

France

French Data Protection Authority Issues a Blanket Authorisation Regarding Data Processing for Litigation Purposes

The French Data Protection Authority (CNIL) has issued a new Single Authorisation Decision No. 46 (AU-46) that relates to the data processing activities of organizations with respect to offences, convictions and security measures with a view to the preparation, exercise and follow-up regarding disciplinary or court actions, and the enforcement of those actions. This also includes processing solely for the purpose of establishing the existence of or for preventing offences. Blanket authorisations like this allow for a simplified authorization procedure by way of self-certification.

[Authorisation](#) (in French)

Germany

Stiftung Datenschutz Critically Comments on Privacy Shield

The Chairman of the “Stiftung Datenschutz”, a foundation for the promotion of transparency and data protection, has criticised the proposed “US-EU Privacy Shield” stating that the new framework for transatlantic data flows should go beyond mere declarations of intent and political obligations. However, he confirmed that if its intents were implemented in practice, the Privacy Shield could be considered a gain for data protection. The Chairman highlighted the need to focus on certification in the ongoing negotiations and the importance of establishing a neutral body which would control corporate compliance.

[Stiftung Datenschutz Press Release](#) (in German)

German Lawyers’ Association Gives its Opinion on Dashcams

The German Lawyers’ Association (Deutscher Anwaltsverein – DAV) has called for a greater appreciation of data protection law and the right of an individual to decide what information about himself should be communicated to others as regards dashboard cameras (dashcams). In particular, DAV states that the permanent use of dashcams constitutes a breach of privacy, and that the unrestricted admission of dashcam recordings as judicial evidence could not be considered lawful. The DAV, however, acknowledges that there can be exceptions. The admissibility had to be examined on a case-by-case basis. Given the current legal uncertainty and the trend toward ever more cars equipped with dashcams, the DVA called for action by the legislator.

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

German Data Protection Commissioners Release Guide for Private Email Use at the Workplace

The Conference of Data Protection Commissioners (CDPC) of the Bund and the Länder has published a guide for the private use of email accounts at the workplace. The CDPC reacts to the increased use of private email accounts at the workplace and the increased requests of how to deal with this problem by employers. The guide is directed not only to private employers, but also to employees, work councils and public authorities. One of the main proposals is to provide a written agreement between the company and its employees on the private use of the Internet and/or the company email account.

[CDPC Press Release](#)

[Guide on private use of email account at work \(PDF\)](#)

UK

ICO Releases New Encryption Guidance

The ICO has released guidance to help data controllers consider when and how they should utilise data encryption, a relatively cheap and widely available technology, to comply with the Data Protection Act by keeping personal data secure. The guidance aims to reduce basic errors such as storing personal data on unencrypted devices, for example USB sticks, which are either stolen or lost.

[ICO Encryption Guidance](#)

Mobile Phone Masts, Verderers and Stamps: Environmental Info Guidance Gets Updated

The ICO has updated its guidance on the Environmental Information Regulations (EIR). The EIR is similar to the Freedom of Information Act but, as illustrated by recent court cases, has been shown to work differently in some areas. The guidance updates three main areas: mobile phone masts, new homes and cash for farmers, private companies, water companies and verderers, and stamps, hours and websites.

[Updated Guidance \(PDF\)](#)

Burns Commission Report Released

The Burns Commission Report, a commission set up to review the Freedom of Information Act as it has developed in the 10 years since it came into force, has released its findings. The Commission generally finds that the Freedom of Information Act works well and helps to change the culture of the public sector. The report does, however, provide 21 recommendations for the ICO to consider in order to improve clarity and certainty around the operation of the Freedom of Information Act.

[Burns Commission Report](#)

What are Mobile Apps Actually Doing?

The ICO has released an article which sets out some of the important issues relating to data privacy and app developers following a detailed review of 21 popular apps. Issues that the ICO spotted include, amongst others, using unencrypted connections to transmit personal data and not checking digital certificates adequately.

[ICO Article](#)

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