that [REDACTED] had collected about him in connection with the alleged assault by the Complainant against [REDACTED]'s driver (the Complainant requested: *access to the details of the report made against me, as well as any data held regarding my conduct as a rider*). [REDACTED] had concluded in their correspondence with the Complainant that the data about this incident will be recorded in Complainant's profile and may be used for future reference. [REDACTED] received Complainant's request and promised to reply by 15 May 2025, but asked for extra time, submitting a response to Complainant's Article 15 request on 20 May 2025. However, in their response [REDACTED] refused to disclose the requested information to the Complainant (*we must point out that if after careful analysis we conclude that our rights or rights of others prevail, we will not be able to provide you with access to certain documentation where an exemption applies*). Furthermore, [REDACTED] did not provide the Complainant with a reasoned explanation or a specific legal basis for the refusal to disclose the data and at the same time asked the Complainant to consider the reply as a formal warning. The Complainant requested to receive information regarding processing of his personal data again on 20 May 2025.

Since [REDACTED] is an Estonian company whose management board is in Estonia and all decisions concerning data processing are taken in Estonia, the Estonian DPI agreed to be the lead supervisory authority (LSA) in the case and commenced supervisory procedures based on the complaint.

Explanations provided by the Controller

[REDACTED] explained to DPI that the investigation of the data subject and the related communication began due to a human error. [REDACTED]'s driver initially reported that the alleged assault was linked to a trip involving the data subject; later, the driver clarified that the incident was actually related to a

trip with another passenger. Unfortunately, this was only confirmed after [REDACTED]'s safety team had already contacted the data subject. The relevant employees have been informed and will receive updated training to prevent similar human errors in the future.

[REDACTED] sent the Complainant a supplementary response on 10 June 2025, which included some additional (redacted) information about the alleged complaint. After the DPI had commenced supervisory proceedings (19 August 2025), [REDACTED] submitted a response to the Complainant on 1 September 2025, which included the following:

- A redacted copy of the personal data related to the Data Subject's case (including correspondence about the incident, internal notes, conclusions, and travel details);
- An explanation of the legal basis for withholding certain data; and
- A clarification regarding the human error and an apology for the inconvenience caused.

As such, [REDACTED] redacted certain information that could be used to identify the Driver, the Passenger and [REDACTED] employees on the basis of Article 15(4) of the GDPR, as disclosure of this information would adversely affect the rights and freedoms of those individuals

The Complainant responded to [REDACTED]'s letter on 1 September 2025, indicating that he was satisfied with its content.

Estonian DPI's opinion

Pursuant to Article 15(1) of the GDPR, the data subject has the right to obtain from the controller confirmation as to whether their personal data are being processed and, if so, they have the right to access their personal data and the information listed in Article 15(1) of the GDPR. Pursuant to Article 15 (3), the data subject has the right to obtain a copy of their personal data. The controller must, pursuant to Article 12(3) GDPR, respond to the data subject's request without undue delay, but not later than within one month. That period may be extended by two months where necessary, taking into account the complexity and number of the request. The controller shall inform the data subject of any such extension and of the reasons for the delay within one month of receipt of the request. Upon request, the individual must also be provided with adequate and relevant explanations regarding the data processing (Articles 12 and 13 of the GDPR).

Pursuant to Article 15(4) of the GDPR, the right to obtain a copy referred to in paragraph 3 shall not adversely affect the rights and freedoms of others. As emphasised in GDPR Recital 63, protecting the rights and freedoms of others by virtue of Art. 15(4) GDPR should not result in a refusal to provide all information to the data subject. This means, for example, where the limitation applies, that information concerning others has to be rendered illegible as far as possible instead of refusing to provide a copy of the personal data.¹ If controllers refuse to act on a request for the right of access in whole or in part under Art. 15(4) GDPR, they have to inform the data subject of the reasons without delay and at the latest within one month (Art. 12(4) GDPR). The explanatory statement has to refer to the concrete circumstances in order to allow the data subjects to assess whether they want to take action against the refusal.²

The data subject was mistakenly linked to an incident due to driver's error, which was actually corrected straight after (the driver said: *Sorry sorry not this customer*). The Controller was obligated under Article 12(3) GDPR to respond to the Complainant's request within one month and provide access to personal data under Article 15(1). The right to obtain the copy of personal data should not adversely affect the rights and freedoms of others, however, the result of those considerations should not be a refusal to provide all information to the data subject (GDPR recital 63). Although [REDACTED] asked for additional time to reply, the response given to the Complainant on 20 May 2025 did not meet these GDPR requirements, as it lacked both a substantive response and

¹ EDPB Guidelines 01/2022 on data subject rights - Right of Access, p 173.

² EDPB Guidelines 01/2022 on data subject rights - Right of Access, p 174.

legal justification. The subsequent invocation of Article 15(4) — which allows for restriction of access to protect third-party rights — was not properly communicated in the response as it was not clear how the rights and freedoms of others prevailed Complainant's right of access to his data. The Complainant was not informed of the reasons within the required timeframe.

Although the Controller eventually provided redacted data and explanations (a response to Complainant's second request was submitted on 10 June 2025 with the copy of the (redacted) driver's report and the more detailed response on 01 September 2025), these were delivered after the statutory deadline. Full redacted personal data regarding this incident was provided only after the intervention of the Estonian DPI. The initial handling of the request therefore **failed to comply with GDPR obligations**, particularly regarding transparency, timeliness, and justification.

With not providing the data subject the personal data related information that he was entitled to receive in one month timeframe, the Controller violated GDPR Article 15 (3) and Article 12 (3).

The DPI also takes into account that the supervisory procedure is based on an individual complaint submitted by a single data subject, and that the Complainant's request has now been fully satisfied. [REDACTED] has also issued an apology to the Complainant. [REDACTED] has cooperated with the DPI and is arranging updated training for the [REDACTED] employees involved in the matter to prevent similar human errors in the future.

In view of the above, the Data Protection Inspectorate issues a reprimand to [REDACTED] pursuant to Article 58(2)(b) of the GDPR and closes the supervisory procedure.

This notice of termination of the supervision proceedings can be challenged within 30 days by submitting an appeal to the administrative court under the Code of Administrative Court Procedure.³

Respectfully

[REDACTED]
lawyer
authorized by Director General

³ [Code of Administrative Court Procedure—Riigi Teataja](#)