

Australia

Mandatory Data Breach Notification Scheme Proposed

The Australian Government is seeking comment on a draft bill that would require notifications to be made for serious data breaches. The notification regime would apply to those entities currently subject to the Privacy Act 1988 and has been proposed in response to a previous parliamentary enquiry which recommended that such a scheme be introduced. Comments may be submitted until 4 March 2016.

[Consultation page](#)

Chile

Digital Agenda 2020 Prioritises Data Protection

The Chilean Digital Agenda 2020 has been released with a series of measures designed to facilitate the digital development of the country. One of the key priorities for the Digital Agenda is a data protection bill to bring Chile in line with various international requirements.

[Digital Agenda 2020](#) (in Spanish)

EU

European Data Protection Supervisor Publishes Opinion on Big Data

The European Data Protection Supervisor (EDPS) has published his opinion on meeting the challenges posed by Big Data. The EDPS suggests that some of the key concerns about Big Data include a lack of transparency on data processing, the imbalance between the organisations that hold the data and the individuals concerned, and the risk to the core data protection principles. At the same time, the EDPS has launched an open discussion on Big Data to explore how it can be used while still protecting citizens' fundamental rights.

[Opinion 7/2015](#) (PDF)

EDPS Call for Expression of Interest for New Advisory Group

The EDPS has announced an intention to set up an external ETHICS Advisory Group to aid in the discussion of digital ethics and is calling for expression of interest from those interested in being part of the group. Expressions of interest can be submitted until 18 December 2015.

[Call for expression of interest](#) (PDF)

Germany

Privacy Commissioner of Niedersachsen Presents Activity Report

The privacy commissioner of Niedersachsen, has presented the 22nd activity report of her office for 2013-14. The report, totalling 196 pages, shows that the use of personal data covers all areas of life. The report criticises surveillance by security services, cameras on buses and trains, the networked car and the use of webcams for commercial purposes in tourist areas. On the other hand, it endorses privacy-by-design as profitable for both companies and state authorities.

[Press Release](#) (in German)

Federal Chamber of Lawyers Considers Data Retention Non-Constitutional

The German Federal Chamber of Lawyers (*Bundesrechtsanwaltskammer – BRAK*) has announced that it appealed to the Federal President to not sign the recently adopted law on data retention. They argued that this law had to be considered non-constitutional for prescribing the retention of metadata concerning professional secrets. The president of the BRAK pointed out that the mere fact that someone has communicated with a lawyer affects lawyers' professional secrecy.

[Press Release](#) (in German)

Bavarian Data Protection Commissioner Criticises Social Security Offices for Privacy Breaches

The Bavarian data protection commissioner has announced that many Bavarian social security offices were breaching privacy rights by demanding account statements for past periods. The Commissioner had examined about 120 social security offices under the requirements of the German social security statute book and jurisprudence. Many offices were not respecting the limit of three months for account statements or the obligation to accept the redaction of sensitive personal data.

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

Poland

Statement on Safe Harbor Issued

The Polish Data Protection Authority has issued a statement on the invalidation of safe harbor principles. For more information on this development, please see our publication: [Polish Data Protection Authority's Statement on the Invalidation of Safe Harbor Principles](#).

Switzerland

Swiss Federal Council Appoints new Officer for Data Protection

The Swiss Federal Council has appointed Adrian Lobsiger as the federal officer for data protection and the public. The appointment still needs to be approved by the Federal Assembly. Lobsiger's predecessor had held the office for over 14 years. Lobsiger, who is also vice director of the Federal Office of Police, should take up his new four-year mandate in the course of the coming year.

[Press Release](#) (in Swiss)

UK

Joint Action Plan for Tackling Nuisance Calls

The Information Commissioner's Office (ICO) and Ofcom have updated their joint action plan on how they tackle nuisance calls and texts. The joint action plan was initially developed in January 2013 and was last updated in December 2014. This update demonstrates that progress has been made through 2015, with the ICO issuing penalties totalling more than £1 million as well as Ofcom imposing penalties against organisations for making 'silent calls'. The report also highlights the steps being taken to improve call tracing, noting that Ofcom is additionally looking at other technical measures to reduce nuisance calls. Both the ICO and Ofcom will continue their efforts through 2016.

[Joint action plan update](#) (PDF)

ICO Warning on Marketing Calls

In a blog post, the ICO has provided some suggestions to companies making marketing calls to consumers, to help them avoid falling foul of data protection laws. ICO notes that there is a lack of due diligence completed by companies, trusting the lists of names and numbers they buy from third parties without ensuring that they have the right permissions to contact those individuals. The ICO notes that such action can result in fines being imposed, potentially up to £500,000. The ICO directs organisations to the ICO's guidance to help ensure that any marketing calls are lawful.

[ICO blog post](#)

Call for Evidence on Draft Investigatory Powers Bill

The Joint Committee on the Draft Investigatory Powers Bill has called for evidence on the current draft bill. The Committee is particularly interested in the extent that security and intelligence services and law enforcement need access to investigatory powers, whether there are sufficient operational justifications for both targeted and bulk interception powers and whether security and intelligence services and law enforcement should have access to such powers. The call for evidence is open until 21 December 2015.

[Call for evidence](#)

Review of Consumer Law in Cloud Storage Launched

The Competition and Markets Authority (CMA) has launched a review of compliance by cloud storage providers in consumer law. This review will include consideration of issues surrounding loss or deletion of some consumers' data. Responses to the review may be given until 15 January 2016.

[Review](#)

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