

## Decision concerning Ryanair DAC

**Date of Decision: 10 November 2020**

Acting in its capacity as lead supervisory authority, the DPC commenced an examination of a complaint originally received by the U.K. Data Protection Authority. The complaint concerned cross-border processing in which the DPC was competent to act as lead supervisory authority. The complaint concerned a subject access request made by the complainant to Ryanair. Ryanair provided the complainant with certain personal data on foot of the request. However, it failed to provide the complainant with a copy of a recording of a call that the complainant had made. Due to the delay on Ryanair's part in processing the request, Ryanair had since deleted the call recording in accordance with company policy and they had been unable to retrieve it.

The decision-making followed the procedure set out in Article 60 of the GDPR for cross border processing. The procedure included an examination of the complaint by the DPC, including an attempt to amicably resolve the complaint; a Draft Decision circulated amongst the Concerned Supervisory Authorities; the DPC's careful consideration of each relevant and reasoned objection received, which in this case the DPC followed certain of the relevant and reasoned objections received, and declined to follow certain other relevant and reasoned objections; a Revised Draft Decision circulated amongst the Concerned Supervisory Authorities; the adoption of the Final Decision; and finally the U.K. Data Protection Authority was responsible for informing the complainant of the decision.

- The decision found that Ryanair infringed Article 15 of the GDPR by failing to provide the complainant with a copy their personal data that was undergoing processing at the time of the request.
- The decision also found that Ryanair infringed Article 12(3) of the General Data Protection Regulation by failing to provide the complainant information on action taken on their request under Article 15 within the statutory timeframe of one month.
- The decision also reprimanded Ryanair in respect of the infringements.