

# E-NEWSLETTER

Information Commissioner

E-Newsletter 03/22



Welcome to the Gibraltar Regulatory Authority's ("GRA") **Q3 2022** 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

### SOCIAL MEDIA ENGAGEMENT

Our office created a series of social media posts which highlight the key findings of the Privacy Awareness School Campaign held during the 2021-22 academic year. Launched at the end of June, following publication of the Privacy Awareness School Report, the social media campaign examines the relationship between the use of digital technology and privacy matters amongst different school years.

Information regarding previously published social media campaigns is also available [here](#).

### DATA PROTECTION IN EDUCATION

Our office was invited by the [University of Gibraltar](#) to speak about data protection, with regards to "Managing New Technologies", to its MBA and MA students. The event, which took place on 22 September 2022, focused on the evolving relationship between the ever-increasing volumes of personal data processed and the ongoing developments of digital services used daily. As technology and data take centre stage, the inclusion of data protection in an education programme is a great initiative that will have a real impact on people and technological developments. Data protection and privacy being embedded into education is Privacy by Design at its finest.



## DATA PROTECTION GUIDANCE & ASSISTANCE

### AWARENESS-RAISING AUDIOVISUALS

This summer, the Information Commissioner released an awareness-raising audiovisual, to highlight the potential risks involved when parents and/or guardians share content, such as treasured moments and holiday experiences, on social media. In [this video](#), the Information Commissioner provides his top tips for safeguarding your family's privacy in today's online environment.

## INTERNATIONAL

### 14 JULY 2022 – ICO25 EVENT

The Information Commissioner was invited by the UK Information Commissioner's Office ("ICO") to the launch of "ICO25", an event which set out the ICO's strategic vision and priorities for 2022-25. Further information can be found [here](#).

### 15 – 16 JULY 2022 - BRITISH, IRISH AND ISLANDS' DATA PROTECTION AUTHORITIES ("BIIDPA")

The annual BIIDPA meeting was hosted by the ICO following its launch of ICO25. The meeting was attended by data protection authorities from Jersey, Gibraltar, Guernsey, Ireland, Malta, Isle of Man and the UK, and took place over two days.



Participating authorities discussed key developments, and shared ideas and action plans to facilitate regulatory progress and create opportunities for coordinated action. Some of the key topics discussed included, inter alia, the prioritisation of case handling, effective enforcement in the public sector, promoting compliance through accountability, and the methods available to access technological and investigative expertise when required.

#### **4 AUGUST 2022 – GLOBAL PRIVACY ENFORCEMENT NETWORK (“GPEN”)**

The GPEN organised a webinar regarding *“Dark patterns in social media platform interfaces”* to highlight how best to recognize, and avoid, the same as discussed in the draft guidelines published for public consultation by the European Data Protection Board. Further information will be published once the guidelines have been ratified accordingly.

#### **14 AUGUST 2022 – GLOBAL PRIVACY ASSEMBLY (“GPA”)**

The Information Commissioner accepted an invitation to become co-sponsor to a GPA resolution which addresses cybersecurity matters in relation to data protection and aims to improve international cooperation capacity building in this regard. Further, more specific, information will be published as and when matters progress.

#### **29 SEPTEMBER 2022 – ORGANISATION FOR ECONOMIC COOPERATION AND DEVELOPMENT (“OECD”)**

The Information Commissioner attended a virtual conference titled *“The future of access to information: Ensuring complementarity between the right to information and personal data protection”*, which focused on the linkages and tensions between access to information and personal data protection. Further information can be accessed [here](#) and [here](#).

## **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; by a complaint lodged with our office or following information/complaints referred by another data protection authority or other public body.

In Q3 of 2022, 4 new investigations were initiated, 10 cases have been resolved/closed and 12 are ongoing. In regard to the 10 cases resolved/closed, 1 was closed following the completion of a full investigation (summarised below).

#### **C12/21 THE FOOD CO. (“TFC”)**

The investigation concerned a response to a Subject Access Request (“SAR”). No contravention of data protection legislation was identified in relation to the respective SAR and no further action was required by TFC on the matter.

## **DATA BREACH NOTIFICATIONS**

Under Article 33 of the Gibraltar GDPR (or section 76 of the Data Protection Act 2004 in respect of applicable law enforcement processing), there are certain incidents that organisations need to tell us about.

During Q3 2022, a total of 6 data breach notifications have been received and 5 data breach notification investigations have been closed. A total of 12 data breach notification investigations are ongoing.

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