



PRIVACY LAWS & BUSINESS

DATA PROTECTION & PRIVACY INFORMATION WORLDWIDE

UK and EU – Cookie rules to become the ‘law of everything’?

Greg Palmer and **Ceyhun Necati Pehlivan** of Linklaters analyse the proposed changes to cookie provisions in the UK’s new Data (Use and Access) Bill, and the approach taken recently by the EDPB.

Helen Dixon, the former Irish Data Protection Commissioner famously described the GDPR as the “law of everything”. The broad scope of the concepts of “processing” and “personal data” means almost everything

any business does is subject to the GDPR.

Recent developments risk a similarly expansive application of the cookie rules. The UK’s Data (Use

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The ICO’s consultation on generative AI: Key take-aways

The ICO expects the industry to significantly improve how it informs individuals about data processing. By **Josephine Jay** and **Annabel Loose** of Goodwin.

As the predominance of generative artificial intelligence (AI) continues to gather pace, legislators and advisory bodies face the challenge of fitting this technology into existing and emerging legal frameworks, without stifling

innovation. Amongst other things, the large-scale data processing driving generative AI raises complex questions regarding compliance with data protection laws, including the

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Data Opportunities in Ireland

Thursday 6 February
McCann FitzGerald, Dublin

Speakers include Dr Des Hogan, Data Protection Commissioner, Ireland

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DUAB may make life easier for business

The new Data (Use and Access) Bill continues its passage through Parliament with the Report stage in the House of Lords on 21 and 28 January. In this issue our contributors look in more detail into four areas where there are some novelties; cookies (p.1), automated decision-making (p.12), digital identities (p.17) and international data transfers (p.16).

Some aspects of the Bill will be welcomed by DPOs such as the legitimate interest grounds for direct marketing, or narrowing SAR searches to what is “reasonable and proportionate”. It is also reassuring that there will be no changes to the DPO role, rejecting the proposals in the previous Bill.

But there are also open questions about the interpretation of some of the Bill’s wording, as was evident at the Bill Briefing event organised by *PL&B* with Linklaters (p.9). It may be that much of this work is left to the ICO in terms of issuing guidance. One area which generated a lively discussion was the new definition of “scientific research”. While the Bill makes this concept wider it is still not clear what can reasonably be described as “scientific”. Does the research need to be for public good? Or peer reviewed?

The Bill also establishes further protections for children by placing an additional statutory duty on the ICO to consider children’s vulnerability regarding data processing. Children’s privacy was also at centre stage at the global DPAs’ assembly in Jersey in October last year (p.26).

PL&B is organising a one-day conference in London on 11 March on protecting children’s privacy. As a subscriber benefit, you can get a free place at this event with speakers from the ICO, Lego, K-ID and Ontario’s Information and Privacy Commissioner. You may register your interest now at info@privacylaws.com. Further details to come soon at www.privacylaws.com/children2025.

Laura Linkomies, Editor

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