

The Privacy Desk

Data Protection and Privacy Newsletter

www.privacydesk.in

A background image showing a business meeting with people in suits sitting around a table, holding pens and looking at documents. The image is dimmed and has a dark overlay.

Enforcement updates





Hospital fined for inadequate data security

Netherlands Data Protection Authority fined OLVG Hospital EUR 44,000 for violation under the GDPR. The Authority noted that the Hospital failed to adopt adequate measures for tackling unauthorized access to the protect the personal information held in medical files. The Hospital has now adopted two-factor authentication and log check mechanism.



Fifteenth settlement under OCR's Right to Access initiative

The Office for Civil Rights (OCR) at the U.S. Department of Health settled an investigation under Right to Access initiative against a health system operator Renown Health. The investigation revealed that operator had failed to respond to a patient's request of electronic copy of protected health information. As a result, the operator will provide access to all of the requested records and pay USD 75,000 to settle the violation under the HIPAA Privacy Rule.



SOUTH AFRICAN COURT



South African Court declares surveillance law unconstitutional

The Constitutional Court of South Africa in its judgment ruled that the Regulation of Interception of Communications and Provision of Communication - Related Information Act which relates to surveillance of communication is unconstitutional as the law fails to protect fundamental rights of privacy, freedom of speech and expression, rights of access to courts. The Court also acknowledged the constitutional importance of the right to privacy, which is tied to dignity.



Clearview.AI

Swedish Police Department fined for using ClearView AI

The Swedish Authority for Privacy Protection fined the Swedish Police Department with SEK 2,500,000 for breach of the Sweden's Criminal Data Act. The Authority noted that the police department used Clearview AI for unlawfully processing biometric data for facial recognition and had failed to implement sufficient organisational measures to ensure and be able to demonstrate the processing.

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India updates





- **Government of India notifies Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021.**

- **Report by Joint Parliamentary Committee on Personal Data Protection Bill, to emphasize on compliance with localization of sensitive data, handling of children's data.**

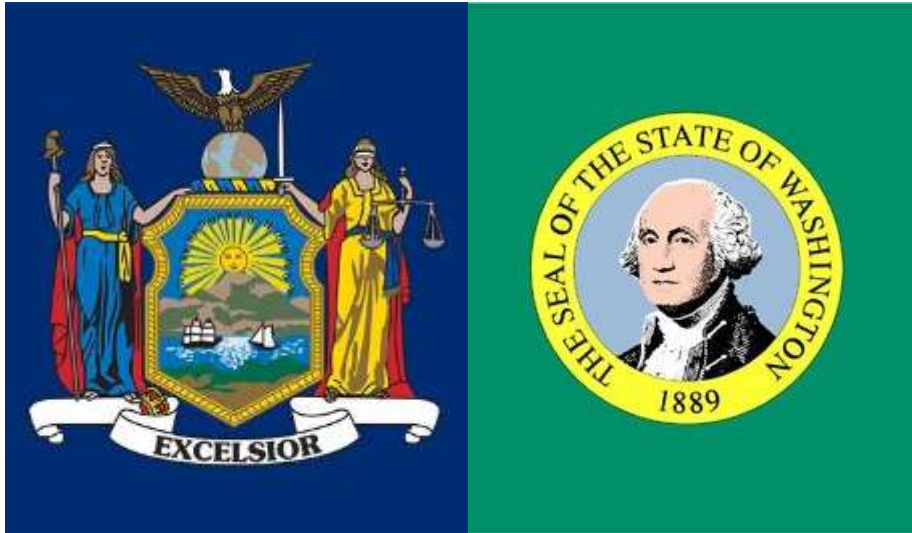


- **High Court of Meghalaya cites that data privacy safeguards are sine qua non for protecting Citizen's privacy.**
- **No plans to order private players to delete vehicle registration and driving license data sold under the Bulk Data Sharing Policy – Road Transport and Highway Ministry, Government of India**

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Regulatory updates around the globe





- **New York and Washington State Privacy Act, gains momentum, referred to respective legislative committees.**



- **The Abu Dhabi Global Market introduces the new Data Protection Regulation 2021.**



- **Bill on formation of a digital society approved in Japan. The bill is related to law concerning the protection of personal information.**
- **Insurance Data Security Act introduced in Rhode Island US.**

A background image of a business meeting with several people in suits sitting around a table. They are holding pens and looking at documents. A laptop is open in the center. The image is dimmed and has a dark blue overlay. The text 'EU Update' is centered in white.

EU Update



- **European Commission publishes report on Assessment of the EU Member States' rules on health data in the light of GDPR.**



- **Paper on “artificial intelligence ('AI') and liability” published by Insurance Europe.**



- **UK government welcomes draft adequacy decisions by EU.**
- **New Directive on Security Network and Information Systems proposed by European Commission.**

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Guidance/ Framework issued



- **ICO UK urges organizations to use its newly launched data analytics toolkit supplemented by its Guidance on AI and data protection.**

- **Cyber Insurance Risk Framework published by the New York Department of Financial Services.**



- **New guidance for transfer of data overseas released by New Zealand's Data Protection Authority.**

- **Guidelines on using Chatbots while complying with the data protection laws released by CNIL.**

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News around the Globe



- **Chamber of Deputies of the National Congress seeks clarification from ANPD with regards to data breach which led social security number of 223 million Brazilians at risk.**



- **Slack experiences data breach after security lapse, users asked to change passwords.**



- **Singtel suffers data breach after Accellion file transfer appliance data security incident. Report's personal data of 1,29,000 customers stolen.**
- **Microsoft Azure faces backlash after a user found it shares user's personal data with Canonical Ubuntu Linux.**

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