

# Data Protection Ireland

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## Headlines

- Latest GDPR fines, p.18
- Irish court refuses to stop probe into Google’s processing of users’ data, p.19
- DPC opens probe into Google’s AI compliance, p.20

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## DPC fines LinkedIn €310 million

The Data Protection Commission has fined LinkedIn Ireland €310 million for multiple infringements of the GDPR centering on its processing of the personal data of members for the purposes of behavioural analysis and targeted advertising.

The inquiry was launched by the DPC in its role as the Lead Supervisory Authority for LinkedIn following a complaint initially made to the French Supervisory Authority.

The platform breached the GDPR’s rules on consent (Article 6(1)(a) GDPR) as the consent it obtained was not freely given, sufficiently in-

formed or specific, or unambiguous.

There was also a breach regarding LinkedIn’s reliance on Article 6(1)(f) GDPR (legitimate interests) for its processing of members’ personal data for behavioural analysis and targeted advertising, and third party data for analytics. This was because its interests were overridden by the interests and fundamental rights and freedoms of data subjects.

LinkedIn also did not validly rely on Article 6(1)(b) GDPR (contractual necessity) to process personal data members for the purpose of behavioural analysis and targeted adver-

tising.

By extension of these breaches, the company breached Articles 13(1)(c) and 14(1)(c) in respect of the information it provided to data subjects regarding the lawful basis of processing, and Article 5 (the principle of fairness).

Following the DPC’s announcement of the (as yet unpublished) decision, a spokesperson for LinkedIn said when asked about appealing that “our focus is on ensuring our ad practices meet this decision by the DPC’s deadline.”

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## Ryanair inquiry may have significant implications for verification processes

The Data Protection Commission has opened an inquiry into Ryanair’s processing of personal data as part of the Customer Verification Processes for customers who book Ryanair flights from third party websites or Online Travel Agents.

The DPC received a number of complaints regarding Ryanair’s practice of requesting additional ID verification from customers who book travel tickets

via third party websites, as opposed to booking directly on Ryanair’s website. The verification methods include the use of facial recognition technology using customers’ biometric data.

Dublin-based Partner at Pinsent Masons, Andreas Carney, said: “the DPC’s decision to launch this inquiry underscores the importance of ensuring that data processing

activities, especially those involving special category data, are conducted in a manner that respects individuals’ privacy rights and complies with legal standards. Biometric data is categorised as ‘special category’ data under the GDPR. There are additional, more stringent compliance requirements in respect of special category data that go beyond other personal

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