

KVKK & GDPR

NEWSLETTER

Monthly Newsletter

JUNE 2022

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01

“Guideline on Cookies Applications” Has Been Published by the Turkish Personal Data Protection Authority

Guideline on Cookies Applications (“Guideline”) has been published by Turkish DPA on June 20, 2022, to create a guide document for both data processors and data controllers.

It has been stated that the Guideline will also be valid for desktop and mobile websites, or web applications and it is aimed to create a guiding document as a practical advice for all data controllers who operate a website.

In the Guideline, examinations are carried out regarding the types of cookies, and detailed evaluations are made on whether cookies require an explicit consent.

You can access further information on the subject through [our article](#) published on our website.



02

Luxembourg Becomes the First Country to Introduce a Certification Mechanism According to the GDPR Criteria

Luxembourg DPA has been adopted the certification mechanism under the European General Data Protection Regulation (“GDPR”) on 13 May 2022. In this way, Luxembourg became the first country to have a GDPR certification mechanism adopted nationally and internationally under the GDPR.

With the implementation of certification, companies, public bodies, associations and other organizations in Luxembourg will have the opportunity to demonstrate that their data processing activities are GDPR compliant.

Implementing the certification mechanism will promote transparency and compliance with the GDPR, as well as help data subjects better measure the degree of protection offered by products, services or processes used or offered by organizations that process their personal data.

You can find the details of the news [here](#).

03

The Finnish Data Protection Authority Has Decided to Impose an Administrative Fine on Telemarketing Company

As a result of the investigation carried out by The Finnish DPA based on the complaint submitted to the Data Protection Ombudsman, due to the fact that the telemarketing company did not transmit the recording of the customer's conversation with the seller despite the Data Protection Ombudsman's instruction to the customer, the call recording was delivered only after the Finnish DPA requested information regarding the imposition of an administrative fine on the company, it has been determined that telemarketing company was found noncompliance for the Data Protection Ombudsman Decision due to any measures has not been taken within in a reasonable time.

Based on these evaluations, the Authority has decided to impose an administrative fine of 8,300 EUR on the data controller.

You can find the details of the data breach notification [here](#).

04

Italian Data Protection Authority Has Decided to Impose an Administrative Fine on Perugia Public Hospital and Information Technology Service Provider

As a result of the investigation carried out by the Italian DPA based on the inspections it has been determined that Perugia Public Hospital and information technology service provider Isweb Srl was found responsible for violation of the European General Data Protection ("GDPR") on the grounds that the accesses to the denouncing management system known as whistle-blowing, which is widely used by employers in Italy, are recorded and stored in firewall the information of the people using the application can be monitoring by potential denouncers, and the employees are not informed about the processing of personal data.

Based on these evaluations, the Authority has decided to impose an administrative fine of 40,000 EUR on both data controllers.

You can find the detail of the Decision [here](#).



05

Italian Data Protection Authority Has Decided to Impose an Administrative Fine on the National Agency for Insurance Against Occupational Accidents

As a result of the investigation carried out by the Italian DPA based on the data breach notifications it has been determined that National Agency for Insurance Against Occupational Accidents (“INAIL”) was found responsible for violation of the European General Data Protection (“GDPR”) due to the application named “Virtual Desk” managed by INAIL allows users to access files related to work accidents and occupational diseases due to a systematic error and adequate technical and organizational measures has not been taken into account despite processing sensitive personal data .

Based on these evaluations, the Authority has decided to impose an administrative fine of 50,000 EUR on the data controller.

You can find the detail of the Decision [here](#).

06

Italian Data Protection Authority Has Decided on Caffeina Media S.r.L.

As a result of the investigation carried out by the Italian DPA based on the data breach notification it has been determined that Caffeina Media S.r.L. was found responsible for violation of the European General Data Protection (“GDPR”) due to since the data subject visits the website while the his/her Google account is open in the web browser, the HTML code is placed on the website for the use of Google Analytics cookie, which is used to track the behavior of the users, and thus the personal data of the data subject is transferred to the USA.

Based on these evaluations, the Authority has decided to make the data processing activities compliant with GDPR within 90 days, and to suspend the data transfer to the USA via Google Analytics if it is determined that the situation continues to the contrary.

You can find the detail of the Decision [here](#).



07

MBtech Mühendislik ve Danışmanlık Ltd. Şti. Data Breach Notification

It has been determined that as a result of the ransomware attack on the systems of the data controller, personal data was illegally accessed by the unauthorized third parties.

It has been stated that the groups of people affected by the breach are customers, employees, participants and potential customers.

You can find the details of the data breach notification [here](#) (in Turkish).

09

Barçın Spor Malzemeleri Ticaret ve Sanayi Anonim Şirketi Data Breach Notification

It has been determined that the personal data in an excel format of 187,930 data subjects kept in the records of the data controller was captured by unauthorized third parties through the middleware program while converting them to csv format.

It has been stated that the group of people affected by the violation are customers, users and potential customers.

You can find the details of the data breach notification [here](#) (in Turkish).

08

Pegasus Hava Taşımacılığı Anonim Şirketi Data Breach Notification

It has been determined that as a result of the fact that the browser list (browser listing) feature of the service was left switch on in order to enable the data controller to plan the flight, the systems were accessed by unauthorized third parties and these people made posts promoting themselves on their social media accounts.

It has been determined that the personal data affected by the breach are identity, contact and location data, and as a result of the violation, unauthorized third parties were contacted and requested to destroy the data immediately.

You can find the details of the data breach notification [here](#) (in Turkish).

10

ARG Denizcilik İnşaat Otomotiv Sanayi ve Ticaret Ltd. Şti, İstek Gemi İnşaa Bakım İnşaat Hırdavat Sanayi ve Ticaret Ltd. Şti, Safter Ulubay Data Breach Notification

It has been determined that the violation has occurred with the sabotage made to the computers of the data controllers.

It has been stated that the number of persons affected by the breach for each data controller is 2000 and this group of persons consists of employees and the identity, personnel and contact data of the employees are obtained by authorized third parties.

You can find the details of the data breach notification [here](#) (in Turkish).

11

Tofisa Tekstil Sanayi ve Ticaret Limited Şirketi Data Breach Notification

It has been determined that the data controller was informed by the law firm that an enforcement proceeding would be initiated regarding the cargo costs that they did not receive during the calls received by the customers, and that these messages were sent by the cargo company, which has the title of data processor.

It has been determined that the name, surname, phone numbers and e-mail addresses of the data processor and the customer and potential customers are shared by the data controller, but the name, surname and phone number data of the relevant persons are used unlawfully.

It has been stated that the group of people affected by the violation were those who did not take the delivery, and the number of related persons was 42,373.

You can find the details of the data breach notification [here](#) (in Turkish).



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Should you have any requests for the English translation of the announcements and decisions of the Turkish DPA, please contact us.

Prepared by



Seyma Kaplan



Selin Malkoç



Onur İzli



Ece Nur Karakaş



Kerem Akdağ



Civan Güneş



Seda Sallı



Öykü Solmaz



Address : Astoria Towers
Kempinski Residences
Şişli / İstanbul

Telephone : +90 212 244 92 22

Fax : +90 212 244 92 21



E-mail : ask@cottgroup.com

Website : www.cottgroup.com

Website : www.verisistem.com

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