

# Compliance & Risk

Volume 4, Issue 4

July/August 2015

## Headlines

- German regulator launches Deutsche LIBOR probe, p.15
- Shortage of Compliance Officers in Asia, p.16
- 'Working time' can include time spent travelling to and from work, p.18
- SFO in plea deal talks with two UK groups, p.19

## Contents

*Corporate involvement in political activities: risks and rules* 2

*Many parties, many risks Part 1: Who are your third parties?* 6

*Big business and modern slavery: what your organisation should be doing* 11

*News & Views* 15

## Facebook wins latest privacy case but the battle continues

Facebook, which is confronted by a multitude of legal challenges across Europe over the way that it handles its users' personal data, has won the latest in a long-running series of cases brought by an Austrian law student who alleges breaches of privacy rules on the part of the internet company.

The latest action was a class action brought by Mr Schrems on behalf of himself and 25,000 other claimants, arguing that Facebook had breached EU rules on data protection. The Austrian court said that it had no jurisdic-

tion to rule on the matter, though Mr Schrems' lawyer has said that the decision will be appealed.

Although this recent decision has been welcomed by Facebook, it marks only small respite in the growing number of data protection claims being pursued against the company by regulators in Europe.

The Facebook European headquarters is in Dublin, so the organisation is regulated by the Irish Data Protection Commissioner, which has confirmed the company's compliance with relevant

laws on a number of occasions. However, this arrangement has been challenged in a number of jurisdictions across the EU where data protection authorities feel they should have a say in how their citizens' data is used.

The latest to join the throng is Willem Debeuckelaere, President of the Belgian Privacy Commission, who is suing Facebook over allegations that it tracks people across the web even if they do not use the service. Facebook is

[\(Continued on page 15\)](#)

## Uber under threat of ban in France and at home for breach of regulations

The US-based ride-hailing company, Uber, faces the threat of a ban in its home state of California following clashes with the regulator. Its French operations have also come under fire following complaints filed in 2014 by one of the largest taxi drivers' unions in France, and in the wake of fierce demonstrations in June 2015 by taxi drivers throughout the country.

On 15 July 2015, a judge with the California Public

Utilities Commission fined Uber \$7.3m for failing to provide detailed information about its operations and gave the company 30 days to comply or have its operating licence suspended.

The company has described the ruling as "deeply disappointing", confirming its plan to appeal the decision, which will at least postpone the prospect of a ban for the time being.

In France, two of Uber's top executives were detained by police in June 2015, and have now been ordered by French courts to stand trial on charges of "misleading commercial practices" and "complicity in the illegal exercise of the taxi profession".

The French complaints relate to the company's UberPop service which

[\(Continued on page 15\)](#)