New Russian Data Residency Law: Impact on your business

Only databases located within Russian territory may be used for processing of Russian citizens’ personal data. By Lothar Determann, Edward Bekeschenko, Vadim Perevalov and Inna Wood.

As of 1 September 2015, Russian and foreign companies will be required to record and store personal data of Russian nationals using databases located on Russian territory.1 Companies are concerned, particularly providers and users of social media, e-commerce, Internet, cloud and various other information technology and communications services. To understand the purpose and potential impact of

Council reaches consensus on the EU DP Regulation

The negotiations between the European Parliament, Council and the Commission are due to start on 24 June. Laura Linkomies reports.

The Justice Ministers reached a General Approach on the EU draft DP Regulation on 15 June confirming the approach taken in the Commission’s proposal back in 2012. The trilogue negotiations between the council, the European Parliament and the EU Commission will now start and Věra Jourová, EU Commissioner responsible for data protection, said that she hopes the process can be finalised by the end of

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The aftermath of Snowden: Better privacy?

So what is the progress in the EU after Snowden? The draft Regulation is making progress (p.1) but is unlikely to achieve harmonisation – the Council suggests 48 exceptions allowing for greater flexibility to Member States.

Much is happening in terms of data retention. Germany’s Federal DP Commissioner criticised the current German data retention Bill and said that it is a disproportionate interference in German, and also in European fundamental rights. The Bill proposes mandatory retention of telephone records and computer IP addresses for ten weeks. Worryingly, the DP Commissioner says she was only allowed 30 hours to comment. In France, the Parliament is discussing a surveillance bill, and the UK government plans to reintroduce a ‘Snoopers Charter’. On the other hand, the US has passed the Freedom Act which is a new intelligence-gathering regime but with restrictions and oversight of the National Security Agency’s surveillance powers.

DPAs are getting tougher. In France, the CNIL has ordered Google to apply the Right to be Forgotten principle globally, and Belgium’s DPA is taking Facebook to court this week. In the Netherlands, data breach notification is becoming mandatory in all sectors (p.10) and in Russia, data localisation rules mean a tougher compliance environment for companies (p.1). Italians have been discussing DPOs and their future role (p.15).

PL&B’s Asia Pacific Seminar in May (p.20) heard from top experts. Comprehensive revision of the law is now imminent in Japan (p.12) designed to make it broadly similar to those in the European Union. In China, court rules extend tort liability for privacy (p.21). Finally, a special report on connected cars says that cars can soon be seen as an extension of homes – but what about privacy (p.17)?

Laura Linkomies, Editor
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