

EU

General Data Protection Regulation Negotiations Conclude

The text of the European General Data Protection Regulation (GDPR) has been agreed between the negotiators for the European Council, Parliament and Commission and separately by the European Parliamentary Committee on Civil Liberties, Justice and Home Affairs (LIBE Committee). For more information on this update, please see our client alert available [here](#).

[Press release](#)

Data Protection Rules for Policing and Judicial Purposes Agreed

Negotiations to agree the text of the directive on the protection of individuals with regard to the processing of personal data for the purposes of prevention, investigation, detection or prosecution of criminal offences have been concluded, with the final text agreed by the LIBE Committee. The directive will clarify the procedures and safeguards in place for transfers between police forces and co-operation at administrative levels while protecting the individuals concerned. The text of the directive must now be agreed by the European Parliament in a vote expected to take place in the New Year. There will then be a two-year implementation period for member states to transpose the directive into national law.

[Press release](#)

European Council Considers Data Retention of Electronic Communications Lawful

The Council of the European Union has held that retaining bulk electronic communication data in a generalised manner is permitted. The majority of member states were of the opinion that there is a need for an EU-wide approach in order to overcome the fragmented legal frameworks for data retention across the EU. Some member states were also in favour of a new legislative proposal from the Commission dealing with this issue. This discussion follows the European Court of Justice's ruling which invalidated the data retention directive.

[Meeting summary](#)

European Data Protection Supervisor Alert on Surveillance Technology

The European Data Protection Supervisor (EDPS) has published an opinion warning about the risks posed by intrusive surveillance technology. The EDPS warned of the threat to data privacy caused by this growing, and unregulated, market and called on the EU legislature to develop legislation to protect against this threat. The EDPS did recognise the legitimate uses for such technology but urged caution.

[Press release](#)

Germany

Baden-Württemberg Data Protection Office Advises Caution on Use of Dating Portals

The data protection office of Baden-Württemberg has announced that a joint examination of 21 companies conducted by Berlin, Hamburg, Bavaria and Baden-Württemberg has found that online dating portals often fail to meet data protection requirements. However, the data protection office, did not find any severe shortcomings which would justify a prohibition order against the companies in question. The respective companies have been informed and have been asked to correct their shortcomings. The data protection office advised users to be cautious in disclosing intimate personal data such as smoking or drinking habits, weight, religion, fitness level or erotic preferences.

[Press release](#) (pdf) (in German)

Munich District Court Considers Video Surveillance of Property Entry Lawful

The District Court of Munich has ruled that video surveillance of the entry to a private property including a narrow part of the adjacent sidewalk did not breach the privacy rights of passersby. The Court held that the defendant's interest in protecting his property outweighed the plaintiff's privacy rights because there was no real risk of surveillance. The Court took into account the fact that the defendant had suffered damage to his property in the past and that the Bavarian data protection office had assessed his use of the camera as permissible.

[Court judgement](#) (in German)

UK

Information Commissioner's Office Comments on the GDPR

In a week where the Information Commissioner's Office (ICO) has discussed its progress in 2015 in two blog updates, the confirmation that the GDPR has been agreed has given the ICO a chance to instead look forward. The ICO has stated that its priority for 2016 will now be taking steps to ease the transition to the new data protection regime, starting with some clear advice and guidance. The ICO will also be working alongside the Department for Culture, Media and Sport in relation to the digital economy.

[ICO blog post](#)

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