

France

Sanction Imposed for Lack of Security and Protective Clause

In a wake-up call for companies, the French Data Protection Regulator (CNIL) has shown that it is necessary to both technically and contractually ensure the security of personal data. The CNIL has imposed a €50,000 pecuniary sanction on Optical Center (which forms part of the elevated sanctions imposed by the CNIL) and has released its decision publicly. The fine was imposed because the company did not put into place measures to ensure the security and confidentiality of its clients' data, and the contract signed by the company with one of its service providers did not contain a clause specifying the service provider's obligations in terms of security and confidentiality of clients' data.

[CNIL Decision](#) (in French)

Single Data Subject Processing Potentially Sanctioned by Criminal Law

The criminal chamber of the French Supreme Court has ruled that criminal sanctions can be imposed on a person for failure to register with the CNIL for the processing of personal data relating to a single data subject. The court held that French data protection law contains no threshold in terms of volume of data or number of data subjects and that it is, therefore, applicable to processing relating to only one person. Criminal sanctions in such a case are up to five years imprisonment and a fine of €300,000.

[Decision](#) (in French)

Germany

Declaration of the 9th National IT Summit in Berlin

The German Ministry of Economy and Energy has published a declaration on innovation for a digital future. Topics included the promotion of Industry 4.0, intelligent mobility (such as 5th generation mobile networks), and privacy and data security as part of digital sovereignty. The declaration supports the idea of a European digital single market and better technical data protection through the EU General Data Protection Regulation. The declaration also appeals to state authorities to be more open to digitalisation in order to improve German competitiveness.

[Declaration](#) (PDF) (in German)

National Regulatory Control Board Publishes Opinion on e-Government in Germany

Last week, the National Regulatory Control Board (Nationaler Normenkontrollrat), an expert board advising the German government on bureaucracy reduction, published a critical report on the topic of e-government in Germany. The report suggests that Germany has practically no coherent e-government. According to the report, an effective e-government could reduce bureaucratic costs for citizens and the administration by up to 34%. Current costs amount to up to €13 billion per year.

[Press release](#) (PDF) (in German)

Internet Portal Teaches Young People Digital Self-Defence

For its second birthday, the Internet portal youngdata.de has received a new rubric "digital self-defence". Youngdata.de is a portal run by German data protection officers and a contact point for young people concerning privacy issues around common social media sites, smartphones and other applications. "Digital self-defence" deals mainly with how to avoid digital traces on the Internet. One of the features to come is an app allowing visitors to test their knowledge on privacy.

[Press release](#) (in German)

Ireland

Government Considers Provision of Personal Data to Researchers

The revised Health Information and Patient Safety Bill, as drafted, will grant certain researchers the ability to obtain personal data without the consent of the relevant individual. The Bill envisages that the Data Protection Commissioner will have a role in pre-approving research projects seeking to rely on this exemption, which will have to demonstrate a number of requirements prior to approval.

[General Scheme of the Health Information and Patient Safety Bill](#)

UK

Information Commissioner's Office Fines for Nuisance Calls

As part of a crackdown on nuisance calls, the Information Commissioner's Office has taken action against three cold calling and texting companies, with fines totalling £250,000. Nuisance Call Blocker Ltd was fined £90,000, while Telecom Protection Service Ltd and UKMS Money Solutions Limited were each fined £80,000. All three fines were issued in relation to nuisance calls/text services.

[ICO Press Release](#)

[ICO Press Release](#)

FCA Call for Inputs on Big Data Use in Insurance Firms

The Financial Conduct Authority (FCA) has published a call for inputs seeking views on the effect of big data on consumer outcomes in the retail general insurance sector and on whether the current regulatory framework is effective. The review comes as part of the FCA's business plan for 2015/16 and will focus on the issues of whether big data affects consumer outcomes, whether it fosters or constrains competition and how the FCA's regulatory framework affects developments. The call for inputs is open until 8 January 2016.

[FCA call for inputs](#)

Pensions Regulator Draft Defined Contribution Code

The Pensions Regulator has published a draft of its new code for defined contribution schemes for consultation. The code contains a section setting a number of requirements for pension scheme trustees to consider with regard to data accuracy. Responses to the consultation can be provided until 29 January 2016.

[Consultation](#)

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