

## File identification

Resolution of the rights protection procedure no. PT 7/2022, urged against the College of Doctors of Barcelona.

## Background

1. On 18/01/2022, the Catalan Data Protection Authority received a letter from Mr. (...) (hereinafter, the person making the claim), from which it seems to be inferred the complaint that the College of Doctors of Barcelona (COMB) would not have complied with its right of access exercised before said Corporation, since, as stated: 1) in the copy of the two files linked to his person (IR-PM (...)/18 and IR-PM(...)/20) that the COMB provided him on 12/13/2021 in response to your request for access, documents that would be part of said files were not included; 2n) he was not informed of the recipients to whom the said files were sent; 3r) he was provided with a copy of the files in paper format ("*more than 400 pages*"), when he had expressly requested it in electronic format; and, 4r) he would not have been given the identity of the COMB employees who would have accessed his files. On the other hand, in this same letter, the person making the claim here also alludes to possible breaches of data protection regulations that he did not specify.

This first letter was accompanied by numerous documents, including:

- a) Access request made by the claimant here in the COMB's face-to-face registration on 06/30/2021. In this request it was requested, among other things, provided for in article 15 of Regulation (EU) 2016/679 of the European Parliament and of the Council, of April 27, relating to the protection of natural persons by regarding the processing of personal data and the free movement thereof (hereafter, the RGPD), and for what is of interest here, the copy of "*all the data available in this institution keeps on me in reference to entry records, communications, files, etc (...), 'the recipients or categories of recipients to whom my data has been communicated (...)*".
- b) Burofax of 07/29/2021, through which the COMB responded to the claimant here. In this letter, among others and for what is of interest here, information was given about the people to whom their data had been communicated, in the following terms:  
*"Your personal data have been provided by you yourself in your written complaint and communicated to Dra. (...), to Dr. (...), and Dr. (...), as interested parties in single procedures of reserved information, and with the purpose that they could present the allegations in attention to their legitimate rights of defense".*  
It does not appear from the content of this letter that the COMB attached to it a copy of the data subject to treatment, as requested by the claimant here.
- c) Request for access that the claimant made in person at the COMB entry register on 07/10/2021, in which he expressly requests a copy of the files IR-PM (...)/18 and IR-PM(...)/20, and also the identification of the staff of the COMB and of persons outside the said entity who have accessed them. He also requests that all this information be provided "*to the email address (...), if you consider it appropriate to send it scanned*". In this request, the claimant here invoked, to substantiate his right to obtain a copy of the aforementioned files, article 15 of the RGPD and article 53 of Law 39/2015, of October 1,

- on the procedure common administrative officer of the public administrations (LPAC), as a person interested in the procedure.
- d) Letter formulated by the claimant here before the in-person register of the COMB on 12/10/2021. In this letter he reiterates the request for a copy of the disputed files, making express reference to his previous letters of 30/06/2021 and 07/10/2021, and invoking in defense of his right of access article 53 of the 'LPAC. Likewise, the claimant here explained that *"all the previously requested information is requested to be delivered scanned to the email (...)"*.
- e) Letter of response from the COMB to the request for access, with the date of the COMB exit register of 12/13/2021 and notified that same day. In this writing, the claimant indicates that a copy of both files is attached. Likewise, you are informed that it is not part of the right of access guaranteed by article 15 of the RGPD to know the identity of the COMB staff who have accessed your data, and that this criterion is supported by several resolutions of the Catalan Data Protection Authority.
- 2.** On the same day 18/01/2022 and 19/01/2022, the person making the claim presented to the Authority separate written documents (also with numerous attached documents) in which he reiterated his complaint, among other issues, of the lack of attention to their right of access by the COMB.
- 3.** On 01/25/2022 the Guarantee and Right of Access to Public Information Commission (GAIP) transferred the claim (and attached documentation) to this Authority - considering it a matter of its competence that on 01/19/2022 the person here claiming presented to that entity. This claim would also refer to the lack of legal attention on the part of the COMB in relation to the referenced files.
- 4.** On 01/31/2021, this Authority received a fourth letter from the person here claiming (also accompanied by attached documentation), the content of which was linked to the letters he had submitted previously.
- 5.** In view of the content of the documents submitted by the complainant, in which, on the one hand, he complains about the lack of attention on the part of the COMB to his right of access: and, on the other hand, about possible breaches of the data protection regulations that did not specify; on 08/02/2022, a letter was sent to the person claiming, in which the following was stated:
- That a rights protection procedure had been initiated due to the eventual lack of attention to their right of access by the COMB. In relation to this procedure, the person making the claim was requested to, as far as possible, indicate which documents the COMB would not have included in the copy of the files it would have given him.
  - And, on the other hand, it was reported here claiming that if it considered that any entity had violated the data protection regulations, it should file a complaint clearly and concisely indicating the entity responsible, the specific fact that it considered contrary to the data protection regulations and the approximate date on which this fact should have been committed; and this in accordance with the provisions of article 62.2 of the LPAC and article 22.2 of Law 32/2010 of October 1, of the Catalan Data Protection Authority.
- 6.** On 02/14/2022 the claimant here presented two new letters (accompanied by numerous documents) in which he detailed the documents that would form part of the files IR-PM

