

Data Protection Ireland

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Headlines

- Irish pupils' records compromised, p.17
- IBA wants Insurance Fraud Register to be established, p.18
- Facebook rolls out further changes following Irish audit, p.19

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Working Party makes it personal in latest Opinion

The Article 29 Working Party has given its latest Opinion on the draft Data Protection Regulation, recommending the inclusion of a far wider definition of 'personal data'.

Currently, the draft Regulation defines 'personal data' simply as 'any information relating to a data subject'. 'Data subject' is defined as 'an identified natural person or a natural person who can be identified, directly or indirectly, by means reasonably likely to be used by the controller or by any other natural or legal person, in particular by refer-

ence to an identification number, location data, online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that person'.

The Working Party wants to see information that can lead to individuals being 'singled out and treated differently' — which encompasses cookie identifiers and IP addresses — included within the new Regulation's remit.

The group wants to make changes to the draft Recitals (which, although

themselves not legally binding, flesh out in more detail what is to be meant by the definitions and other terms contained in the text) to the effect that organisations should generally have to treat 'cookie identifiers' and IP addresses as personal data.

The Opinion also addresses important issues to do with consent and the proposed 'delegated acts'. Regarding consent, the Working Party welcomes the fact that a burden of proof will be placed on data controllers

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Clouds on the horizon as they move up regulatory agenda

The European Commission has published a strategy document on cloud computing.

'Unleashing the potential of cloud computing in Europe' sets out the Commission's key proposals for boosting the adoption of cloud services.

The Commission will launch three cloud-specific actions: cutting through the 'jungle of standards', establishing safe and fair contract terms and condi-

tions, and establishing a European Cloud Partnership (ECP) to drive innovation and growth from the public sector. The ECP, which is being established this year, will provide an umbrella for comparable initiatives at Member State level.

The ECP will bring together industry expertise and public sector users to work on common procurement requirements for cloud computing in an open and fully

transparent way.

The Commission will report its progress on the actions in the strategy document by the end of 2013, and present further policy and legislative proposal initiatives as needed.

A copy of 'Unleashing the potential of cloud computing in Europe' is available at: www.pdp.ie/docs/10013