



It's an **EVOLUTION**
of the law **NOT A REVOLUTION**

Social Media Platforms

The IRD makes use of social media platforms to disseminate guidance and engage with the public. In addition to ad hoc guidance and social media messages based on “current news”, the Division has developed specific social media campaigns on topical matters that run for a number of weeks. The most recent campaigns focused on the [“Rights of Individuals Under GDPR”](#) and [“GDPR: Getting Started”](#) which encompassed a series of 8 infographics revealing tips and advice on how to best prepare for the GDPR.

CONFERENCES, WORKSHOPS & EVENTS

19th April 2018 – Common Thread Network (CTN)

The Data Protection Commissioner attended an event in London organised by the Common Thread Network (CTN), a forum for data protection and privacy authorities of Commonwealth countries. The CTN was established to promote cross-border cooperation and build capacity by sharing knowledge on emerging trends, regulatory changes and best practices for effective data protection. The event focused on ‘Privacy, trust & the digital economy in the Commonwealth’.

19th - 20th April 2018 – EU Commission Expert Working Group

Following the IRD’s work locally and internationally in the area of Privacy Awareness, the IRD was invited by the EU Commission to form part of an expert working group to assess a prototype game, developed by the EU Commission, with the aim of raising awareness of the GDPR. A member of the IRD attended the event and represented the IRD at the working group’s workshop.

3rd - 4th May 2018 – European Conference of Data Protection Authorities

Two members of the IRD attended the annual European Conference of Data Protection Authorities. The conference was held over two days and this year’s theme was “Data Protection - Better Together”. Other matters discussed were: the role of DPAs in the area of surveillance by intelligence agencies, the territorial scope of the GDPR, protecting personal data in law enforcement and justice and social media, micro targeting and political campaigning.

7th - 11th May 2018 – Certified EU GDPR Training Course

Three members of the IRD successfully completed a week-long course to become certified GDPR Practitioners (ISO 17024 certified). Organised by Rock Learning and delivered by a data protection consultant from IT Governance (UK), the course content was GDPR-based, highlighting the significant enhancements to previous data protection laws, and how such changes affect companies and public bodies with regard the general handling of personal data.



13th - 14th June 2018 – GPEN Enforcement Practitioner’s Workshop

Two members of the IRD recently attended the GPEN Workshop which focused on “Practical solutions for Enforcement in a Global Digital World”. The Workshop aimed to bring together experienced investigators and case handlers to share experiences and empower their relevant authorities to achieve more impactful outcomes more efficiently. The operational-level ties established at this event have laid a sound foundation for future collaborative relationships, within privacy enforcement and across other regulatory disciplines.

INVESTIGATIONS

An investigation is any process which sees the IRD taking action either as the result of a complaint or as a result of information obtained as part of the day to day function of the Division and which raises doubts as to whether the DPA is being complied with. In this second quarter of 2018, a total of 5 investigations have been closed. The following page provides investigation summaries for a few of the cases that have been closed this quarter.

Royal Gibraltar Police & Gibraltar Police Authority

The Commissioner became aware of an incident concerning personal data disclosed in the “expressions of appreciation” section of the 2016-2017 annual report of the Royal Gibraltar Police (the “RGP”), which was annexed to the annual report of the Gibraltar Police Authority (“GPA”) tabled in parliament on 18th January 2018 (the “Annual Report”).

The Commissioner undertook an investigation which concluded that the disclosure of information contained in the “expression of appreciation” section did not meet any of the conditions for the legitimate processing of personal data in the DPA.

As a result of the investigation, the RGP conducted a complete redaction of the “expressions of appreciation” section of its annual report and took a policy decision to remove the section from any future annual reports. The GPA confirmed that the Annual Report will no longer include the “expressions of appreciation” section, and that all copies of the Annual Report held in Parliament, and by Ministers of the Gibraltar Government, Opposition MPs and Independent MPs, were recovered and destroyed.

Gibraltar Airport Terminal Ltd vs. Borders & Coastguard Agency

The Commissioner received information regarding a Borders and Coastguard Agency (“BCA”) employee who appeared to have obtained and disclosed CCTV images (the “Images”) originating from a CCTV system (the “CCTV System”) operated at the Gibraltar International Airport by Gibraltar Air Terminal Limited (“GATL”), in breach of the DPA.

As part of the investigation, the Commissioner found that GATL were the data controllers of the CCTV System, whereas BCA, in some instances, operated the system on behalf of GATL. The Commissioner concluded that the BCA employee, who had access to the CCTV System as part of his job role with the BCA, had breached the DPA by obtaining and disclosing the images for matters outside of his job role, without the consent of GATL. Further, the investigation found that GATL did not have appropriate organisational and technical security measures in place to prevent personal data from being accidentally or deliberately compromised.

Following the Commissioner’s involvement, GATL implemented additional security measures specifically with regard to protecting the personal data processed by their CCTV systems.

Lottoland Holdings (Gibraltar) Limited

A complaint was received from an individual (the “Complainant”), in relation to a request that was submitted to Lottoland Holdings (Gibraltar) Limited (“Lottoland”), for the erasure of their personal data.

The Commissioner undertook an investigation which concluded that the right to object under the DPA did not apply as Lottoland were retaining the Complainant’s personal data for compliance under a legal obligation. However, the Commissioner also found that Lottoland did not inform the Complainant that they could complain to the Commissioner as required by the DPA.

Should you want to submit a complaint about a possible breach of the DPA and wish for the matter to be further investigated by the IRD, please forward your concerns and all pertaining evidence to the team using privacy@gra.gi

Online gambling operator

An online gambling operator notified the Commissioner of a data breach where 1,246 user accounts were compromised through a brute force attack.

The Commissioner undertook an investigation which concluded that the information exposed was limited to username, address, phone number and email addresses. The Commissioner found that the online gambling operator did not have appropriate organisational and technical security arrangements in place to protect personal data from being accidentally or deliberately compromised as required by the DPA.

The operator cooperated fully and took prompt remedial action, including the notification of the breach to individuals affected who were asked to contact customer service to reactivate their account and change their password, contracting a third-party organisation to carry out an information security review, and implementing an action plan to improve its security measures.

Note: Considering the organisation’s self-notification of the breach and other details relating to the case, it was decided that the investigation would be reported anonymously.



did you know?

The IRD agreed to take part in an interview for YGTV’s “Business Matters” monthly magazine programme. Host John Blake met with Head of Information Rights, Bradley Tosso, to discuss GDPR and what it means for local businesses and their customers.

To view this interview – [click here](#).