(...)/18 and IR-PM(...) /20 and which the COMB would not have included in the copy of the files it had given it. Among the related documents, the claimant highlights a CD that, according to him, should have been from the IR-PM(...)-20 file since on 12/18/2020 he himself contributed it to the COMB in the case of said file.

7. On 02/16/2022, the claimant here presents two new letters (accompanied by numerous documents) complementary to the previous ones. In this writing, the claimant stated that the COMB had improperly communicated the disputed files to third parties (which he identified) and that, to the extent that said entity had not informed him of these "recipients" when he gave him an answer to your request for access on 29/07/2021, your right of access would not have been fully complied with, with regard to this specific information.

On the same day 16/02/2022 the claimant here filed a complaint against the COMB for improperly facilitating third parties (who he identifies and who match those he identifies in his letter referring to the present rights protection procedure) to files IR-PM (...)/18 and IR-PM(...)/20.

8. On 15/02/2022 and 16/02/2022 the claim was transferred to the COMB so that within 15 days it could formulate the allegations it deemed relevant.

9. On 03/11/2022, the COMB made allegations in writing in which it set out the following:

- That *"with respect to the statement that the CoMB has not duly complied with the right of access requested by the claimant, providing, as [the claimant] refers to, an incomplete copy, this point must be denied. On 13/12/21 the CoMB, in consideration of the right of access to files processed under Law 39/2015, of 1 October, on the common administrative procedure of public administrations, deliver to Mr. (...) a complete copy of the files on paper, given that the large volume of the documentation did not allow its delivery electronically"*.
- That *"it is true that it was not delivered to Mr. (...) the CD of the file IR-PM(...)/20 mentioned in your letter. The support made it difficult to deliver and as it was a mere reproduction of the documentation that had already been provided by Mr. (...), it was concluded that its delivery was not necessary; however, and in areas to continue strictly complying with the obligation to attend to the right of access and to provide, where appropriate, greater transparency, the CoMB will provide this Authority, if it considers it so, its content"*.
- That, the COMB informed the claimant here of the names of the recipients of these files, specifically, in the answer given to him on 07/29/2021; and in the letter notified to him on 13/12/2021 he was also informed that it is not part of the right of access guaranteed by the RGPD, to know the name of the staff responsible for the treatment who has accessed the information .

## **Fundamentals of Law**

1. The director of the Catalan Data Protection Authority is competent to resolve this procedure, in accordance with articles 5.b) and 8.2.b) of Law 32/2010, of October 1, of Catalan Data Protection Authority.

2. Article 15 of the RGPD, regarding the right of access of the person concerned, provides that:

*"1. The interested party will have the right to obtain from the controller confirmation of whether or not personal data concerning him or her are being processed and, in such case, the right to access personal data and the following information:*

- a) the purposes of the treatment;*
- b) the categories of personal data in question;*
- c) the recipients or the categories of recipients to whom the personal data was communicated or will be communicated, in particular recipients in third parties or international organizations;*
- d) if possible, the expected period of personal data conservation or, if not possible, the criteria used to determine this period;*
- e) the existence of the right to request from the person in charge the rectification or suppression of personal data or the limitation of the treatment of personal data relating to the interested party, or to oppose said treatment;*
- f) the right to present a claim before a control authority;*
- g) when the personal data has not been obtained from the interested party, any available information about its origin;*
- h) the existence of automated decisions, including profiling, referred to in article 22, sections 1 and 4, and, at least in such cases, significant information about the logic applied, as well as the importance and expected consequences of said treatment for the interested party.*

