



Privacy Desk

Data Protection and Privacy Newsletter

www.privacydesk.in

A blurred background image of a business meeting. Several people in professional attire are seated around a table. One person in the center has their hands clasped and is holding a pen. A laptop is open in front of them. Other people are also holding pens and looking towards the center. The overall scene is dimly lit and has a professional, collaborative atmosphere.

Enforcement updates



SEC issues fine of USD 10 Million for misrepresenting alternate data

The Securities and Exchange Commission (SEC) has fined USD 10 million on the app Annie Inc., as securities fraud charges for making material misrepresentations about how the alternative data was derived. Annie is a leading alternative data provider for the mobile app industry. Alternate data, such as estimates on the number of times an app is downloaded and how often it's used, was agreed not to be disclosed to third parties. Contrary to these undertaking, the app used non-aggregated and non-anonymized data to alter its model-generated estimates for making them more valuable to sell to trading firms and thus have been held in violation.

T-Mobile®



T-Mobile faces privacy investigation in Massachusetts

T-Mobile, an international wireless carrier is facing an investigation by the office of Attorney General Maura Healey. In July 2021, the company faced a massive breach of their computer network which resulted in data compromised of over 13.1 million current customers and 40 million former and prospective customers. The information breached included names, drivers license information, government identification numbers, social security numbers, addresses, and date of birth. The investigation has been launched to determine the steps taken to address the breach and notify the consumers, and to determine whether the company had proper safeguards in place to protect consumer information.



**GARANTE
PER LA PROTEZIONE
DEI DATI PERSONALI**



University fined for using non-compliant proctoring software

It is reported that the Italian Data Protection Authority, Garante has issued a fine of EUR 200 thousand on a University in Milan for using proctoring tools from the company 'Respondus Inc'. The Luigi Bocconi University used proctoring tools to supervise written tests during the pandemic. It was reported that these systems are invasive and involve unnecessary monitoring of students. It was also held that the use of such technology for processing the biometric data of students for exams cannot be considered as a legal basis for processing under GDPR.

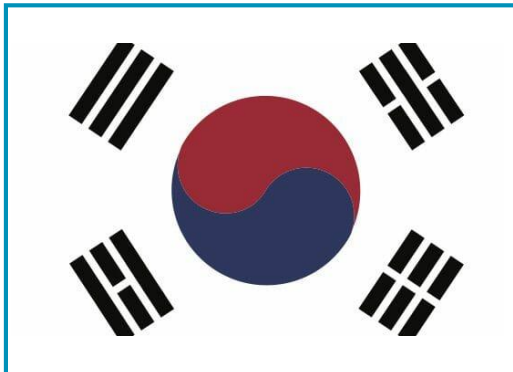


Reserve Bank of New Zealand served privacy compliance notice

The Reserve Bank of New Zealand faced a cyber-attack in December 2020. Upon the introduction of the Privacy Act 2020 and the powers bestowed on the Office of the Privacy Commissioner, a compliance notice has been issued on the Reserve Bank. The Privacy Act allows for the publication of compliance notices on a case-by-case basis if the Commissioner believes it is desirable to do so in the public interest. The compliance notice issued provides a template for the Bank to report, confirming the improvements made to policies and procedures to make the systems more secure and less prone to cyber-attacks.

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Guidance updates



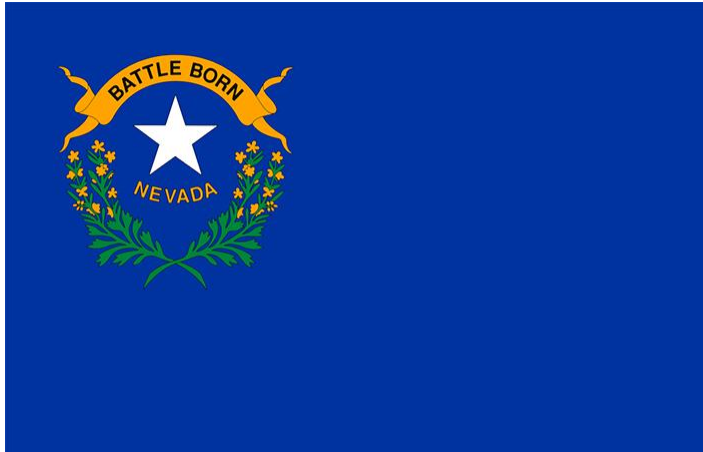
- The Irish Council for Civil Liberties has published a report titled, 'Europe's Enforcement Paralysis' to highlight the enforcement capacity of data protection authorities.
- The U.S. Department of Health and Human Services has released a guidance note on the applicability of Health Insurance Portability and Accountability Act of 1996 Privacy Rule, for disclosures and COVID-19 vaccination status.
- South Korea's Personal Information Protection Committee has released a series of infographics on ways to handle personal data in emergency situations.
- CNIL, France has released its draft guide to processing personal data in compliance with GDPR within the recruitment sector.

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Regulatory updates



- **Hong Kong has passed a Personal Data (Privacy) (Amendment) Bill 2021.**



- **Nevada's law about internet privacy takes effect.**

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News around the globe



- **Ikea has launched an investigation after staff finds unauthorized CCTV camera's in washrooms. Reports Telegraph.**
- **Apple to help detect and diagnose mental illness by tracking users actions. Reports The Wall Street Journal.**
- **Facebook working in coordination with the Italian data protection authority, to create awareness for responsible use of Ray-Ban Stories smart glasses.**

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Singapore updates



- **The PDPC has released a guide to data protection practices and a handbook on guard against data breaches.**
- **Cyber Security Agency released a framework for licensing the cybersecurity service providers.**
- **Amended Personal Data Protection (Notification of Data Breaches) Regulations 2021 and the Personal Data Protection Regulations 2021 have entered into force.**

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International updates



- **The United Nations Conference on Trade and Development publishes Digital Economy Report 2021, focusing on cross-border data flows and development.**



- **The U.S.-EU Trade and Technology Council release statement affirming willingness to develop and implement artificial intelligence systems to enhance privacy protections.**

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US updates

NIST
National Institute of
Standards and Technology
U.S. Department of Commerce



- The National Institute of Standards and Technology is seeking comments on draft guide, ‘Securing the Industrial Internet of Things: Cybersecurity for Distributed Energy Resources’.
- The U.S. Congressional Research Service releases report titled: ‘EU-US Privacy Shield and transatlantic data flows’ discussing the Privacy Shield framework and future prospects of data flow.
- California Attorney General releases a bulletin reminding health care providers to report health care data breaches and to comply with state and federal data privacy laws.

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India updates



- **The Delhi High Court seeks actions against Google Pay for Illegally storing and accessing Aadhar and banking information of its users. Reports LiveLaw.**



- **The Personal Data Protection bill, likely to be discussed in Parliament's winter session. Reports India Today.**

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Recent developments



- **Connecticut law concerning data breach notification has come into force on 1st October. [Read more.](#)**



- **The new Standard Contractual Clauses have come into effect from 27th September. [Read more.](#)**

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