

# E-NEWSLETTER

Information Commissioner

E-Newsletter 02/21

The logo for the Gibraltar Regulatory Authority (GRA) features the letters 'GRA' in white on a red rectangular background.

GIBRALTAR REGULATORY  
AUTHORITY

Welcome to the Gibraltar Regulatory Authority's ("GRA") Q2 2021 e-newsletter. Our newsletters aim to provide you with the latest developments in relation to data protection matters and our work as the Information Commissioner, with statutory responsibility for the enforcement of data protection laws in Gibraltar. Where relevant, updates on our work regarding freedom of information are also provided.

## AWARENESS EVENTS & COMMUNITY ENGAGEMENT

### PRIVACY AWARENESS SCHOOL REPORT 2020/2021

A report was issued on the results of a survey carried out in schools in Gibraltar during the 2020/2021 academic year. The survey forms part of an awareness campaign for schools organised by the Information Commissioner's office in co-operation with the Department of Education. It examines the relationship between the use of digital technology and privacy matters.

The Information Commissioner's report is available [here](#).

### SOCIAL MEDIA ENGAGEMENT

Social media engagement during Q2 2021 mainly focused on guidance regarding the various exemptions that the Data Protection Act 2004 (the "DPA"), provides from particular provisions in the Gibraltar General Data Protection Regulation (the "Gibraltar GDPR").

All published social media campaigns are available in PDF format on the [GRA's website](#).

## DATA PROTECTION GUIDANCE & ASSISTANCE

### CREDENTIAL STUFFING

The Information Commissioner's office is soon to publish a discussion paper regarding 'credential stuffing' cyber-attacks. The document aims to serve as a point of reference for organisations as it will provide information in respect of the risks posed by credential stuffing attacks to personal data. The document will also recognise the security measures organisations may use to prevent, detect, and mitigate the effects of said risks, particularly in the context of the Gibraltar GDPR and the DPA.

Beyond outlining the Information Commissioner's initial views, the main purpose of the paper will be to facilitate discussion and engagement with various stakeholders, including industry and other regulators, in his efforts to collaborate, examine and address the threats from credential stuffing cyber-attacks.

### WORKSHOP FOR DATA PROTECTION OFFICERS

The Information Commissioner organises periodic data protection workshops for Data Protection Officers ("DPOs") in Gibraltar. This forms part of his efforts to promote awareness amongst data controllers of their data protection obligations and provide them with assistance.

During the workshops, pre-determined topics are discussed, and guidance is provided to assist DPOs in ensuring compliance with applicable data protection legislation. As well as an opportunity for data controllers to obtain further support, the workshops also provide our office with an opportunity, as regulator, to learn about, and obtain a better understanding of the common issues/challenges faced by data controllers and processors. The workshops also help create synergies by facilitating collaboration between DPOs on issues that are common to all data controllers.

The Information Commissioner's most recent workshop for DPOs was held virtually in April 2021 and was attended by approximately 35 participants. The topics discussed related to data protection impact assessments, DPO tasks, the rights of individuals, and accountability. Further information regarding all DPO workshops held to date may be found on the [GRA's website](#).

To register for future workshops, please contact [dpoworkshops@gra.gi](mailto:dpoworkshops@gra.gi).

## **FREEDOM OF INFORMATION ("FOI")**

The FOI Act 2018 commenced on 1<sup>st</sup> June 2021 and is available [here](#).

The FOI Act 2018 will initially only apply to the authorities listed in the Schedule contained therein. Whilst it is understood that other authorities will be added on a periodic basis, the first three authorities that are listed in the Schedule are the Department of Education, the Human Resources Department, and the Gibraltar National Archives.

During this quarter, the Information Commissioner's office worked closely with HM Government of Gibraltar, delivering presentations on the FOI Act 2018 between the 5<sup>th</sup> and 7<sup>th</sup> May to the three authorities included in the Schedule. They acted as a 'refresher' prior to the commencement of the FOI Act 2018, as the Information Commissioner's office had previously delivered a presentation on the FOI Act 2018 to such authorities at the end of 2019.

## **PRIVSEC GLOBAL LIVESTREAM - CREDENTIAL STUFFING TALK**

The Assistant Information Commissioner spoke at the PrivSec Global livestream, a leading data protection, privacy and security event, occurring from 22<sup>nd</sup> to 24<sup>th</sup> June. The topic of discussion was "How to Prevent Credential Stuffing Attacks While Managing Risk and Trust".