*2. When personal data is transferred to a third country or an international organization, the interested party will have the right to be informed of the appropriate guarantees under article 46 relating to the transfer.*

*3. The person responsible for the treatment will provide a copy of the personal data subject to treatment. The person in charge may charge a reasonable fee based on administrative costs for any other copy requested by the interested party. When the interested party presents the request by electronic means, and unless he requests that it be provided in another way, the information will be provided in a commonly used electronic format.*

*4. The right to obtain a copy mentioned in section 3 will not negatively affect the rights and freedoms of others."*

In relation to the rights contemplated in articles 15 to 22 of the RGPD, paragraphs 3 to 5 of article 12 of the RGPD, establishes the following:

*"3. The person in charge of the treatment will provide the interested party with information related to their actions on the basis of a request in accordance with articles 15 to 22, and, in any case, within one month from the receipt of the request. This period can be extended another two months if necessary, taking into account the complexity and the number of requests. The person in charge will inform the interested party of any such extension within one month of receipt of the request, indicating the reasons for the delay. When the interested party submits the request by electronic means, the information will be provided by electronic means whenever possible, unless the interested party requests that it be provided in another way.*

*4. If the person in charge of the treatment does not comply with the request of the interested party, he will inform him without delay, and no later than one month after receiving the request, of the reasons for his non-action and of the possibility of submitting a claim before a control authority and exercise judicial actions.*

*5. The information provided under articles 13 and 14 as well as all communication and any action carried out under articles 15 to 22 and 34 will be free of charge. When the requests are manifestly unfounded or excessive, especially due to their repetitive nature, the person in charge may:*

- a) charge a reasonable fee based on the administrative costs incurred to facilitate the information or communication or perform the requested action, or*
- b) refuse to act in respect of the request.*

*The person responsible for the treatment will bear the burden of demonstrating the manifestly unfounded or excessive nature of the request. (...)"*

For its part, article 13 of Organic Law 3/2018, of December 5, on the protection of personal data and guarantee of digital rights (hereinafter, LOPDGDD), determines the following, also in relation to the right to access:

*"1. The affected person's right of access must be exercised in accordance with the provisions of Article 15 of Regulation (EU) 2016/679.*

*When the person in charge processes a large amount of data relating to the affected person and he exercises his right of access without specifying whether it refers to all or part of the data, the person in charge may request, before providing the information, that the affected person specifies the data or the processing activities to which the request refers.*

*2. The right of access is understood to be granted if the data controller provides the affected person with a remote, direct and secure access system to personal data that guarantees, permanently, access to all of it. For this purpose, the communication of the person in charge to the person affected by the way in which he can access the aforementioned system is sufficient to consider the request to exercise the right.*

*However, the interested party can request from the person in charge the information referred to the ends provided for in article 15.1 of Regulation (EU) 2016/679 that is not included in the remote access system.*

*3. For the purposes established in article 12.5 of Regulation (EU) 2016/679, the exercise of the right of access more than once during the period of six months can be considered repetitive, unless there is a legitimate reason for do it*

*4. When the person affected chooses a means other than the one offered to him that involves a disproportionate cost, the request must be considered excessive, so the said affected person must assume the excess costs that your choice behaves. In this case, the person in charge of the treatment is only required to satisfy the right of access without undue delay."*

In relation to the above, article 16.1 of Law 32/2010, of the Catalan Data Protection Authority, regarding the protection of the rights provided for by the regulations on personal data protection, provides the following:

*"1. Interested persons who are denied, in part or in full, the exercise of their rights of access, rectification, cancellation or opposition, or who may understand that their request has been rejected due to the fact that it has not been resolved within the established deadline, they can submit a claim to the Catalan Data Protection Authority."*

3. Having explained the applicable regulatory framework, it is then necessary to analyze whether the COMB resolved and notified, within the period provided for by the applicable regulations, the right of access exercised by the person making the claim.

In this respect, it is certified that on 06/30/2021 a letter from the claimant was received by the entity through which he exercised the right of access to his personal data (letter a/ antecedent 1r). It is also certified that the COMB responded to this request on 07/29/2021 (letter b/ antecedent 1).

The claimant, understanding that with this response the COMB had not fully satisfied his right of access, reiterated his request again on 07/10/2021 and 10/12/2021 (letters c/ id/ antecedent 1st). It is certified that the COMB gave an answer on 12/13/2021.

