

UK

ICO Reminds Organisations to Guard Against SQL Injection Attack

The Information Commissioner's Office (ICO) has warned organisations to review their websites to ensure they are protected from a form of hacking attack known as "SQL injection" – the nature of which was explained by the ICO in a [recent blog post](#). SQL injection is the most common form of online attack and exploits poor website coding. The warning comes as the ICO fines an online hotel booking business for flaws on its website which were exploited by hackers resulting in the payment card details of 3,814 customers being compromised.

[ICO news release – 5 November](#)

Failure to Provide Advance Passenger Data May Prevent German Flights Landing in the UK

It has been reported this week that German airlines may be banned from landing in the UK unless they agree to provide advance passenger lists for security screening. Currently, the airlines cite German data protection laws which prohibit the sharing of passenger data with UK authorities. The UK government announced earlier this year that advance passenger lists would be required from all airlines landing in the UK as part of a new package of anti-terrorism measures. The UK and German governments are said to be holding talks to resolve the issue.

More Details Released on New UK Identity Assurance Programme

The UK government has released more details this week about its new Identity Assurance Programme, branded as "Gov.UK Verify". The scheme launched in mid-October and is intended to be a quick, easy and secure way in which users of online government services can verify their identity. This will be checked against a range of sources, including utility providers, mobile phone companies and credit reference agencies. Users will be given one log-in to access all online public services and their personal data will be joined up across all the services and stored securely. This week, the government published more information, aimed at both users and government agencies, about the nature and integrity of the scheme.

[Cabinet office – Identity Assurance – 5 November 2014](#) and [Identity Assurance Blog – 5 November 2014](#)

Germany

ECJ to Rule on Legality of Storing Dynamic IP Addresses

The German Federal Court (BGH) has asked the European Court of Justice (ECJ) to rule on legal questions concerning the storage of dynamic (temporary) IP addresses. The issue has arisen in proceedings brought by a politician from the German Pirate Party 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. The ECJ is being asked to rule on whether dynamic IP addresses can be interpreted as personal data, even if the IP address holder can only be identified with the aid of a third person. A yes answer from the ECJ could have far-reaching implications, not least on the question of the admissibility of web-analytics.

[News release – German Federal Court of Justice and Internet Law article \(October 2014\)](#)

Vehicle Data Recognition Systems Compatible with Right to Privacy

The German Federal Administrative Court (BVerwG) has ruled that the Bavarian police are allowed to use vehicle data recognition systems (to record vehicle number plates) and to cross check data captured with data held in police files. The plaintiff had claimed that this practice was incompatible with the right to informational self-determination as a part of the constitutional right to privacy, as the state could use the data to create movement profiles of drivers. According to the BVerwG, however, the plaintiff did not prove the violation of his rights with a sufficient degree of probability. An interference with the right to privacy could only be assumed if the vehicle recordings were stored, which only occurred if the data captured matched that in police files.

[News release – BVerwG – October 2014](#)

Germany (con't)

The “Transparent Car Driver”? Car Toll Raises Privacy Concerns

Last week, Germany's Federal Minister of Transport, Alexander Dobrindt, presented a new draft law introducing a car toll and allowing for recordings of vehicle number plates for the purpose of electronic toll payment. The draft law allows a state organ to collect, process and use various kinds of data, including the vehicle number plate, name, bank details and address of the vehicle owner and the place and time of payment. The Ministry has said that access to this data is needed to check the conditions of the right to reimbursement provided by the draft law and has offered assurances that the data will not be transmitted to other state authorities or used for any other purposes. Many privacy lawyers and activists however are very sceptical about the constitutionality of the draft fearing that it effectively introduces a driver surveillance system. It is likely that the draft law will be challenged in the German Federal Constitutional Court (BVerfG).

[German media news item – October 2014](#)

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