

France

French National Data Protection Authority (CNIL) Issues First Digital Safe Label

The CNIL has [issued a new label for “digital safe”](#) (i.e. certifying organisations that can offer a secure digital storage location, which can only be accessed by a particular user and any natural person to whom he granted special access). The first label has been granted and other applications are under review.

CNIL already issues labels in respect of training courses (how to protect personal data), governance (a set of good practices to implement data protection in a company) and audit procedure.

French National Data Protection Authority (CNIL) Ordered to Put a Time Limit on the Publication of Its Sanctions

The Conseil d’Etat, the supreme court in administrative law disputes and claims against the state (or regulatory bodies), has ruled in its [decision](#) dated 28 September 2016, that the CNIL cannot indefinitely publish sanctions. In this case, a local, publicly funded theatre had used its customer list to send communications with a view to defending an action by City Hall in the wake of local elections. The CNIL had sanctioned this use of the customer list as not being compatible with its initial purpose. It issued a warning and decided that it should be published without any limitation in respect of time. The Conseil d’Etat considered this disproportionate and asked the CNIL to rule on an appropriate time limit, following which the warning should be taken down.

Germany

German Lawyers’ Association Supports Restriction of Telecommunication Privacy Concerning Digital Inheritance

In a recent [press release](#), the German Lawyers’ Association (Deutscher Anwaltsverein – DAV) has expressed support for restricting the privacy of telecommunications (Fernmeldegeheimnis) in order to clarify the legal situation regarding digital inheritance. The DAV proposes to amend the Telecommunications Act (Telekommunikationsgesetz – TKG) in such a way that the principles of inheritance law can be fully applied to digital inheritance.

Association Presents New Occupational Profile for Data Protection Officers

The German Association of Data Protection Officers (Berufsverband der Datenschutzbeauftragten Deutschlands – BvD) has issued a [28-page update](#) of its description of the occupational profile of data protection officers. The upcoming General Data Protection Regulation will bring about considerable challenges to this occupational field. According to the BvD, the tasks of a data protection officer are increasingly linked to the development of efficient data protection management systems as well as supporting companies in adapting their systems to new legal requirements. In its view, data protection officers are there to consult corporate management, to document data protection measures and to teach employees and work councils how to handle data safely.

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