It is worth saying that in this last letter of 10/12/2021, the person claiming invoked in defense of his right of access article 53 of the LPAC, but it should also be noted that in this same letter he mentioned the letters that previously had presented before the COMB in which he clearly invoked article 15 of the RGPD. In any case, it should be noted here that the exercise of the right of access guaranteed by the data protection regulations is not incompatible with the exercise of the right of access recognized in the LPAC, thus, that a procedure is pending it is an impediment for a person to exercise both rights. Having said that, it is necessary to demonstrate that between one right and another there are differences both in its content and in the limits to access, highlighting at this point that the data protection regulations expressly provide for certain limits to access that do not provide for the rules of administrative procedure, a matter that is not minor. In any case, the truth is that the person claiming here would have invoked the right of access guaranteed by the data protection regulations in the three letters he sent to the COMB requesting access.

In accordance with article 12.3 of the RGPD, the COMB had to resolve and notify the request to exercise the requested right within a maximum period of one month from the date of receipt of the request .

Well, in accordance with this, it must be said that the COMB gave a timely response to the first request of the person making the claim on 06/30/2021, since the response was notified to him on 07/29/2021. With respect to the written submissions made before the COMB by the claimant here on 07/10/2021 and 10/12/2021, it is worth saying that they did not constitute a new request for access, but rather a complaint because he was not satisfied with the answer that the entity had given him; and that is why, by not starting a new procedure, it cannot be considered that the COMB gave an extemporaneous answer when it provided a copy of the files (in paper format) on 12/13/2021).

4. Once the above has been established, it is necessary to analyze the merits of the claim, that is to say whether, in accordance with the precepts transcribed in the 2nd legal basis, in this case access to the data in the terms usually tender the person claiming.

As a starting point, it should be borne in mind that article 15 of the RGPD defines the right of access as the right of the affected person to obtain information about their own personal data that is the subject of treatment and, in such case, access said data and information on the purposes of the treatment, the categories of personal data, the recipients to whom the personal data have been communicated or will be communicated, as well as the rest of the information detailed in article 15.1 of the RGPD. In addition, article 15.3 of the RGPD expressly recognizes the right of any person to obtain from the data controller a copy of the document containing the personal data for which access has been requested.

The right of access is a very personal right, and constitutes one of the essential powers that make up the fundamental right to the protection of personal data. As has already been advanced, through the right of access the owner of the data can find out which data about his person are the subject of treatment. In addition, this right could be the basis for the exercise of other rights, such as those of rectification, deletion, limitation, portability or opposition.

This is why the limitations to this right of access must be minimal given that through its exercise the effectiveness of the fundamental right to the protection of personal data is guaranteed. The reasons for denying the right of access are found in article 23 of the RGPD, which must be provided for "*through measures legislative*" (art. 23.1 RGPD).

As explained in the background, the person making the claim considered that the COMB had not fully satisfied his right of access for several reasons, which will be analyzed separately below. It should be clarified that in his first letter of 30/06/2021 the claimant requested access to all his data subject to treatment, although in subsequent letters (of 07/10/2021 and 10/12/2021) limited his request for access to files IR-PM (...)/18 and IR-PM(...)/20, and that is why the substance of the claim will be analyzed in relation to the access to these two files.

4.1.- Not providing a complete copy of the files IR-PM (...)/18 and IR-PM(...)/20.

As has been explained in the background, the person making the claim detailed in the documents presented to this Authority the documents that he considered to be part of the said files and that the COMB had not provided him. Among many others, he mentions a CD which, according to him, should have been part of the IR-PM(...)-20 file since on 12/18/2020 he himself provided it to the COMB as part of said file.

Regarding this, in its allegations the COMB claims to have provided a complete copy of the files to the claimant on 13/12/2021, excluding the contents of the CD, understanding that "*the support made it difficult to deliver and since it is a mere reproduction of the documentation that had already been provided by Mr. (...), it was concluded that its delivery was not necessary*".

