

# Data Protection Ireland

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## Headlines

- German regulator threatens legal challenge against Shield, p.18
- UK PM confirms Brexit will happen in Spring 2017, p.19
- ODPC publishes memo on Schrems, p.19

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## ODPC to increase audits of technology devices

The latest Global Privacy Enforcement Network Study into privacy aspects of more than 300 'Internet of Things' smart devices has found 'alarming shortfalls' in the management of personal data by developers and suppliers.

The study, involving twenty-five data protection authorities, considered the ways in which organisations communicated with their customers regarding the security of their personal data. In Ireland, the Office of the Data Protection Commissioner investigated nine devices, ranging from smart electricity me-

ters to fitness trackers, and its national findings were broadly in line with global trends.

The international report showed that 72% failed to explain how customers could delete their information and 68% failed to properly explain how information was stored.

Additionally, 60% of companies failed to adequately explain to customers how their personal information would be collected and processed and 38% failed to include easily identifiable contact details if customers had privacy concerns.

The regulatory authorities are now considering what action is to be taken against those who are found to be in breach of legislation.

John Rogers, Senior Investigations Officer, who coordinated the Irish Sweep said: "There can be no doubt as to the benefits of modern technology in our everyday lives, but the introduction of this technology must be done in a clear and transparent manner and not adversely impact on privacy rights. The findings of our sweep show

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## New guidance on anonymisation and location data

The ODPC has published new guidance on anonymisation and pseudonymisation, as well as new guidance on handling location data.

The guidance on anonymisation reminds organisations that irreversibly and effectively anonymised data are not 'personal data' for the purposes of the DPAs and the data protection principles do not have to

be complied with. Pseudonymised data remains personal data.

Another key point made is that if source data are not deleted at the same time that anonymised data are prepared, the anonymised data will still be considered 'personal data', where the source data could be used to identify an individual from the anonymised data.

The ODPC's newly published guidance on location data gives organisations clarity on handling location data.

The guidance advises that location data relating to individuals is very likely to be able to identify them, hence it constitutes personal data and may even constitute sensitive data. It states that data controllers have a respon-

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