

Stichting Onderzoek Markt Informatie

17 February 2022

**Re:** Submission by Stichting Onderzoek Markt Informatie (**Somi**) in relation to TikTok to the Data Protection Commission (**the DPC**)

**DPC Ref:** C -21-5-513

Dear Mr. Franke,

I write with reference to the submission by Somi as submitted by the Dutch Data Protection Authority (**Netherlands AP**).

The DPC welcomes your submission and notes your concerns. I can now advise that as the lead supervisory authority for TikTok, the DPC has recently launched two statutory inquiries of its own volition to assess the compliance of TikTok in relation to its personal data processing operations. These inquiries will cover the issues of the DPC considers to be of the highest risk at this time.

The first inquiry will examine TikTok's compliance with the GDPR's data protection by design and default requirements as they relate to the processing of personal data in the context of platform settings for users under age 18 and age verification measures for persons under 13. This inquiry will also examine whether TikTok has complied with the GDPR's transparency obligations in the context of the processing of personal data of users under age 18.

The second inquiry will focus on transfers by TikTok of personal data to China and TikTok's compliance with the GDPR's requirements for transfers of personal data to third countries.

We will provide you with updates on the progress of these inquiries and shall be in touch in early in 2022.

Thank you for bringing these important matters to our attention.

Yours sincerely

Conor Hogan

Higher Executive Officer  
Data Protection Commission