

Data Protection Ireland

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Headlines

- Banning visitor books is OTT, says DPC, p.19
- The first GDPR fines in Romania, p.19
- ICO issues notices of intent to fine airline and hotel chain, p.20

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DPC on cusp of completing its inquiries

The EU Supervisory Authorities are to complete a lengthy probe into whether Facebook violated data protection rules, according to a spokesperson from the Data Protection Commission.

The DPC currently has 20 ongoing investigations into multinational companies. Dale Sunderland, Deputy Commissioner at the DPC, said: “We want to move on as many of these inquiries as we can. I think you’ll see a mix of companies in those decisions that will be circulated by the end of this year.”

Mr Sunderland did not comment on any details regarding his Office’s impending enforcement action, only that an investigation into a multinational company was on the brink of completion. “We’re now in the final stages of completing our first inquiry report...one was opened last December and we’re hopeful that inquiry report will be concluded in the coming weeks”, he said. December was when the DPC began its inquiry into the legality of WhatsApp — the internet messenger owned by Facebook — sharing data on its users with its parent company.

The DPC’s various ongoing investigations are primarily looking at the data practices of tech giants like Facebook, Apple, Google, Twitter and Microsoft. The issues range from these firms possibly not receiving the right consent from users when collecting their personal information, to the sharing of people’s data with third-party companies without individuals’ knowledge.

Most recently, the DPC opened its third privacy probe into Apple, examining whether the company

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Court hears arguments in Schrems II

In a mammoth eight-hour session, the Court of Justice of the EU has heard the arguments in the so-called ‘Schrems II’, concerning questions surrounding the validity of Standard Contractual Clauses as a means of safe international data transfer.

The hearing is the culmination of a dispute lasting more than five years.

The Court heard arguments from the Data Protection Commissioner, Facebook, the Electronic Privacy Information Center, Digital Europe, the Business Software Alliance, the European Commission, the European Data Protection Board, the US government as well as several EU countries and representatives of Max Schrems himself.

In simple terms, the CJEU is answering the question of whether US law on access of national security agencies to the personal data of non nationals, contained in the Foreign Intelligence Service Act, breaks European data protection laws and if so whether that invalidates currently legal data transfer mechanisms.

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