Further information on the event is available [here](#).

## **CODE OF PRACTICE ON DATA SHARING**

The Information Commissioner's office is working on updating its Data Sharing Code of Practice which contains detailed guidance and good practice for the sharing of personal data between organisations, providing a general framework which organisations can use to develop their own data sharing arrangements in compliance with the Gibraltar GDPR and the DPA.

The updated Code of Practice will provide organisations with information on how they can share personal data in a fair, safe and transparent manner, and will guide them through the practical steps they need to take to share personal data while protecting individuals' rights and freedoms.

# **INTERNATIONAL**

## **VIDEO TELECONFERENCING ("VTC") SERVICE PROVIDERS**

This quarter, the Information Commissioner's office continued with ongoing international work relating to VTC service providers, more information on which can be found [here](#). Together with other international Data Protection Authorities, the Information Commissioner's office has now engaged with several VTC service providers, and an update on this engagement is likely to be provided during the summer months.

## **12<sup>th</sup> INTERNATIONAL CONFERENCE OF INFORMATION COMMISSIONERS ("ICIC") – CLOSED SESSION**

Members of the Information Commissioner's office will be attending the 12<sup>th</sup> ICIC Conference from 23<sup>rd</sup> to 24<sup>th</sup> June. The conference, which focuses on matters relating to freedom of information and transparency in the public sector, will consist of a closed session in which, amongst other matters, the ICIC's strategic priorities for 2021 to 2024 will be discussed.

## **BRITISH, IRISH AND ISLANDS' DATA PROTECTION AUTHORITIES**

Members of the Information Commissioner's office will be attending the British, Irish and Island's Data Protection Authorities ("BIIDPA") meeting, which will this year be hosted virtually by the Privacy Commissioner of Bermuda. The BIIDPA meetings take place annually and are informal in nature, principally providing Data Protection Authorities with an opportunity to discuss the latest developments within their jurisdictions. The meeting will take place from 24<sup>th</sup> to 25<sup>th</sup> June.

## 41<sup>st</sup> PLENARY MEETING OF THE COMMITTEE OF CONVENTION 108 (“C108 MEETING”)

The Information Commissioner’s office will be taking part in the C108 Meeting taking place from 28<sup>th</sup> to 30<sup>th</sup> June.

Convention 108 is the only global legally binding agreement on data protection law. Amongst other things, the C108 Meeting will discuss law enforcement issues, transborder access to data, digital identity and personal data processing by and for political campaigns.

## CREDENTIAL STUFFING

Work is ongoing between the Information Commissioner’s office and international counterparts in the field of privacy, regarding credential stuffing, an area which is an ongoing concern.

## INVESTIGATIONS

The Information Commissioner conducts investigations surrounding the application of data protection law in Gibraltar. Investigations may be instigated as a result of information obtained that raises compliance concerns, a complaint lodged with our office, or information/complaints referred by another data protection authority or other public authority.

In Q2 of 2021, 8 new investigations were initiated, whilst 5 cases have been resolved/closed and 23 are ongoing.

## DATA BREACH NOTIFICATIONS

Under Article 33 of the Gibraltar GDPR (or Section 76 of the DPA in respect of applicable law enforcement processing), there are certain incidents that organisations need to tell us about.

During Q2 2021, a total of 7 data breach notifications were received and subsequently investigated. 7 breach notification investigations have been closed during this quarter.

## OTHER DEVELOPMENTS

### COMPLAINT PROCEDURE

Complaints are managed in accordance with the Information Commissioner’s complaint procedure. Where possible and appropriate, parties are encouraged to resolve matters amicably between themselves. Where relevant, a full investigation is conducted. The Information Commissioner’s complaint procedure was recently updated and can be found on the [GRA’s website](#).

### AWARENESS-RAISING AUDIO-VISUALS

As part of the “Control Your Privacy” campaign, the Information Commissioner publishes additional guidance and information by way of awareness-raising audio-visualls. These are first uploaded on the [GRA Privacy YouTube Channel](#) and further disseminated on the GRA’s social media platforms. Links to the GRA’s published awareness-raising audio-visualls are available [here](#).

## Contact us for more information:



[privacy@gra.gi](mailto:privacy@gra.gi)



+350 200 74636



SHOULD YOU WISH TO UNSUBSCRIBE FROM OUR QUARTERLY E-NEWSLETTERS  
PLEASE EMAIL: [dpunsubscribe@gra.gi](mailto:dpunsubscribe@gra.gi)