Well, leaving out of the discussion the controversial CD that the COMB admits that it did not deliver, with respect to the rest of the documentation that would form part of the files, there is an obvious contradiction here between what the claimant claims, on the one hand (that he complains that in the copy of the files he was given, in addition to the CD, other documents

were missing), and the COMB, for another (which asserts that he was provided with the complete files on paper, except for the copy of the contents of the CD ); contradiction that cannot be resolved insofar as the files were delivered in paper format, which prevents checking the documents that were actually delivered. What can be affirmed, because it is not the subject of controversy, is that in the copy of the files in paper format that the COMB provided to the claimant here on 12/13/2021, the one corresponding to the file IR- PM (...)20 was not complete, since the content of the aforementioned CD was missing, and it is therefore in relation to this specific information that the claim should be assessed.

In any case, it is worth saying that the discussion about the documentation that was actually delivered to the claimant on 13/10/2021 lacks significance in view of what will be set out in sections 4.3 and 5 of this resolution.

#### 4.2. On the lack of information on the recipients of the files.

The complainant complained that he had not been provided with information on the recipients of the files. And in relation to this issue, in the documents presented to the Authority on 02/16/2022, the claimant here stated that the COMB would not have provided him with the name of the third persons to whom the COMB would have improperly communicated (as he claimed ) the files.

Well, in relation to this issue, it is certified that the COMB on 07/29/2021 informed the complainant here of the recipients of the files.

On the other hand, it must be said that there is no element that allows us to infer that the COMB handed over the files to other people than those mentioned by the COMB in the letter that it notified the claimant on 07/29/ 2021 Regarding the eventual communication (illegal, according to the claimant) to third parties, it is worth saying that he lodged a complaint with the Authority about this, which gave rise to previous information that was archived by resolution of the director of 26/ 05/2022, since it was not possible to verify that the COMB facilitated a copy of the files to any of the people indicated by the herein claimant in his complaint.

It is because of all the above that the claim for not having provided the information on the recipients of the files cannot be estimated.

#### 4.3 On the delivery of the copy of the files in a different format than requested.

The complainant complained that the COMB gave him a copy of the files in paper format when he had expressly requested that they be delivered to him in digital format.

Well, in this regard it is worth saying that in his letter of 07/10/2021, the person making the claim here was not categorical when requesting in which format the information should be provided, since he literally stated that I would facilitate him *"to the email address (...), for if they consider it appropriate to send it to me scanned"*; but yes it was in the letter of 10/12/2020. It is true that in this last letter the claimant here did not invoke, as has been advanced, the RGPD in defense of his right - since he mentioned article 53 of the LPAC -, but it should also be noted that in this letter the claimant here made it clear that he was



reiterating what he had requested in previous writings in which he had based his request on the right guaranteed by the data protection regulations.

In this regard, it is worth saying that the COMB has not questioned that the claimant here requested that access be facilitated by sending the information by email, a request that was not attended to, according to the entity, given that the great volume of the documentation did not allow its delivery electronically.

In this regard, it should be noted that the RGD, in regulating the right of access, does not establish any limitation to the general obligation of the person in charge of processing to attend to the rights that guarantee data protection, nor does it attribute to the person in charge the right to set the channels through which the interested parties can exercise them. In this same sense, article 12.2 of the LOPDGD attributes to the data controller the ability to propose channels that he considers preferable to receive requests to exercise rights, but not to refuse or ignore the request if the "the interested party chooses a different means from those proposed by the person in charge of the treatment: " *2. The person in charge of the treatment is obliged to inform the affected person about the means at his disposal to exercise the rights that correspond to him. The means must be easily accessible to the affected person. The exercise of the right cannot be denied for the sole reason that the person affected opts for another means.*" Likewise, with regard to the means to be used by the data controller to attend to the right exercised by the interested party, the last paragraph of article 12.3 of the RGD establishes the rule that the information must facilitate - by the channel that the interested party has indicated, even when it does not match the channel with which he has exercised the right : *"When the interested party presents the request by electronic means, the information will be provided by electronic means when possible, unless the interested party requests that it be provided in another way"* .

In relation to the above, article 15.3 of the RGD contemplates different ways of making effective the right of access: *"The person responsible for the treatment will facilitate a copy of the personal data object of treatment. The person in charge may charge a reasonable fee based on administrative costs for any other copy requested by the interested party. When the interested party submits the request by electronic means, and unless he requests that it be provided in another way, the information will be provided in a commonly used electronic format."* In turn, article 28 of Royal Decree 1720/2007, of December 21, which approves the Regulation for the development of the LOPD, in force where it does not contradict the RGD, attributes to the interested party the right of option, by guaranteeing the right to choose to receive the information by means of its display on the screen, in writing, by mail, fax, e-mail or other electronic communication systems or any other system, although it conditions the right of option to the system chosen by the interested party being suitable for the configuration of the file or the nature of the treatment offered by the person in charge.

