



Decision

IMI Article 56 identification of LSA and CSA entry	55239
National file number	11.17.001.006.019
Controller	Marikit Holdings Ltd (22bet.com)

12 November 2019

Marikit Holdings Ltd
22bet.com
Nicosia, Cyprus

Dear Mr. XXXXX,

Further to the exchange of communications between the Office of the Commissioner and Marikit Holdings Ltd (22bet.com), concerning a complaints involving 22bet.com, we would like to bring to your attention the following assessment of the Commissioner.

Summary of the Case

The data subject created an account with the controller (22bet.com) in the context of the “Ronaldinho & Friends vs. Adler All Stars” in November 2018. The enrolment was a prerequisite so as to be able to participate to a competition. The data subject tried for days to delete his account and to erase his data on this website, but the website did not provide such opportunity. The data subject further sent an email asking the controller the deletion of his account and to erasure of all his data. The controller did not comply with the erasure request and alternatively proposed to merely block the account for one year.

Investigation by CY SA

Cyprus SA contacted Marikit Holdings in January 2019. In the initial response to the Commissioner the controller alleged that the data subject could not be identified, as it was discovered later, the data subject did not provide the relevant email address used upon registration to 22bet.com.

In the response received from the support team of 22bet.com on 01/08/2019, we were informed that in general the organisation holds data that can be requested by regulatory bodies in Cyprus for a wide range of purposes, including, but not limited to the following:

1. Ascertainment of the fairness of the games offered
2. Identification in accordance to KYC and AML requirements
3. Resolutions of disputes, claims, etc. connected with the games offered

Marikit Holdings further alleged that is not in a position to delete data which it reasonably believe will be requested by the regulatory bodies prior to their request as it may entail penalties and other reprimands. Moreover, Marikit Holdings affirmed that it holds data until reasonably sure that no complaint shall be sent by the user to the regulatory authorities for which it could be called upon to give explanations with supporting evidence.

The controller finally confirmed the data of the specific user were deleted as soon as it was reasonably possible to delete.

Commissioner's view and corrective actions

Regarding the subject matter of the complaint, considering the fact that the controller reacted to the deletion request within the time-frame provided in the GDPR and eventually, the erasure request was granted after verification that the deletion of relevant data would not infringe other legal obligations of the controller, Cyprus SA considers that the investigation proceedings can be concluded and no repressive measures are necessary.

Cyprus SA reviewed 22bet.com privacy policy and found that the information provided therein is not sufficient to facilitate the exercise of data subjects' rights.

The controller is therefore requested to revise its privacy policy of 22bet.com regarding the exercise of the data subjects' rights and bring it in line with the GDPR and inform the Commissioner accordingly.

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