

WEEKLY DATA PRIVACY ALERT

2 February 2015

European Union

European Commission Aims to Conclude the Negotiations on the Draft Data Protection Regulation Before the End of This Year

On 28 January 2015, the European Commission's Vice-President, Andrus Ansip, and Commissioner, Věra Jourová, issued a statement to mark the 9th European Data Protection Day. The Vice President and Commissioner stated that one of the Juncker Commission's top priorities is to rapidly conclude the negotiations on the EU data protection rules, and that the European Commission is pushing for a complete agreement between Council and European Parliament on the data protection reform before the end of this year.

European Commission press release

United Kingdom

ICO Requires Google Inc. to Sign Formal Undertaking

The Information Commissioner's Office (ICO) has required Google Inc. to sign a formal undertaking after the ICO found that Google did not provide sufficient information for service users as to how and why their personal data was being collected. The undertaking commits Google to improving the information it provides to people about how it collects personal data in the UK.

Google Inc. undertaking

Competition and Markets Authority Calls for Information on the Commercial Use of Consumer Data

The Competition and Markets Authority (CMA) has issued a call for information on the commercial use of consumer data. The CMA has stated that it is seeking to clarify the benefits obtained from the collection and use of consumer data as well as understand the potential issues surrounding competition in markets and consumer protection. The call for information relates to consumer data which:

- concerns UK consumers and is collected inside and outside the UK;
- is collected directly by businesses as well as by appliances, applications and cloud services;
- is collected at any time, with and without the knowledge of consumers;
- includes data on specific transactions for goods and services as well as data not specific to such transactions; and
- is used by firms dealing directly with consumers and third party firms who analyse this data to provide commercial services to other firms.

CMA call for information on the commercial use of consumer data

Market Research Society to Report 19 Companies to ICO

The Market Research Society (MRS) has announced that it is reporting 19 companies, including charities, to the Information Commissioner's Office as part of its campaign to combat the practice of selling or fundraising under the pretext of market research (practices known as "sugging" or "frugging"). MRS is aiming to address the increasing number of traders and organisations carrying out these practices as a means of generating sales or fundraising. The referrals to the ICO come as a result of a hotline set up by MRS last year, which enables organisations and members of the public to report unsolicited calls which contravene the MRS Code of Conduct.

MRS press release

ICO Publishes a Report on Community Healthcare Providers' Approach to Data Protection

The ICO has published its findings from its audits and reviews of community healthcare providers. The report evaluates community healthcare providers' approach to data protection and concludes that there is a trend of information being "disclosed in error". The report highlights the top five common findings of areas for improvement and includes good practice recommendations intended to help providers who are processing personal data in similar circumstances.

Findings from ICO audits and reviews of community healthcare providers

United States

Federal Trade Commission Publishes Report on Internet of Things

The Federal Trade Commission (FTC) has released a staff report examining the privacy and data protection implications of the "Internet of Things" (IoT). Based on a workshop held by the FTC, the staff report considers several key, implicated issues:

- examples and benefits and risks of the IoT;
- applicability of Fair Information Practice Principles, specific recommendations for improving data security, data minimization and notice/choice: and
- the need for possible legislation.

FTC report 'Internet of things - Privacy and Security in a Connected World'

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