

UK

Improvements and Failings in FOIA Responses

The UK Information Commissioner (ICO) has praised the BBC and Essex Police for improving their response rates to Freedom of Information Act (FOIA) requests. Following formal monitoring by the ICO, both organisations were able to show that 95% of requests they received were dealt with within the statutory deadline. In the same news release, the ICO announced that four councils are now subject to formal monitoring following complaints about their slow responses to FOIA requests.

[ICO press release – 22 September 2014](#)

New Financial Crime Data Portal to be Launched

The British Bankers' Association (BBA) plans to launch a new Financial Crime Alerts Service (FCAS) in early 2015. FCAS will be a portal collecting real time information obtained from a number of partner agencies, including the National Crime Agency, about matters such as terrorist financing, money laundering, bribery and fraud. The information will be shared with banking officials with a view to tackling financial crime.

[The BBA – news – 23 September 2014](#)

Developments in Data Use for Credit Referencing

The Steering Committee on Reciprocity (SCOR), the body established by the UK finance industry, has launched a new version of the Principles of Reciprocity (version 36). These govern how firms share consumer and commercial credit performance data through credit reference agencies for use in credit applications. An industry consultation has also been launched on the decision making framework for the proposed new Data Sharing Oversight Council, which would oversee the governance of data sharing. The industry has also been asked whether it is supportive of non-consensual data-sharing (the sharing of data where consent to use is assumed unless customers opt-out).

[Scoronline.co.uk – Principles of Reciprocity](#)

EU

Common Tool-box for Dealing With Right to be Forgotten Complaints

The Article 29 Working Party (WP29) has announced that European Data Protection Authorities have agreed upon a "common tool-box" to ensure a co-ordinated approach to the handling of complaints about search engines' refusal to remove material from search results pursuant to the European Court's recent right to be forgotten ruling. The tool-box comprises a network of dedicated individuals who will develop common case handling criteria. This network will result in a record of decisions taken by Data Protection Authorities in response to complaints and a "dashboard" to help similar cases to be easily identified.

[WP29 Press release – 18 September 2014](#)

European Commission Publishes Right to be Forgotten "Mythbuster"

The European Commission has published a factsheet on the European Court's recent right to be forgotten ruling. In its press release, the Commission states that concerns have emerged in the debate about whether the judgments are right or wrong which are "exaggerated or simply unfounded". The factsheet aims to explain why six myths which have arisen are inaccurate.

[European Commission news release – Mythbuster: The Court of Justice of the EU and the Right to be Forgotten – 18 September 2014](#)

Member States Urged to Adopt Strong Data Protection Framework by 2015

In a speech to open the seminar "Giving European citizens the data protection rules they deserve" in Luxembourg, the EU Commissioner for Justice, Fundamental Rights and Citizenship, Martine Reicherts, has urged EU member states to "stick to its ambition of adopting a strong EU General Data Protection Framework by 2015". She said that Europe needed this reform urgently in order to revive economic growth and job creation, to ensure that the rights of citizens are properly protected and to restore trust in how commercial companies collect and use data.

[Martine Reicherts – Speech – 19 September 2014](#)

Germany

Dashboard Recording Incompatible With Right to Privacy

In the first trial of its kind in Germany, the Administrative Court of Ansbach has ruled that vehicle dashboard cameras (dashcams) may be incompatible with German data protection law. The Bavarian Data Protection Agency had banned a driver from permanently using a dashcam (he wanted to record evidence in case of an accident) claiming this amounted to a breach of the rights of personality of those people appearing in the recorded footage. The court supported this ban stating that the driver had no right to record other drivers in traffic for the purpose of transmitting the recording to the police or uploading it to Facebook or YouTube. The court ruled that the privacy of these other drivers outweighed the interest of this driver to secure video evidence of an accident. The court granted leave to appeal, which should bring much needed clarity on whether it is permissible in general to make video recordings in both traffic and non-traffic sectors.

[Press release - Administrative Court of Ansbach](#)

IP Addresses = Personal Data? European Court May Have to Decide

The German Federal Court of Justice has been asked to rule on whether IP addresses (including dynamic IP addresses) are personal data. The issue has arisen in proceedings by the Pirate Party delegate, Patrick Breyer, against the Federal Republic of Germany in which he claims that the Republic stored the IP addresses of Pirate Party website users without consent, contrary to data protection laws. It is likely that the court will refer the question to the Court of Justice of the European Union.

[News release – German Federal Court of Justice \(in German\)](#)

International

New Survey on Data Laws and Procedures Across the Globe

The Cloud Security Alliance has published a report based on the results of a survey into how different countries approach privacy issues. The objective of the report is to discover “areas of alignment and deviation with regard to global data protection laws and practices” with a view to organisations driving innovation in the context of new technologies, such as cloud computing, The Internet of Things and big data.

[Data Protection Heat Index Survey Report – September 2014](#)

Singapore

Charges Brought Under New PDPA for Telesales Offences

Singapore’s Personal Data Protection Commission has confirmed that an individual is to appear in court this week charged with offences under the Personal Data Protection Act (PDPA). The individual, a property salesperson, is alleged to have failed to consult the Do Not Call registry prior to sending marketing messages by telephone, contrary to the requirements of the Act.

[Media release – Personal Data Protection Commission – 22 September 2014](#)

Australia

New Privacy Law in State of Victoria

The new Privacy and Data Protection Act 2014 has come into force in the Australian State of Victoria. The Act will place tighter controls on how public sector agencies use personal data. A new office of Commissioner for Privacy and Data Protection will also be created with responsibility for overseeing privacy and data protection issues in Victoria.

[Announcement – Office of the Victorian Privacy Commissioner – September 2014](#)

US

California Insurance Code Modified to Increase Financial Data Protection for Insurers

The California Insurance Code was recently modified to increase financial data protection for insurers. Under the Code, all insurers authorized to do business in California must file a registration statement containing specified financial information, including the capital structure and general financial condition of the insurer. Under the modified law, such information, whether reported in the registration statement or disclosed in the course of an examination or investigation of the registration statement, is exempt from public disclosure by the state Insurance Commissioner and not subject to discovery from the Commissioner or admissible into evidence in any private civil action, except as specified.

[California Department of Insurance Press Release](#)

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