

Data Protection Ireland

Volume 8, Issue 1

January / February 2015

Headlines

- ODPC expands after near doubling of funding, p.17
- Irish firms prefer carrot to stick approach, p.18
- Surveillance of social media not answer to terrorist attacks, says Minister, p.19

Contents

<i>Expert comment</i>	2
<i>Harmonisation of opinions on Model Clauses — mission accomplished?</i>	4
<i>Scrapping Safe Harbor: European scare mongering or a real possibility?</i>	7
<i>Practitioner Certificate in Data Protection — Exam results</i>	10
<i>Data protection reform — an update</i>	12
<i>Book Review</i>	15
<i>News & Views</i>	17

Data Protection Minister talks priorities ahead of Data Protection Day 2015

Speaking ahead of International Data Privacy Day 2015 on 28th January, Minister for Data Protection, Dara Murphy TD, revealed his main areas of focus over the coming months.

Minister Murphy, Ireland's dedicated Data Protection Minister, said that one of his early priorities is educating people about the responsibility they must take over their own data.

He spoke of the 'whole layer of challenges' that apply in social media in respect of implied consent for data sharing, that will

be tackled by the new Data Protection Regulation. He said websites need to prepare to provide consumers with explicit rather than implied consent about how their data are used and shared.

Mr Murphy described the performance of the Office of the Data Protection Commissioner under previous Commissioner Billy Hawkes and recently appointed Commissioner Helen Dixon as 'exemplary' and said that resources are being increased. (The ODPC is to open a new office in Dublin and hire 45 new people — see the news

item on page 17).

In terms of managing his own team, Mr Murphy said he has met with all the Department Secretaries of the Irish government to make clear their responsibilities when it comes to data protection.

The Minister described the public anger at Irish Water gathering PPS numbers of homeowners as a 'particularly ugly affair'. The ensuing outcry saw Environment Minister Alan Kelly reverse the 'mandatory' process and now Irish

(Continued on page 17)

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 12 — 14 of this edition.

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

(Continued on page 17)