

# Data Protection Ireland

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## Headlines

- Destruction of newborns' blood samples — government makes a u-turn, p.2 and p.17
- Law firm launches Ireland's first data privacy law app, p.18
- Department backs increase in Garda access to email in response to Microsoft report, p.20

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## Europe and US divide once again over cyber security

Europe and the United States have unveiled differing approaches to tackling cyber security, threatening to create problems for companies operating across the two major trade blocs.

The US approach, which can be characterised as 'voluntary', was detailed in an Executive Order issued by President Barack Obama in February 2013, calls for voluntary sharing of information on cyber attacks between business and government.

The Order follows the failure in November 2013

— amid fierce opposition from businesses complaining about over-regulation — of the US Senate to approve administration-backed cyber security legislation.

The abandoned legislation would have increased information-sharing between intelligence agencies and private companies, with some privacy protections. It also would have set voluntary standards for businesses that control electric grids, water treatment plants and other essential facilities.

The approach is consider-

ably more flexible than that of newly proposed European legislation. Alongside an overarching Cybersecurity Strategy, the European Commission proposed a Directive with measures to ensure harmonised network and information security across the EU.

The new Directive makes it compulsory for all 'market operators', including utilities, transport and financial services businesses, as well as public authorities that make use of 'network and information systems',

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## EU's new mass data storage plans arouse suspicion of MEP

The European Commission has announced plans for new border controls to monitor non-EU citizens entering and leaving the bloc.

The so called 'Smart Borders' programme "will enable smoother and speedier border crossing for third country citizens who want to come to the EU [and] lead to a higher level of security by preventing irregular border crossings and detecting those who

overstay," according to Home Affairs Commissioner, Cecilia Malmström.

Under the plan's 'Entry/Exit System', the biometric data of visitors to the EU will be recorded and then referenced against visa regulations on lengths of stay. Data will be retained for periods of six months, except in the case of non-EU citizens who have overstayed their visa allowance in the

past. For those individuals, data can be stored indefinitely.

MEP Jan Philipp Albrecht, who is also the lead negotiator for the European Parliament's LIBE Committee on the new Data Protection Regulation, said the smart borders initiative would create an "e-fortress Europe" and added that there is "no evidence to show that

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