In the matter of the General Data Protection Regulation

DPC Complaint Reference: [redacted]

IMI Reference: [redacted]

In the matter of a complaint, lodged by [redacted] **with the Office of the Data Protection Ombudsman (Finland DPA) pursuant to Article 77 of the General Data Protection Regulation, concerning MTCH Technology Services Limited**

Record of Amicable Resolution of the complaint and its consequent withdrawal pursuant to Section 109(3) of the Data Protection Act, 2018

Further to the requirements of EDPB Guidelines 06/2022 on the practical implementation of amicable settlements Version 2.0 (adopted on 12 May 2022)

RECORD OF AMICABLE RESOLUTION FOR THE PURPOSE OF EDPB GUIDELINES 06/2022 ON THE PRACTICAL IMPLEMENTATION OF AMICABLE SETTLEMENTS VERSION 2.0 (ADOPTED ON 12 MAY 2022)

Dated the 27th day of March 2026

An Coimisiún um Chosaint Sonraí
Data Protection Commission

Data Protection Commission
6 Pembroke Row
Dublin 2, Ireland

Background

1. On 14 December 2024, [redacted] ("the **Data Subject**") lodged a complaint pursuant to Article 77 of the GDPR with the Office of the Data Protection Ombudsman ("the **Recipient SA**") concerning MTCH Technology Services Limited ("the **Respondent**").

2. In circumstances where the Data Protection Commission ("the **DPC**") was deemed to be the competent authority for the purpose of Article 56(1) of the GDPR, the Recipient SA transferred the complaint to the DPC on 27 January 2025.

The Complaint

3. The details of the complaint were as follows:

    a. The Data Subject emailed the Respondent on 16 December 2024 to request access to the personal data held by the Respondent and once received, also requested the erasure of their personal data.

    b. The Respondent replied that same day, with information as to how the Data Subject could delete the account themselves.

    c. As the Data Subject was not satisfied with the response received from the Respondent, they informed the Recipient SA that they wished to pursue their complaint.

Action taken by the DPC

4. The DPC, pursuant to Section 109(4) of the Data Protection Act, 2018 ("the **2018 Act**"), is required, as a preliminary matter, to assess the likelihood of the parties to the complaint reaching, within a reasonable time, an amicable resolution of the subject-matter of the complaint. Where the DPC considers that there is a reasonable likelihood of such an amicable resolution being concluded between the parties, it is empowered, by Section 109(2) of the 2018 Act, to take such steps as it considers appropriate to arrange or facilitate such an amicable resolution.

5. Following a preliminary examination of the material referred to it by the Recipient SA, the DPC considered that there was a reasonable likelihood of the parties concerned reaching, within a reasonable time, an amicable resolution of the subject matter of the complaint. The DPC's experience is that complaints of this nature are particularly suitable for amicable resolution in circumstances where there is an obvious solution to the dispute, if the respondent is willing to engage in the process. In this regard, the DPC had regard to:

    a. The relationship between the Data Subject and Respondent (being, in this case, an individual and a service provider); and

    b. The nature of the complaint (in this case, an unsuccessful attempt by the Data Subject to exercise their data subject rights).

6. While not relevant to the assessment that the DPC is required to carry out pursuant to Section 109(4) of the 2018 Act, the DPC also had regard to EDPB Guidelines 06/2022 on the practical implementation of amicable settlements Version 2.0, adopted on 12 May 2022 (**"Document 06/2022"**), and considered that:

    a. the possible conclusion of the complaint by way of amicable resolution would not hamper the ability of the supervisory authorities to maintain the high level of protection that the GDPR seeks to create; and that

    b. such a conclusion, in this case, would likely carry advantages for the Data Subject, whose rights under the GDPR would be vindicated swiftly, as well as for the controller, who would be provided the opportunity to bring its behaviour into compliance with the GDPR.

Amicable Resolution

7. The DPC engaged with both the Data Subject (via the Recipient SA) and Respondent in relation to the subject matter of the complaint. Further to that engagement, it was established that the Data Subject's account was suspended due to an alleged violation of the Respondent's Terms of Use and Community Guidelines. Following this suspension, it had retained the Data Subject's personal data in line with its data retention policy.

8. The Respondent advised that in relation to the access request, it had corresponded with the Data Subject previously advising how they could access their personal data. In its reply to the DPC, the Respondent advised that the majority of the Data Subject's personal data had already been deleted.

9. It further advised that it had conducted a review of the Data Subject's suspension. In the circumstances, the Respondent agreed to lift the suspension on the account and outlined the limited personal data retained, the lawful basis for retaining the limited personal data and the deletion dates of this retained personal data.

10. On 14 May 2025, the DPC wrote to the Data Subject, via the Recipient SA, with the information provided by the Respondent. In the circumstances, the DPC requested that the Data Subject notify it, within a specified timeframe, if they were not satisfied with the information provided by the Respondent so that the DPC could take further action. The Recipient SA confirmed to the DPC that they issued this correspondence to the Data Subject on 16 May 2025.

11. On 28 May 2025, the DPC received a response from the Data Subject, via the Recipient SA requesting further clarity on the specific personal data that will be deleted. The DPC engaged with the Respondent who provided further confirmation on the deletion of the personal data outlined by the Data Subject.

12. On 11 June 2025, the DPC wrote to the Data Subject, via the Recipient SA, with the information provided by the Respondent. The DPC again requested that the Data Subject notify it, within

a specified timeframe, if they were not satisfied with the information provided by the Respondent so that the DPC could take further action. The Recipient SA confirmed to the DPC that they issued this correspondence to the Data Subject that same day.

13. On 30 June 2025, the Recipient SA informed the DPC that the Data Subject was agreeable to the information provided as part of the amicable resolution process, and thanked the DPC and the Recipient SA for its assistance in resolving their complaint.

14. On 3 July 2025, and in light of the foregoing, the DPC wrote to the Recipient SA noting that the DPC considered the complaint to have been amicably resolved and withdrawn in accordance with section 109(3) of the Act and that it would conclude the case and inform the Respondent.

15. In circumstances where the subject matter of the complaint has been amicably resolved, in full, the complaint, by virtue of Section 109(3) of the 2018 Act, is deemed to have been withdrawn by the Data Subject.

Confirmation of Outcome

16. For the purpose of Document 06/2022, the DPC confirms that:

    a. The complaint, in its entirety, has been amicably resolved between the parties concerned;

    b. The agreed resolution is such that the object of the complaint no longer exists; and

    c. Having consulted with the supervisory authorities concerned on the information set out above, as required by Document 06/2022 the DPC has now closed off its file in this matter.

17. If dissatisfied with the outcome recorded herein, the parties have the right to an effective remedy by way of an application for judicial review, by the Irish High Court, of the process applied by the DPC in the context of the within complaint.

Signed for and on behalf of the DPC:

Elizabeth M.

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Deputy Commissioner
Data Protection Commission