



# Privacy & Data Protection

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## UK company gets BCR approval from all EU DPAs

Hyatt Hotels has become the fifth company to get approval from the UK Information Commissioner’s Office for its use of Binding Corporate Rules to transfer personal data to its offices outside of the European Economic Area.

The Hyatt BCR is the first BCR where the documents were circulated by the ICO to other European data protection authorities under a ‘mutual recognition’ policy, which involves the other DPAs accepting the ICO’s assessment in lieu of undertaking their own review.

The Information Commissioner has now authorised four transfers of personal data under BCRs: for the General Electric Company to transfer its employee data; for Koninklijke Philips Electronics NV to transfer its employee data; for the Atmel Corporation to transfer its employee data; and for the Hyatt Hotel Corporation for employee and guest data.

The previous three BCR approvals saw Data Protection Authorities issue equivalent authorisations for transfers falling within their own jurisdictions after the

ICO’s initial approval. Bridget Treacy, Partner at Hunton & Williams told *Privacy & Data Protection* “companies should be very encouraged by this first BCR approval under the ‘mutual recognition’ procedure. Mutual recognition promises twin benefits to companies: it will significantly speed the BCR approval process, and reduce costs. These benefits should help BCRs to become as a mainstream data transfer solution.”

A copy of the BCR authorisation is available from the ICO’s website, [www.ico.gov.uk](http://www.ico.gov.uk)

## Oil giant’s outrageous marketing is “urgently” investigated

The UK Driver and Vehicle Licensing Agency is “urgently investigating” oil firm giant Castrol after it obtained personal data on 34 million drivers held by the DVLA for use in its marketing campaign.

The campaign, which has now been stopped, involved huge billboards on five major routes in London, which flashed up recommended grades of oil for a vehicle on its approach, facilitated by

roadside cameras that identify the make, year, engine size, and model. The Information Commissioner’s Office has contacted the DVLA to seek assurances that drivers’ personal details had not been released.

According to Mark Watts, Partner at Bristows, “on the face of it this looks like a disclosure of lots of drivers data to a third party for marketing purposes.

However, it almost certainly isn’t. What appears to be going on here is that Castrol has arranged some form of automated look-up process to obtain vehicle details from the DVLA based on number plates Castrol photographs — make, model, age, etc.”

“Even without a wholesale disclosure of the database by the DVLA, there are some fairly

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