

Private & Confidential

14 May 2020

Our Ref: C-20-3-528

Dear Ms. Matulevicz,

Acknowledgment of your complaint

The purpose of this letter is to acknowledge the complaint which you have made to the Data Protection Commission (the **DPC**), which was received on 18 March 2020, and to inform you of your rights under the Data Protection Act 2018¹ (the **Act**) in relation to your complaint.

Under the Act², the DPC is obliged to:

- Acknowledge the lodging of your complaint with the DPC; and
- Inform you whether or not the DPC is the competent supervisory authority to handle your complaint.³

Having conducted a preliminary analysis of the information you have provided to us, and subject to any further information which may be acquired by the DPC concerning your complaint, the DPC's current view is that it is competent under the Act in respect of your complaint.

Your rights in relation to your complaint

Under the Act, you have certain rights in relation to how your complaint is handled by the DPC. These are as follows:

1. Your complaint must be handled by the DPC in accordance with the relevant provisions of the Act;

¹ The Data Protection Act 2018 gives further effect to the General Data Protection Regulation (the GDPR) in Ireland

² Section 108(1) of the Data Protection Act 2018

³ There may be circumstances in which it is appropriate that a supervisory authority in another EU Member State handles a complaint which is initially lodged with the DPC, for example because the complaint concerns a data controller which does not have an establishment in Ireland but is established in that other EU Member State.

2. You must be informed by the DPC within three months of the date on which your complaint was received by us, i.e. 18 March 2020, on the progress or outcome of your complaint;
3. If the DPC does not comply with (1) and/or (2) above, you may apply to either the Circuit Court or the High Court for an Order which directs the DPC do so; and
4. If you are affected by a “*legally binding decision*”⁴ of the DPC, you may within 28 days from the date on which you received notice of such a decision from the DPC, appeal against that decision to either the Circuit Court or the High Court.

Current status of your complaint

Your complaint will shortly be assigned to a case officer who will be in contact with you in relation to your complaint.

Yours sincerely,

Luke Noonan
Executive Officer
Data Protection Commission

⁴ Under Section 150(12) of the Data Protection Act 2018 a “legally binding decision” includes, amongst other things: the rejection or dismissal of a complaint by the DPC; the making of a statutory decision following an inquiry which is conducted whether of the DPC’s own volition or in respect of a complaint; and the adoption of a decision by the DPC following the process set out in Article 60 of the GDPR (the “co-operation procedure”).