

From: [REDACTED]
To: ["DPC Info"](#)
Subject: RE: DPC Response
Date: 24 September 2019 15:10:00

Dear [REDACTED]

I would like to observe as follows:

1. Section 109(4)(b) has not been complied with in respect of my complaint since it seems that advice has been given under section 109(5)(c) but it is not clear how, without contacting the controller, there are grounds for the DPC to consider that an amicable resolution is not possible. Section 109(5) is not available unless the precondition has been satisfied. In my complaint I set out my terms for an amicable settlement but it is clear that these were not put the controller. Therefore it is not lawful to issue advice to me as the data subject at this point.

2. section 109(5)(c) is also not an action that closes a complaint but is one of a suite of measures that the DPC can use. Having heard the DPC's advice I am confident that the SAR is valid and it is clear what information was requested. I would be grateful therefore for confirmation that this complaint will be investigated and a decision made as quickly as possible. The letter sent to me on September does not represent a lawful conclusion to this complaint.

Looking forward to hearing from you by email.

Many thanks

[REDACTED]