

### WEEKLY DATA PRIVACY ALERT 23 FEBRUARY 2015

### EU

# Google's Advisory Council Publishes Final Report on the Implementation of the Right to be Forgotten

The report sets out the criteria the search engine should take into account when considering a request from a data subject to remove information from search results and the procedural aspects involved. In contrast to the Article 29 Working Party Guidelines, which stated that 'limiting de-listing to EU domains on the grounds that users tend to access search engines via their national domains cannot be considered sufficient means to satisfactorily guarantee the rights of data subjects according to the judgment', Google's Advisory Council found that the search engine should apply the right to be forgotten to EU domains only.

Google Advisory Council Report

#### **United Kingdom**

## CMA Appoints Researchers to Explore the Commercial Use of Consumer Data

The Competition and Markets Authority (CMA) has appointed researchers to conduct a factual review of the collection and commercial use of consumer data. The review will focus on the areas of motor insurance, clothing retailing and games applications. This research is part of the CMA's wider project looking into the commercial use of consumer data and aims to provide the CMA with greater detail of how certain markets in the economy collect and use consumer data in practice.

CMA press release

#### First IPT Ruling Against GCHQ on Unlawful Data Sharing

The UK Investigatory Powers Tribunal (IPT) has ruled that the regime that governs the data-sharing regime between the USA's National Security Agency (NSA) and UK Government Communications Headquarters (GCHQ) was in contravention of Article 8 (right to respect for private life) and Article 10 (right to freedom of expression) of the European Convention on Human Rights (ECHR) until December 2014. The case concerned the collection and storage of mass electronic communications data from persons outside the USA by the NSA. GCHQ was then able to request information from this database under the Regulation of Investigatory Powers Act 2000.

**IPT Announcement** 

For further information on any of the items in this week's alert, please contact:

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