

Compliance & Risk

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EU declares a 'right to be forgotten' ahead of legislation

The latest move by European authorities to improve citizens' data protection rights came in the shape of an EU decision on 13 May 2014 that backs a so-called 'right to be forgotten' by computer databases. The ruling effectively deems Google to be a "data controller" and therefore subject to data protection regulations with regard to its users.

The decision, which must now be followed by courts and regulatory bodies across EU member states, is likely to have consequences reaching far beyond the individual's

use of the Google search engine.

The case itself concerned complaints made by a Spanish national, Mario Costeja González, to his national data protection agency about results revealed when his name was entered into Google's search facility. Links to a 1998 newspaper article, which covered proceedings for debt recovery, were thrown up. Mr González said that the proceedings had been resolved years ago, and asked for the article to be removed or concealed.

Although the complaint

against the newspaper was rejected on the basis that the article had been legitimately published, the data protection agency said that Google should take measures to ensure that access to the material was impossible.

This decision was challenged by Google and several questions were referred to the Court of Justice of the European Union ('CJEU').

In its judgment, the CJEU found that the operator of a search engine "collects" data within the meaning of

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British GSK executive accused in China corruption probe

Chinese authorities have accused the former head of GlaxoSmithKline's China operations of corruption. In a police statement, Mr Reilly was said to have personally run a "massive bribery network".

No formal charges have yet been made, but if the allegations are proved it is likely that GSK China will be subject to substantial fines as well as having to give up corruption-tainted profits potentially

totalling billions of renminbi.

Mr Reilly is accused of pressurising his sales team to pay doctors, hospital officials and health institutions to use GSK products, a practice that is said to have led to illegal revenue of hundreds of millions of dollars.

The targeting of such a senior foreign executive, and the spotlight on the

multinational pharmaceutical company, is unprecedented in China. The country's regulators have been pursuing a high-profile anti-corruption drive for some time, though, and began investigating GSK's operations in 2013 when they accused the company of using travel agencies and consultancies as a front to transfer millions of yuan in bribes over a

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