



PRIVACY TICKER

1. Legislative Changes

+++ THE GERMAN BUNDESTAG DECIDES ON FURTHER ADAPTATIONS TO DATA PROTECTION LAW +++

The Bundestag has decided to further adapt existing data protection provisions to the General Data Protection Regulation (GDPR). The adaptation also increases the minimum number of persons required to appoint a data protection officer in the company from 10 to 20.

The adopted legislative draft can be found [here](#).

2. Case Law

+++ FEDERAL ADMINISTRATIVE COURT: ONLY THE GDPR APPLIES TO PRIVATE VIDEO SURVEILLANCE +++

The Federal Administrative Court has clarified that video surveillance by a private individual must be assessed solely on the basis of the GDPR and that no scope of application remains for national data protection regulations such as section 4 (1) sentence 1 Federal Data Protection Act (BDSG) (file ref. 6 C 2.18).

The judgement is published [here](#).

+++ FEDERAL LABOUR COURT: EVALUATION OF FILES ON BUSINESS COMPUTERS WITHOUT SPECIFIC SUSPICION ADMISSIBLE +++

The Federal Labour Court confirms that even under the GDPR it is permissible to review employee data not marked “private” on a business computer if this is done as part of general, open monitoring measures to prevent breaches of duty (file ref. 2 AZR 426/18).

You will find the judgement [here](#).

3. Regulatory investigations and enforcement actions

+++ BADEN-WUERTTEMBERG SUPERVISORY AUTHORITY IMPOSES FINE ON POLICE OFFICER +++

The data protection supervisory authority of the State of Baden-Wuerttemberg has imposed a fine of EUR 1,400 on a police officer for collecting data for private purposes through his official access to official databases.

You will find the official press release [here](#).

+++ FRENCH SUPERVISORY AUTHORITY IMPOSES FINE FOR UNLAWFUL EMPLOYEE MONITORING +++

The French data protection supervisory authority CNIL has imposed a fine of EUR 20,000 on a Parisian company for the permanent video surveillance of its employees, in particular because the surveillance also covered workplaces not open to the public.

You will find the official press release [here](#).

+++ FINE FOR INADMISSIBLE DATA ACCESS VIA THE SPANISH FOOTBALL LEAGUE APP +++

The Spanish data protection supervisory authority AEPD has imposed a fine of EUR 250,000 on the organiser of the Spanish professional football leagues because its app “La Liga” accesses users’ microphone and location data without informing them.

A detailed press release is accessible [here](#).

+++ BELGIAN SUPERVISORY AUTHORITY IMPOSES FIRST FINE +++

The Belgian data protection authority APD has imposed a fine of EUR 2,000 on a Belgian mayor for using data collected from citizens for official purposes for his own election campaign purposes.

You will find a detailed press release [here](#).

+++ ITALIAN SUPERVISORY AUTHORITY IMPOSES FINE ON FACEBOOK IN CONNECTION WITH CAMBRIDGE ANALYTICA +++

The Italian data protection supervisory authority has imposed a fine of 1 million euros on Facebook for data protection violations in connection with Cambridge Analytica's unauthorized processing of data from users of the "ThisIsYourDigitalLife" app.

You can read the official press release [here](#).

+++ FTC TAKES ACTION AGAINST DECEPTION REGARDING COMPLIANCE WITH US PRIVACY SHIELD OBLIGATIONS +++

The US Federal Trade Commission (FTC) has taken action against a Florida-based company that misstated on its website that it is complying with the requirements of the EU-US Privacy Shield.

You will find the official press release [here](#).

4. Opinions

+++ BAVARIAN SUPERVISORY AUTHORITY PROVIDES GUIDANCE ON REPORTING OF DATA PROTECTION BREACHES +++

The Bavarian data protection supervisory authority has published an orientation guide on reporting obligations in the event of data protection violations, both to the supervisory authorities and to the data subjects.

You will find the orientation guidance [here](#).

+++ NORTH RHINE-WESTPHALIA SUPERVISORY AUTHORITY EXPLAINS PERMISSIBLE USES OF DATA FROM IDENTITY CARDS +++

The data protection supervisory authority of North Rhine-Westphalia presents the requirements and limitations of the permissible use of identity card data in various scenarios of everyday use in more detail.

The opinion can be found [here](#).

+++ THE FEDERAL STATE OF SAXONY-ANHALT REMOVES ITS OFFICIAL FACEBOOK FANPAGE +++

The state government of Saxony-Anhalt has switched off the official Facebook fanpage of the federal state. The reason for this is the ECJ ruling on the joint controllership of Facebook and fanpage operators (Case C-210/16 – "Wirtschaftsakademie Schleswig-Holstein") and the information based thereon provided by the data protection supervisory authority of Saxony-Anhalt.

You will find a detailed press release [here](#).

+++ EU COMMISSION PUBLISHES GUIDELINES ON THE PROCESSING OF NON-PERSONAL DATA +++

The European Commission explains in a guideline the framework for the processing of non-personal data in the context of the Regulation on the free movement of non-personal data (Regulation 2018/1907) and its interaction with the GDPR.

The guidelines are available [here](#).

+++ ICO CONSIDERS CURRENT ADVERTISING PRACTICES ILLEGAL +++

In the view of the ICO, the UK data protection supervisory authority, some currently widespread online advertising measures, in particular in connection with offering advertising space in real time (so-called real time bidding), are not compliant with data protection law. The necessary transparency of the scope and purpose of data processing is inadequate.

You will find the ICO report [here](#).

If you have any questions, please address the BEITEN BURKHARDT lawyer of your choice or contact the BEITEN BURKHARDT Privacy Team directly:

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