


Final Decision

Case Register	296225
National file number	11.17.001.009.085
Controller	GG Influencing Central Ltd
Date	15.12.2021


GG Influencing Ltd
Arch Makariou III, 59
6017 Larnaca, Cyprus

Dear Sir,

Further to the exchange of communications between Cyprus SA (the Commissioner for Personal Data Protection) and GG Influencing Central Ltd (the Controller) concerning a complaint involving an erasure request, we would like to bring to your attention the following assessment of the Commissioner.

Description of the Case

The data subject (DS) lodged a complaint with the Romanian SA, and was thereafter received by the Office of the Commissioner for Personal Data Protection (Cyprus SA) on 21 January 2021. The complaint involved the Controller's failure to comply with the DS erasure request (article 17 of the GDPR) submitted to the Controller, who operates the website www.gg-influencing.com.

The DS, who is a former client of the Controller, submitted his erasure request via email to contact@gg-influencing.com on 5 April 2020, where he specifically withdrew any consent and demanded that his personal data was erased as per article 17 of the GDPR. After not receiving a reply, the DS lodged a complaint regarding the Controller's failure to fulfill the request since the videos concerning him were still posted on the controller's YouTube and Instagram channel.

Investigation by Cyprus SA

The Commissioner's office contacted the Controller using the email address mentioned in their website, and requested their views on the matter raised by the complainant. Upon not receiving a reply, the email was forwarded again to a different email that belonged to the controller, which was obtained through a partner company of the Controller.

The Controller's Director replied the same day and informed the Commissioner's office that, due to the inactivity of the email address contact@gg-influencing.com, the email sent to this address by the Commissioner's office was never received. Nevertheless, he stated that he had already complied with the complainant erasure request since he had removed all detected related videos from the relevant YouTube channel. He also added that he removed the complainant's email subscription and all his details from the internal system.

In the Commissioner's office response, the Director was informed that according to the information provided by the complainant, as also a further investigation, it appeared that the complainant's personal data was still being processed through YouTube and Instagram accounts that the controller is administrating. He was also requested to proceed with:

- I. the erasure of the complainant's personal data as seen in the relevant links provided.
- II. the update of the contact information provided on the website so that the controller is able to respond to the inquiries of the data subjects and the Commissioner's office which is the National Supervisory Authority as per the GDPR, as is the obligation as data controller.

The Controller responded on the same day and complied with the above requests.

Cyprus SA assessment

Considering the fact that the Controller eventually complied with the erasure request, Cyprus SA is of the view that the mere delay appears to be a minor infringement which only slightly affects the data subject's rights and freedoms.

After consideration of the significance of the infringement and the controller's cooperation in the investigation process, the Commissioner considers that the investigation proceedings to be concluded as no further supervisory measure is necessary at this stage.

The Commissioner reserves the right, in the event of any future complaints lodged by data subjects, to use all powers afforded to her by the GDPR and by national Law 125(I)/2018.

Commissioner
for Personal Data Protection