

Privacy & Data Protection

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Headlines

- German DPA imposes 1.3 million euro fine on insurance company, p.18
- Leaked Legal Opinion addresses issues with data retention ruling, p.19
- Get 'comfortable' with uncertainty on cyber security, says UK government, p.20

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DPA disgruntled after internet giants ride roughshod over privacy concerns

The Dutch data protection authority, the CBP, is flexing its muscle against both Google and Facebook, threatening enforcement action should they not take measures to bring their privacy policies in line with Dutch data protection law.

The CBP's contention with Google concerns its ongoing issues with the search engine giant's controversial privacy policy, revised in 2012. The DPA is one of the six data protection authorities in Europe that launched separate investigations since the privacy policy was amended.

The CBP said Dutch data protection law prohibits Google from associating the personal information of internet users obtained through its different services without the consent of the person.

The Head of the DPA, Jacob Kohnstamm, said: "Google catches us in an invisible web of our personal data without telling us and without asking us for our consent. This has been going on since 2012, and we hope our patience will no longer be tested."

The regulator is demanding that Google ask for consent from users to

combine data from its different services, providing (for example) a clear permission screen.

The search engine giant is also instructed to make its privacy policy clear and consistent by explaining which personal data are used by its different services, and provide clear information that YouTube is part of the company. Google is understood to have already resolved the last issue.

The CBP has given Google until the end of February 2015 to change the way it handles personal data.

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Council's latest draft of new law leaked

The latest draft of the DAPIX Working Group of the European Council's Data Protection Regulation has been leaked, indicating that considerable differences of opinion remain, both between the EU institutions and from the various Member States.

The text shows over 30 reservations (indicating a dislike for a provision) have been entered by the European Commission

and over 500 reservations from Member States.

One such reservation is from the UK government, which seeks to water down the meaning of 'consent' currently proposed by the Working Group.

The UK suggests reverting to the definition of consent in Article 2(h) of the Data Protection Directive, effectively

removing the requirement that 'unambiguous' consent is given.

Further detail on the leaked text appears in the article on pages 13 —15 of this edition.

Speaking about the pace of reform, Jan Philipp Albrecht, the Vice-Chairman of the Parliament's Civil Liberties Committee, warned

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