

# Data Protection Ireland

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## Headlines

- ODPC publishes second privacy audit of Facebook, p.17
- Permanent TSB misrepresented credit histories, too p.19
- *FBD v Collins* appeal delayed until 2013, p.20

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## DPC pleads poverty as pressure mounts on Ireland

Ireland has been urged by the European Justice Commissioner to prioritise data protection reform during its term of Presidency of the Council of the European Union next year.

Ireland is due to commence its six month Presidency in January 2013, taking over from Cyprus. Speaking during a recent visit to Dublin, Viviane Reding said that, during the time of Ireland's Presidency, the draft Data Protection Regulation "will come to a very crucial, a very sensitive moment."

"As home to many innovative firms dealing with a lot of personal data, Ireland has a key role to play in shaping the new rules," said Mrs Reding.

In response to Mrs Reding's comments, the Data Protection Commissioner, Billy Hawkes, said that data protection authorities will need additional resources to carry out their broader European oversight responsibilities. He said "this is a key issue for us due to the large number of multinational companies handling personal data that have substantial operations in Ireland."

It is not the first occasion that the DPC has called for increased funding for his Office (the ODPC). Launching his Annual Report in April 2012, Mr Hawkes said "Our resources are now stretched to beyond the limit." He also warned that as the ODPC takes on greater responsibility over multinationals which choose Ireland as an EU base, failure to adequately discharge the responsibility of monitoring the companies would "carry significant reputational risks for the country".

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## Vodafone pays out €40,000 over unsolicited marketing calls

Vodafone and the Office of the Data Protection Commissioner have concluded agreements to do with the phone company's various breaches of unsolicited marketing rules.

The cases relate to marketing communications made by Vodafone contrary to Regulation 13 of the European Communities (Electronic Communications Networks and Services) (Privacy and Electronic Communications)

Regulations 2011. Vodafone has agreed to make a contribution totalling €40,000 to be shared among a number of Irish registered charities in recognition of the illegal behaviour. The company is also making goodwill gestures to each complainant directly.

Vodafone has put in place additional controls internally and with third party sales agents to ensure that customer

preferences are accurately recorded without delay. It has also taken steps to ensure that its agents refrain from engaging in marketing phone calls made for account management purposes to customers who have opted out of marketing contact.

The DPC remains in dialogue with Vodafone as the company enhances its policies and proce-

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