

France

The CNIL Publishes a Guide for Processors

In September 2017, [the French Data Protection Authority](#), the CNIL, published a guide for data processors, which lists the responsibilities and obligations of the processor under the General Data Protection Regulation (GDPR):

- Processors are required to comply with specific safety, confidentiality and documentation requirements. They must take data protection into account by design and by default for each service or product and put in place measures to ensure optimal data protection.
- Processors have an obligation to provide advice to clients on whose behalf they process data. They must assist them in the implementation of certain obligations of the GDPR (privacy impact assessment, data breach notification, security and contribution to audits).
- Processors, except SMEs, will be required to keep a record of processing activities performed on behalf of their clients.
- In some cases, they should appoint a data protection officer under the same conditions as a data controller.

The guide also offers model clauses between the controller and processor pending the publication of new Standard Contractual Clauses.

US

SEC Creates Cyber Unit to Target Cyber-related Threats

[The Securities and Exchange Commission \(SEC\)](#) announced the creation of a new cyber unit that will target cyber-related threats that may impact investors. This will be part of the SEC's Enforcement Division, which will target cyber-related threats, including:

- The manipulation of markets through the spread of false information
- Hacking of material non-public information
- Attacks on blockchain technology and initial coin offerings
- Misconduct on the dark web
- Intrusions into retail brokerage accounts
- Other cyberthreats to trading platforms and other critical market infrastructure

UK

ICO Releases Statement on Yahoo!'s Cyberattack in August 2013

In a [statement by the Information Commissioner's Office \(ICO\)](#) on 4 October 2017, it was announced that Yahoo! has indicated that significantly more people may have been affected by the data breach reported in December 2016 than initially thought and that all user accounts may have been affected by the August 2013 theft. This is understood to include all UK Yahoo! account holders at the time.

Yahoo! is still uncovering additional problems despite the length of time since the breach occurred. The ICO is currently investigating Yahoo! and has advised them to contact all customers affected as soon as possible.

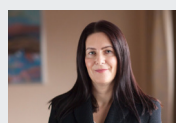
ICO Fee and Registration Changes Following the GDPR

[Under the current Data Protection Act](#), organisations that process personal information are required to notify with the ICO as data controllers. They are required to pay the ICO a notification fee, based on their size, of either £35 or £500.

When the GDPR comes into effect in 2018, there is no requirement to notify the ICO. However, the Digital Economy Act contains a legal requirement for data controllers to pay the ICO a data protection fee. These fees will be used to fund the ICO's data protection work.

The amount of the fee is being developed by the ICO and the Department for Digital, Culture, Media & Sport. The final fees will be approved by Parliament. The draft proposal is for a three-tier system, which will differentiate between small and large organisations and also how much personal data an organisation is processing.

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