Well, the express choice of the person here claiming a certain means to exercise his right of access, in this case via email, was not considered in the COMB's response to the claimant, since as indicated the entity, it was impossible to use this system given the volume of information. The COMB chose a means to provide access to the information - on paper - far removed from what was requested - which was by email, a means that is still a system of access to information by electronic means. What the COMB should have done, faced with the impossibility of sending all the documentation in a document attached to an email, is to choose an alternative way to facilitate the information that could fit into the concept of

"electronic media ", such as depositing it encrypted in the cloud or sending it also encrypted on a pen drive.

In view of the above, it cannot be understood given the exercise of the right of access of the person making the claim regarding the format in which the information will be delivered.

4.4. Not facilitating the identification of the COMB staff who accessed the files.

The person making the claim complained that the organization had not provided him with the identification of those people in the organization who had accessed his records.

With regard to this matter, the COMB reported - correctly - here claiming that this type of information was not guaranteed by the right of access regulated in the data protection regulations and that this Authority had pronounced this way.

At this point, we can only reiterate the information that the COMB gave to the claimant here. Indeed, this Authority has highlighted in several resolutions, opinions and reports (for all, PT 58/2021, CNS 53/2019 and IAI 5/2022) that it is not part of the right of access provided for in article 15 of the RGPD to know the identification of the personnel responsible for the treatment (in this case the COMB) who has accessed the information it treats. And this because, in essence, this type of access cannot be considered a communication of data to third parties; and, consequently, it cannot fit into section 15.1.c) of the RGPD, as information that the affected person has the right to know in the exercise of his right of access ( *"the recipients or the categories of recipients in the that personal data will be or will be communicated, particularly to third parties or international organizations"*).

This is why the claim regarding access to the identity of the COMB staff who accessed the files cannot be appreciated.

In summary, and with regard to the merits, the claim must be partially upheld, first of all, because the COMB did not give the person making the claim a complete copy of the files - since the contents of the CD that formed it were missing part of the IR-PM(...)/20 file, which has been recognized by the same entity -; and, secondly, because they were not delivered to him in the format requested.

**5.** In accordance with what is established in articles 16.3 of Law 32/2010 and 119 of the RLOPD, in cases of estimation of the claim for the protection of rights, the person in charge of the file must be required so that within 10 days make the exercise of the right effective. In accordance with this, it is necessary to require the claimed entity so that within 10 counting days from the day after the notification of this resolution, provide the person here making a claim with a complete copy of the files IR-PM (...)/18 and IR-PM(...)/20 in electronic format, including in the file IR-PM(...)/20 the information contained in the CD that was provided by same Mr. (...) and that would form part of said file. Once the right of access has been made effective in the terms set out and the person making the claim has been notified, in the following 10 days the claimed entity must report to the Authority.

**For all this, I resolve:**

1. Partially estimate the guardianship claim made by Mr. (...) against the College of Doctors of Barcelona.
2. Request the College of Doctors of Barcelona so that, within 10 counting days from the day after the notification of this resolution, it makes effective the right of access exercised by the person making the claim, in the manner indicated in legal basis .... Once the right of access has been made effective, in the following 10 days the claimed entity must give an account to the Authority.
3. Notify this resolution to the College of Doctors of Barcelona and to the person making the claim.
4. Order the publication of the resolution on the Authority's website (apdcat.gencat.cat ), in accordance with article 17 of Law 32/2010, of October 1.

Against this resolution, which puts an end to the administrative process in accordance with articles 26.2 of Law 32/2010, of October 1, of the Catalan Data Protection Authority and 14.3 of Decree 48/2003, of 20 February, by which the Statute of the Catalan Data Protection Agency is approved, the interested parties can file, as an option, an appeal for reinstatement before the director of the Catalan Data Protection Authority, in the period of one month from the day after its notification, in accordance with the provisions of article 123 et seq. of the LPAC or to directly file an administrative contentious appeal before the administrative contentious courts of Barcelona , in the period of two months from the day after its notification, in accordance with articles 8, 14 and 46 of Law 29/1998, of July 13, regulating administrative contentious jurisdiction.

Likewise, the interested parties may file any other appeal they deem appropriate for the defense of their interests.

The director,