

# Data Protection Ireland

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## Headlines

- CNIL rejects Google's right-to-be-forgotten appeal, p.16
- German DPA fines three companies over contract shortcomings, p.18
- Government publishing nationalised citizens' data online, p.20

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## ODPC begins new investigation of children's websites and apps

The Office of the Data Protection Commissioner has released the results of its Sweep of children's mobile apps and websites, saying that they are a cause for concern.

The Sweep, which in Ireland took place on 14th May 2015, involved the examination of 18 apps and websites, both international and Irish, which are popular with Irish children.

The results found that the apps/websites tested requested a lot of technical data such as cookies (61%), IP address (28%), UID (50%) and geo loca-

tion (28%). The Sweep team also noted that 45% of apps/websites tested carried third party advertising, much of which would not be relevant to, or appropriate for, children.

John Rogers, Senior Investigations Officer at the ODPC who coordinated the Irish Sweep said: "We feel that websites and apps being targeted at children need to improve greatly in terms of children's privacy.

"Excessive data sought, lack of user information and lack of parental controls were among the is-

ssues identified. We now intend to carry out a more detailed examination of the sites/apps of concern and contact them requesting remedial action where necessary."

The Sweep was part of an international effort coordinated by the Global Privacy Enforcement Network, which aims to improve global cooperation around privacy legislation. This was the third annual Sweep, and follows reports on the privacy practice transparency of websites and mobile privacy.

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## Advocate General creates giant headache for US tech companies

The Advocate General of the European Court of Justice has delivered his non-binding opinion on the NSA/PRISM spy scandal, which may have major implications for EU-US data flows and US internet companies operating in Europe.

"The Commission decision is invalid," said Advocate General Yves Bot, referring to the Safe Harbor framework approved by

the European Commission enabling data transfers to the United States.

Bots' Opinion is the consequence of legal action taken against Facebook by Max Schrems in Ireland.

In light of US surveillance programmes initially revealed by whistleblower Edward Snowden, Schrems asked the Irish regulator to investigate whether the US was

properly protecting data. But the Irish regulator rejected Schrems' case because it was bound by the Safe Harbor agreement — prompting him to appeal, which led to the current ECJ case.

The Advocate General said: "It is apparent from the findings of the High Court of Ireland and of the (European) Commission itself that the law and

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