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GIBRALTAR REGULATORY
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GRA Data Protection e-newsletter – 01/2017

Message from the Data Protection Commissioner

Welcome to the newsletter from the Information Rights Division ("IRD"). I am very excited to launch this newsletter, which will aim to provide you with news, updates, developments and additions to our website in relation to data protection matters and our work as the statutory body responsible for the enforcement of current data protection laws.

This first issue will provide you with a summary of the work carried out by the IRD, including work on the upcoming General Data Protection Regulation (the "GDPR"), and a general overview of key events that have taken place throughout the course of this calendar year.

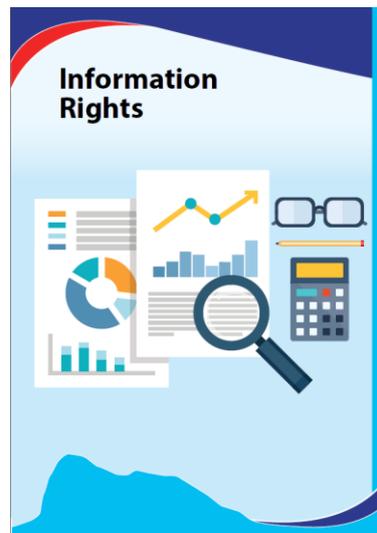
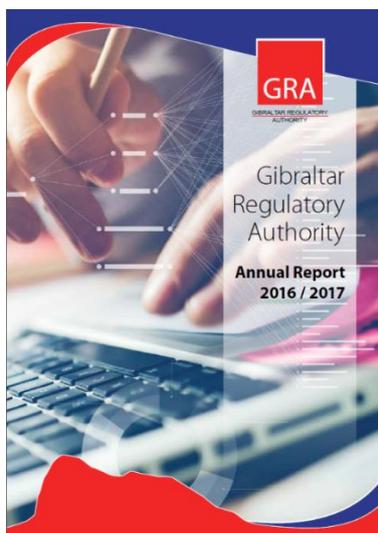
Our Work

In summary the work carried out by the IRD can be summarised as follows -

- Provision of advice on data protection related matters
- Investigations of data protection related complaints
- Inspection of data controllers
- Awareness raising of issues related to data protection and privacy
- Maintenance of a Register of Data Controllers
- Participating in international projects and liaising with regulators in other jurisdictions

Annual Reports

More detailed information about the work carried out by the IRD can be found in the GRA's annual reports. For example, see pages 23- 36 of our latest Annual Report [here](#).



Key Events

The following highlights some of the IRD's key events in 2017:

28th January 2017 – Data Protection Day

To celebrate Data Protection Day, an annual event celebrated internationally to commemorate the importance of privacy and data protection, the IRD held an event at the Piazza to provide information to the public and raise awareness of data protection and privacy issues.



25th April 2017 – Spring Conference of European Data Protection Authorities

The Data Protection Commissioner and an Information Rights Officer attended this year's Spring Conference, which was held in Limassol, Cyprus. The Conference was titled "New Horizons" and saw the participation of delegates from various EU Member States who shared their experiences in relation to current data protection matters such as raising awareness, transparency in the use of cloud services, law enforcement authority's access to data and genomic research.

For more information visit: <http://www.springconference2017.gov.cy>

22nd May 2017 – Global Privacy Enforcement Network

The IRD participated in the Global Privacy Enforcement Network's ("GPEN") Annual Sweep for the fourth year in a row. GPEN is an increasingly important platform for international co-operation between data protection authorities globally.

The Sweep involved 24 data protection regulators from around the world, and found that website privacy notices are too vague and generally inadequate, and is an area that the IRD is likely to give greater focus in its future work.

19th June 2017 – INFOEM in Gibraltar

As part of a cooperation agreement signed by the GRA and the INFOEM (the State of Mexico's Data Protection Authority) in 2016, four lawyers of INFOEM were attached to the IRD for one week to learn about Gibraltar's data protection framework and the GRA's procedures.



20th June 2017 – European Case Handling Workshop & GPEN Enforcement Practitioners Workshop

Two members of the IRD participated in workshops hosted by the UK's Information Commissioner's Office, which were held in Manchester. The workshops ran from the 20th to 22nd of June and brought together European Data Protection Authorities to share experiences in the handling of investigations and to discuss current and developing data protection issues.

The IRD team delivered a presentation and led a discussion in relation to the use of Cookies.

30th June 2017 BIIDPA (British, Irish and Islands' Data Protection Authorities)

A BIIDPA meeting is held at least once every year. This year, the meeting was hosted by the GRA in Gibraltar. The event saw the participation of Data Protection Authorities from the UK, Ireland, Channel Islands, Isle of Man and Malta. The agenda centred mainly on preparations for the implementation of the GDPR, both in terms of adjustments needed to regulatory frameworks as well as initiatives to provide guidance to organisations.

Gibraltar's Chief Minister, Fabian Picardo, opened the event by welcoming the delegates and giving a brief talk about the importance of Gibraltar maintaining EU standards on data protection post Brexit.

October 2017 – Awareness Raising Programme for School Students

In October, the IRD initiated its Awareness Raising Programme for School Students for the year 2017-18. The campaign aims to provide students with information about their privacy rights and raise awareness on the importance of controlling privacy in an increasingly digital age. With the support of the schools and the Department of Education, the campaign is now on its fifth consecutive year. Presentations are delivered at middle schools, secondary schools, and the Gibraltar College.

Other News

GDPR Guidance Notes

The GDPR will replace the existing data protection framework under the EU Data Protection Directive. It introduces new elements and significant enhancements which will require detailed consideration by all organisations involved in processing personal data.

To assist organisations and facilitate a smooth transition to future data protection standards for data controllers and data subjects alike, the IRD has been issuing a series of guidance notes. These are available [here](#) or by visiting: <http://www.gra.gi/data-protection/general-data-protection-regulation>

GDPR Presentations

Over the past two months, the IRD has delivered presentations on the GDPR to members of Gibraltar's Chartered Institute of Personnel and Development and members of Gibraltar's Association of Compliance Officers.



Further presentations on the GDPR have been scheduled for next year.

Organisation fined for not complying with an Access Request

In October, the Data Protection Commissioner commenced court proceedings against Oxford Learning College for unlawfully deleting personal data despite being bound to comply with a Subject Access Request, in contravention of the Data Protection Act 2004.

The company pleaded guilty at the Magistrates Court and was fined £1,000 for failure to comply with a Subject Access Request.

This is the first fine that the Commissioner has prosecuted an organisation in relation to a breach of the Data Protection Act, and highlights the importance of compliance with data protection law.

My office wants this newsletter to be valuable for you so please feel free to share your feedback and suggestions to help us improve. However, should you wish to unsubscribe, please click [here](#) or email unsubscribe@gra.gi.

In the meantime, I would like to wish you and your family a very Happy Christmas and a peaceful New Year.

Sincerely
Paul Canessa

Data Protection Commissioner

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