



# Privacy & Data Protection

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## Headlines:

- Commission action against Austria and Germany, p.14
- Estate agents—data breaches, p.15
- Spamming conviction for online gaming company, p.16

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## Recruitment agency fined £2,000 for non-registration

Evidence of the UK Information Commissioner's tougher stance on data compliance has come in the form of a Welsh company being fined £2,000 for processing personal data without a registration.

Under UK data protection law, all companies that use personal data must register (or notify) their activities with the Information Commissioner (unless exempt).

Following a guilty plea at Abergavenny Magistrates' court, the company, Abacus Recruitment, was ordered, in early September, to pay a

£2,000 fine and £400 costs.

"I am pleased that the magistrates' court has recognised the seriousness of a failure to notify," said Information Commissioner Richard Thomas. "Complying with the Data Protection Act ensures that individuals' personal information is secure, accurate, up-to-date and processed fairly. This prosecution should remind recruitment agencies and other organisations of their responsibilities under the Act."

Under the Data Protection Act, it is a criminal offence not only to fail to

notify personal data processing to the Information Commissioner's Office, but also to inadequately notify.

Marie Anderson, the Northern Ireland Commissioner, said that the Commissioner's Non-Notification Project would be stepped up in Northern Ireland, where there are a higher proportion of non-notified data controllers than in other parts of the country ( see 'Interview with the Northern Ireland Commissioner' on page 11).

Since the Information Commissioner's Office has  
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## UK's growing debt mountain blamed on poor data compliance

The UK's consumer debt is rising faster than ever and, at over £1 trillion, is the largest since records began. The level of personal bankruptcies has reached its highest point since 1960.

Consumer groups are now blaming unlawful marketing techniques for the spiralling debt crisis. Banks and other lending institutions are sending consumers unsolicited post with irresistible offers of interest free credit cards, debt consolidation loans and

promises of chances to win free luxurious holidays. The 0% offers on credit cards can be misleading, as failing to meet the deadline for a single payment can see the loan rate jump to between 20% and 40% APR.

If data protection rules on marketing were observed, consumers would not be targeted with invitations to increase their level of debt, say commentators.

Figures from the Depart-

ment of Trade & Industry show a 37% increase in the number of people becoming insolvent in the second quarter of 2005.

Dan Levene of the Citizens' Advice service said that, "some of the marketing devices used by some credit card companies leave a lot to be desired." Vince Cable, the Liberal Democrat treasury spokesman, said that the authorities, "need to stop being complacent

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