



Privacy & Data Protection

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Art 29 Working Party redefines 'personal data'

The definition of 'personal data' is set to be expanded. An influential European body has indicated that some countries are applying a too narrow interpretation of the term.

The Article 29 Working Party has stated that there are four key components that make up personal data. The lengthy report deals with the differing interpretations that various Member States have applied to the definition of 'personal data' in the Directive and says that several countries

have adopted definitions that are too restrictive.

The Irish Data Protection Commissioner, Billy Hawkes, has already posted new guidance on the regulator's website (www.dataprotection.ie). The guidance states that, "There are different ways in which an individual can be considered identifiable." A person's full name is an obvious likely identifier. But a person can also be identifiable from other information, including a combination of identification elements such as

physical characteristics, pseudonyms occupation, address etc."

Mr Hawkes told *Privacy & Data Protection*, "I welcome the Article 29 WP's Opinion on the definition of 'personal data.' It usefully clarifies the broad scope of the concept, providing practical illustrations which should be helpful to both data controllers and data subjects."

The Working Party's opinion will be interpreted
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ICO's Annual Report — executives urged to raise their game

The Information Commissioner, Richard Thomas, has called on UK chief executives to take the security of employees' and customers' personal information far more seriously.

In his latest Annual Report, published on 11th July, the Commissioner said that large numbers of UK organisations are flouting data protection rules. "How can laptops holding details of customer accounts be used away from the office without strong encryption? How can millions of store cards fall into the wrong hands? How can online recruitment allow applicants

to see each others' forms?" he asked at the official launch of the Report.

Whilst Mr Thomas said that many organisations process personal information appropriately, he re-iterated that privacy must be given more priority in every UK boardroom. Organisations that fail to process personal information in line with the Principles of the Data Protection Act not only risk enforcement action by the ICO, but they also risk losing their reputation and the trust of their customers.

The Information Commissioner is particularly concerned about the increasing numbers of security breaches that he has dealt with in the past year. "Frankly these are inexcusable. None of this is really rocket science—security is fundamental," said Mr Thomas. "The roll call of banks, retailers, government departments, public bodies and other organisations which have admitted serious security lapses is frankly horrifying," he added.

The Commissioner called
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