

# Data Protection Ireland

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## Headlines

- Garda tells cyclists to remove Twitter videos of motorists and vehicles, p.19
- EU Commission and Council celebrate Data Protection Day 2019, p.20

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## DPC begins the year on the backs of the big techs

Facebook, which is already subject to one statutory investigation by the Data Protection Commission for potential GDPR violations, has attracted further scrutiny over its latest plans — to merge WhatsApp, Instagram, and Facebook Messenger. The Commission is asking Facebook for “an urgent briefing on what is being proposed.”

The DPC, which regulates Facebook in the EU, says that it understands that the company’s plans are still in initial development and haven’t yet material-

ized, but it will nonetheless be seeking “early assurances” that the plans will comply with the GDPR, given Facebook’s history with data sharing.

In 2016, the social network attempted to share personal user data gathered by WhatsApp with the larger business, but the plan was cancelled after an investigation by the UK’s Information Commissioner’s Office.

The proposed merging of the services has also drawn criticism from US

officials, some of whom say that red flags should have been raised when Facebook initially acquired WhatsApp and Instagram. “Imagine how different the world would be if Facebook had to compete with Instagram and WhatsApp. That would have encouraged real competition that would have promoted privacy and benefited consumers,” commented one US lawmaker.

One concerning aspect of the proposals is that out

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## Google becomes first tech to receive GDP fine (and it’s large)

France’s Supervisory Authority, the CNIL, has fined Google 50 million euro for lack of transparency, inadequate information and lack of valid consent regarding the personalisation of adverts. The CNIL found that the consents collected by Google for advertising were neither ‘specific’ nor ‘unambiguous’.

The regulator additionally found that the GDPR’s ‘One Stop Shop’ was not

applicable as, at the time of the infringement, Google did not have one main establishment in the EU. The fine is unlikely to be the last, as the CNIL warned that as the infringement is continuing, further sanctions are on the agenda.

Google has said that it would appeal the fine. “We’ve worked hard to create a GDPR consent process for personalised ads that is as transparent

and straightforward as possible, based on regulatory guidance and user experience testing. We’re also concerned about the impact of this ruling on publishers, original content creators and tech companies in Europe and beyond. For all these reasons, we’ve now decided to appeal,” the company said in a statement.

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