

From:
Nicholas Lee



To:
Belastingdienst
Postbus 2508
6401DA Heerlen

To whom it may concern,

I am writing to you following my earlier objection to data processing, sent via aangetekende brief with PostNL and received by the Belastingdienst on the morning of September 14th, 2021. I also note the follow-up sent on October 15th, 2021 reminding the Belastingdienst of its obligation to process the GDPR article 21 objection in a timely manner.

The Belastingdienst failed to reply to my objection within one month of its receipt, has not responded to the follow up letter I sent, and has now exceeded the longer three-month processing deadline that would have applied if an extension was invoked in a timely manner.

As the original complaint noted dilatory aspects of the original Art. 15 & Art. 16 requests filed earlier in 2021, and the Belastingdienst has been wholly nonresponsive to this objection despite confirmed receipt of correspondence, one can only reach the conclusion that someone believes “if we do not respond, maybe the problem will go away”.

This is unfortunately not how the GDPR works; there are statutory deadlines for processing GDPR requests and objections. To act otherwise is to assert that the law applies only to the citizen, but not the government.

Separate to my original Art. 21 Objection, received on September 14th, I unfortunately must now invoke my right to the Restriction of Processing under Art. 18. This restriction is dated December 15th, the date of mailing for this letter. For the purposes of determining statutory deadlines for processing, we can rely on the delivery confirmation provided by PostNL, granting an additional one or two days beyond the original date of mailing. The Art. 18 request is included in this envelope, separate to this follow-up letter.

I urge the Data Protection Officer to take the necessary actions to ensure that the Belastingdienst is fully complying with the General Data Protection Regulation and recent CJEU rulings concerning due process and adequacy of data protection legislation in third countries.

I will also note that acknowledgment of the original objection, the previous follow-up letter, this letter, and the use of reference numbers (not containing my BSN) to refer to in future correspondence is appreciated and will make handling of correspondence much easier for all parties concerned.

Thank you,

15 December 2021,

