



REPUBLIC OF ESTONIA
DATA PROTECTION INSPECTORATE

FOR INTERNAL USE

Holder of information: Data Protection Inspectorate

Notation made: 23.03.2026

The access restriction shall be valid until: 23.03.2101
for p 2 until entry into force of the Decision

Legal ground: Section 35(1)(2), Section 35(1)(12) of the PIA

All SAs

23.03.2026 No. 2.1-12/25/200-499-9

ARTICLE 60 FINAL ADOPTED DECISION

Termination of supervisory proceedings in a personal data protection case

The Data Protection Inspectorate (DPI) is proceeding¹ a complaint forwarded by the Polish data protection authority from [REDACTED] (the complainant) concerning the processing of their personal data by [REDACTED] (the controller).

The DPI submitted inquiries and a proposal to [REDACTED], to which the controller responded.

Circumstances of the complaint

On 16 December 2024, the complainant received information from the [REDACTED] website [REDACTED] regarding [REDACTED]'s concert in Warsaw. The company offered the possibility to register for a presale in order to purchase tickets before the public sale. The complainant registered for the presale and provided the required personal data (first and last name, email address, telephone number). The complainant then received confirmation that they had access to the presale. In reality, the complainant was unable to participate in the presale, as shortly after their registration the company opened ticket sales to everyone, and tickets were freely available on different devices. The complainant considers that the company collected their personal data without a genuine purpose. The complainant contacted the company for explanations on 16 December 2024 and 18 December 2024 but received no response. In the complaint submitted to the data protection authority, the complainant requests restriction of the processing of their personal data pursuant to Article 21 of the General Data Protection Regulation and deletion of the data. The complainant also seeks compensation for fraud related to alleged phishing.

Controller's explanations

[REDACTED] explained that the complainant's presale request did not go through due to a system error. After receiving notification from the complainant, the controller focused on resolving the software error. As the complainant's data were involved in the system procedure, the controller feared that deleting them would eliminate the possibility of identifying and resolving the system error. The controller acknowledged that, unfortunately, they did not inform the complainant of the above circumstances or of the legal grounds for processing their personal data. It was assumed that the legal basis for the processing and the related legal circumstances were set out in the privacy policy available on the controller's website.

¹ The Inspectorate commenced proceedings on the basis of Section 56(1) and (3)(8) of the Personal Data Protection Act. 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.

To participate in the presale process, as well as in the concert ticket sales process, it is necessary to create an account on the ticket sales platform. It is not possible to participate in ticket sales without registering an account. The complainant was unable to participate in the presale due to a system error, but after the malfunction was resolved, the controller sent the complainant a notification offering the opportunity to purchase the originally desired ticket at a 50% discount and stated that the complainant's personal data would be deleted if the offer was not used within seven days. The controller additionally explained to the complainant that the processing of their personal data was based on Article 6(1)(b) of the GDPR. The data were processed only for the period necessary to resolve the issue and were not, and would not be, used for any other purposes. The controller also confirmed to the complainant that the personal data were not disclosed to third parties. The controller submitted to the DPI the response that had been sent to the complainant. The controller further explained that no reply had been received from the complainant.

The controller confirmed that, despite the aforementioned system error, no personal data breach occurred. [REDACTED] also confirmed that, in accordance with the complainant's deletion request, it had completely deleted all of the complainant's personal data, including the user account. The account has been permanently deleted, and the complainant can no longer access their profile, as it no longer exists. The controller also confirmed that there are no longer any data in its systems that would enable the identification of the complainant.

Position of the Data Protection Inspectorate

1. Pursuant to Article 15(1) of the General Data Protection Regulation (GDPR), the data subject has the right to obtain from the controller confirmation as to whether personal data concerning them are being processed and to access the personal data and information relating to the processing. Under Article 17 of the GDPR, the data subject has the right to request the erasure of their data. The data subject also has the right, pursuant to Article 21 of the GDPR, to object to the processing of their personal data. 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 from the receipt of the request.
2. According to the privacy policy² of the website [REDACTED], the controller of the website is [REDACTED]. The website operator informed users that, in order to participate in the presale of concert tickets, participants must submit their personal data. The complainant submitted their personal data to the controller in order to participate in the presale but was unable to do so. The complainant contacted the controller by email on 16 December 2024 and 18 December 2024 seeking information about the presale. In the complainant's first contact with the controller, there was no direct reference to requesting information about the processing of personal data; rather, the inquiry concerned the arrangements of the presale and a possible system error. However, in the subsequent message, the complainant explicitly stated that they were initiating a formal complaint under the GDPR due to unlawful extraction of personal data. The controller did not respond to the complainant's inquiries within one month. Correspondence submitted to the DPI shows that [REDACTED] responded to the complainant on 11 April 2025.
3. Considering that the complainant received a response to their request 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. By the above, the controller infringed Article 12(3) and Article 15 of the GDPR. As the correspondence attached to the complaint does not show that the complainant submitted a request to the controller under Article 17 or Article 21 of the GDPR for the erasure of their data or restriction of processing, and these requests were submitted during the complaint proceedings to the data protection authority, the controller did not infringe Articles 17 and 21 of the GDPR.

² [REDACTED]

4. The complainant expressed suspicion that their personal data were collected for phishing purposes and seeks compensation in this regard. Having assessed the circumstances presented in the complaint and the explanations provided by the controller, the DPI finds that, based on the information gathered, there are no circumstances indicating that personal data were collected for phishing purposes or giving rise to a reasonable doubt thereof. If the complainant considers that the controller has caused them damage through data processing, they have the right to seek compensation before a court. The DPI does not have such competence.
5. The DPI asked the Polish data protection authority to contact the complainant in order to obtain confirmation as to whether the complainant had received a response to their request. The DPI also asked to be informed whether the complainant still wished to have their personal data deleted, considering that they had been offered the opportunity to purchase concert tickets on discounted terms. The Polish data protection authority informed the DPI that they had contacted the complainant, but no feedback was received.
6. The controller infringed Article 12(3) and Article 15(1) of the GDPR. The DPI takes into account the confirmation of [REDACTED] that the complainant's request has been answered and that the complainant's personal data, together with the account, have been deleted from the system. Thus, the controller has resolved the complainant's request. The DPI also considers that no feedback or additional questions were received from the complainant regarding the resolution of the complaint. In light of the above, the DPI does not consider it necessary to further investigate the matter or intervene additionally. Accordingly, the **DPI terminates the supervisory proceedings.**
7. At the same time, the DPI draws the controller's attention to the following. To ensure transparency, the controller is obliged to inform data subjects about the processing of personal data, and in practice this is done through data protection notices. Nevertheless, the controller is obliged to explain to the data subject the circumstances related to the processing of their personal data when the data subject submits a request for information pursuant to Article 15 of the GDPR. The request shall be answered without undue delay, but no later than within one month.

This notice of termination of the supervisory proceedings can be challenged by the complainant within 30 days by submitting an appeal to the administrative court under the Code of Administrative Court Procedure³.

Respectfully,

[REDACTED]

lawyer

authorized by the Director-General

³ <https://www.riigiteataja.ee/en/eli/ee/512122019007/consolide/current>