

Attention! Please note that the translation of this document into the English language is for information only. Officially you have to address the supervisory authority, i.e. State Data Protection Inspectorate, in the Lithuanian language.

Form approved by
4 June 2018 Order No 1T-54(1.12.) of the
Director of the State Data Protection
Inspectorate

(Recommended form of the complaint)

(Name, surname of the applicant)

(Address)

(Telephone number or e-mail address (indicated if the applicant wishes))

(Name, registration number and contact details of the legal person)¹

(Telephone number or e-mail address (indicated if the applicant wishes))

(Representative and basis of representation if the complaint is lodged by the representative of the applicant)²

To the State Data Protection Inspectorate

COMPLAINT

..... 20.....

1. Person against whom the complaint is lodged³:

¹ Where the complaint is lodged by a legal person in relation to the breach of Section Nine of the Republic of Lithuania Law on Electronic Communications, except for paragraph 5 of Article 61, paragraph 7 of Article 64 and paragraph 2 of Article 68.

² If the complaint is lodged by the representative of the applicant, the document evidencing the powers of the representative must be attached. If the complaint is lodged by a non-profit body organisation or association on behalf of the applicant according to Article 80(1) of Regulation (EU) 2016/679 or the laws regulating personal data and/or privacy protection, the documents evidencing that he/she acts in the field of personal data protection must also be enclosed.

³ If the person against whom the complaint is lodged is not indicated, examination of your complaint is impossible. Please note that the State Data Protection Inspectorate is not authorised to examine complaints in the following cases: where data is processed by a natural person engaged only in personal or household activities; where personal data is processed for journalistic purposes and for the purposes of academic, artistic or literary expression; where

.....
(Name and registration number of the legal person or name, surname of the natural person)

.....
(Address of the registered office, place of residence or place of processing)

.....
(telephone and/or telefax number, e-mail address)

2. Your relationship with the person against whom the complaint is lodged:

(Mark the appropriate box with a cross)

- I am a customer of the person against whom the complaint is lodged
- I am an employee of the person against whom the complaint is lodged
- I am a trainee (student) of the person against whom the complaint is lodged
- I am not related to the person against whom the complaint is lodged
- other

3. Subject-matter of the complaint:

(Mark the appropriate box with a cross)

- Unlawful processing of personal data
- Infringement of the rights of the data subject

3.1. Processing of personal data

(Specify your personal data possibly unlawfully processed by the person against whom the complaint is lodged, precisely and clearly describe the actions subject to the complaint in chronological order, indicate as exact time of performance thereof as possible, the circumstances under which you found out about the possibly unlawful processing of your personal data and all other circumstances which may be relevant to examination of the complaint).

3.2. Rights of the data subject

(Specify your right as the right of the data subject provided for in Article 23(1) of Regulation (EU) 2016/679 was possibly infringed and explain when and how (by what actions of omission of action) the infringement materialised)

- right of information on processing of data
- right of access
- right of rectification
- right to erasure (“right to be forgotten”)
- right to restriction of processing

personal data of deceased persons is processed; where personal data is processed by courts in enforcement of their judicial functions.

- right to data portability
- right to object to processing of data

4. Information on your enquiry to the data controller

(Mark the appropriate box with a cross. Indicate if you have addressed the data controller for the circumstances set out in the complaint.)

Yes

(If you applied, when and how (in writing, by e-mail etc.) did you apply? When and what response you received?)

No

5. Other relevant circumstances

(Mark the appropriate box with a cross):

Have you addressed the supervisory authority for the same issue? If yes, please indicate when you addressed it. Please specify new circumstances or provide new facts on the basis of which your complaint should be repeatedly examined.

Has the complaint or any part thereof concerning the same issue been examined or is currently examined by the court of the Republic of Lithuania or another European Union Member State? If yes please specify the court which examines or has already examined the case.

Has the complaint or any part thereof concerning the same issue been examined or is currently examined by the supervisory authority of another European Union Member State? If yes please specify the Member State and another supervisory authority which has already examined the case.

Has a pre-trial investigation into the complaint or a part thereof concerning the same subject been initiated? If yes, please specify the pre-trial investigation institution which has initiated the investigation.

Have you already addressed a police institution (or another pre-trial investigation institution) or prosecutor's office for the subject-matter of the complaint? If yes, please indicate when and what institution you addressed. Has a procedural decision on initiation of the pre-trial investigation been passed?

6. Attached evidence supporting the complaint

(Mark the appropriate box with a cross)

I have evidence

(If you have evidence, enclose documents evidencing your enquiry to the data controller, response from the data controller and other documents received from the data controller and other evidence supporting the subject-matter of your complaint (for example, photos with the recorded infringement, copies of the computer screen windows evidencing the possible infringement, descriptions of the received unwanted

SMS messages, images of the e-mail notifications and descriptions of the e-mail notifications showing the IP address of the sender etc.).⁴

I have no evidence

7. I request the State Data Protection Inspectorate to declare the complaint as grounded⁵

(If you wish, please describe the substance of your request in a more detailed manner)

I am informed that my personal data (name, surname, personal identification number, address, telephone and/or telefax number, e-mail address, signature), date and number of the complaint (data of registration at the State Data Protection Inspectorate and number), information indicated in the complaint (including special personal data), the result of examination of the complaint, the date and number of the response of the State Data Protection Inspectorate, the information received in the course of examination of the complaint) were processed for the purposes of examination of this complaint, internal administration (record keeping).

I do hereby certify that all information provided by me is accurate and correct⁶.

.....
(signature)

.....
(name, surname)

⁴ You have to provide all available evidence supporting your complaint together with the complaint. In case if in the course of examination of the complaint new circumstances (and evidence) emerge or become available to you, you must immediately provide such additional information and evidence to the Inspectorate.

⁵ In any case, before the State Data Protection Inspectorate adopts a decision on the lodged complaint, you are entitled to submit a request for discontinuation of the examination on the complaint.

⁶ Please note that Article 505 of the Code of Administrative Offences of the Republic of Lithuania provides for administrative liability for provision of data known to be false to the State Data Protection Inspectorate.