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## Online news: EU proposes enormous data reform

25 January 2012




Huge reforms to the way data is used and stored on individuals and businesses have been proposed by the European Commission (EC).

The EC has suggested radical updates to the 1995 EU data protection rules designed to strengthen online privacy rights

and boost Europe's digital economy.

The reforms are also intended to simplify the implementation of the proposals, as currently all 27 member states have implemented the 1995 rules differently.

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At the heart of the proposals for consumers is easier access to their data and the 'right to be forgotten', which would allow people to delete online data if there are no legitimate grounds for retaining it.

Businesses meanwhile, would face a single set of rules on data protection across the EU, designed to remove administrative burdens such as notification requirements, which the EU estimates will save businesses €2.3bn a year.

Firms handling data will have to notify a national supervisory authority of data breaches within 24 hours where possible, but will

only have to deal with a single national authority in the EU country where they are headquartered.

Individuals would also be able to refer to the authority, even when their data is processed by a company based outside the EU.

Meanwhile, a new Directive would apply general data protection principles and rules for police and judicial cooperation in criminal matters, which would apply to both domestic and cross-border transfers of data.

Mike Bradford, director of consultancy Regulatory Strategies, said: "This is good news for pan-European businesses as the rules will be the same across all countries, which means less red tape and makes it easier to move data geographically.

"But credit industry players need to gear up for more explicit consent, data breach reporting, mandatory data protection officers with a degree of independence, individuals having rights to transfer their data from company to company. For organisations merely processing data for another business, they will now have direct data protection responsibilities."

The proposals will now be passed on to the European Parliament and EU Member States meeting in the Council of Ministers for discussion. They will take effect two years after they have been adopted.

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# Right to be forgotten on web may include debts

Regulations will be binding for member states if adopted

**Significant reforms** to the way data on individuals and businesses is used and stored have been proposed by the European Commission (EC).

The EC has suggested radical updates to the 1995 EU data protection rules designed to strengthen online privacy rights and boost Europe's digital economy.

However, experts say the knock-on effect in the credit reference industry could be significant. The reforms are regulations, which have to be implemented by law and are not open to interpretation by member states.

Equifax external affairs director Neil Munroe said the regulations are designed with the online environment in mind. "The industry will have to work hard to get some exceptions carved out," he said.

At the heart of the proposals



for consumers is easier access to their data and the 'right to be forgotten', which would allow individuals to delete information if there were no legitimate grounds for retaining it – without exemptions this could also apply

to past debt records.

Businesses will face a single set of rules on data protection across the EU, designed to remove administrative burdens.

Firms handling data will also have to notify a national supervisory authority of data breaches within 24 hours.

Mike Bradford, director of consultancy Regulatory Strategies, said: "This is good news for pan-European businesses as the rules will be the same across all countries.

"But credit industry players need to gear up for more explicit consent, data breach reporting, mandatory data protection officers with a degree of independence, and individuals having rights to transfer their data from company to company."

The proposals will now be debated, but would not take effect until two years after adoption.