

Schedule of Records for FOI Request No. 156/455/2012

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3	E-mail – Proposals for General Data Protection Regulation	Page 1	Part Granted	Part of page 1 refused under Section 28(1)
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5	E-mail – Facebook’s submission on the European Data Protection Proposals	Cover page. Submission	Part Granted Granted	Part of (cover) page refused under Section 28(1)
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I refer to your recent e-mail in relation to the above.

The position is that paragraph 1 of the Second Schedule to the Data Protection Act 1988 provides that the Data Protection Commissioner "shall be independent in the performance of his functions".

From :

To: info@justice.ie

cc:

Date : 26/03/2012

Subject: Data Protection and Facebook

Hi, I'm working on an article regarding Data Protection online and Facebook. I have in that regard made Data Access Requests to Facebook and numerous other companies, and I know by fact that Facebook won't give me (or anyone else asking for access) the amount of data I am entitled to.

Everyone are, according to EU-regulations, entitled to be given the total amount of information held on them within 40 days. This also applies to a company like Facebook, but I've been in touch with the Irish Data Protection Commision. They told me that Facebook has been allowed to not hand out all the information they hold about their users until this July. Meaning that the Irish Data Protection Commision effectively are allowing Facebook to operate outside of the legal borders until this summer, and that Facebook at the time being are illegally withholding information about its users.

What does the department of Justice think of this?

The Irish Data Protection Commision is allowing Facebook to avoid data request from throughout Europe for several months in order to give FB time to make sure everything else is complying to Irish and European laws and regulations. Does the department of Justice agree that this is the right way to do it?

Thanks for your response.

With regards;



Briefing for meeting with Facebook on 9 February

08/02/2012 13:23

History:

<<< Attachment 'Briefing for Minister - Facebook meeting.doc' has been archived by user
'LR/JSECTOR' on '09/08/2012 18:24:06'. >>>

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Reform of EU data protection regime

Briefing Note

Existing EU Data Protection Framework

1. The centrepiece of existing EU legislation on personal data protection is Directive 95/46/EC (Data Protection Directive) which seeks to reconcile the protection of personal data with the free flow of such data within the internal market and to countries outside the EU. The Directive has been transposed into national law in the Data Protection (Amendment) Act 2003
2. This Directive is complemented at EU-level by Framework Decision 2008/977/JHA (Data Protection Framework Decision) which makes provision for the protection of personal data in the context of police and judicial cooperation in criminal matters. The Framework Decision applies to the cross-border exchanges of personal data within the EU and not to domestic processing operations in Member States.

Lisbon Treaty

3. The Lisbon Treaty contains new data protection provisions which are intended to further strengthen EU data protection safeguards. Article 16 of the Treaty on the Functioning of the European Union (TFEU) has introduced a specific legal basis for the adoption of rules on the protection of personal data. In addition, Article 8 of the Charter of Fundamental Rights of the EU enshrines protection of personal data as a fundamental right.

European Commission proposals

4. Following completion of an extensive consultation process, the European Commission has tabled an ambitious package of proposals that are intended to replace both the Directive and Framework Decision referred to above. The proposals were adopted on 25 January.
5. The proposals are due to be discussed by national data protection experts in a Council Working Group; the first meeting is scheduled for 23/24 February. These discussions will take place under the Danish and Cypriot Presidencies during 2012 and will continue under the Irish presidency of the Working Group in 2013. The European Parliament will also become involved in discussions at a later stage under co-decision arrangements.
6. The Commission's proposals are lengthy, detailed and complex (while the 1995 Directive contains 34 sections, the proposed replacement contains 91 sections). It is also notable that the Commission is proposing to replace a Directive, which must be transposed into national law, with a directly-applicable Regulation. While the Commission will seek to justify this on the basis that uneven transposition of the Directive across member States has created barriers for

- e. The Commission wants to facilitate 'data portability', i.e. make it easier in future for individuals to transfer their own personal data from one service provider to another (article 18). It remains to be seen whether this requires resolution of any technical difficulties.
 - f. The Commission is proposing that in certain cases data controllers will be required to perform 'data protection impact assessments' (articles 22 and 33). Here also, it will be necessary to respect proportionality.
 - g. Where, for whatever reason, breaches of security lead to unauthorised or accidental loss or disclosure of data, the Commission is proposing the companies and bodies concerned report them immediately to national Data Protection Commissioners. This may encounter problems and involve additional expense because, for example, an unauthorised breach may only come to light some time after it has happened. Moreover, individuals will be permitted to report such breaches even where the infringements have happened outside the EU.
9. For the benefit of US companies with establishments in the EU, the European Commission is organising a conference on "Privacy and Protection of personal data" on 19 March in Washington D.C. This will provide an opportunity for US-based executives to interact with relevant Commission officials; the Commission also wants member state representatives to attend and has issued an invitation. No decision has been taken here yet on whether to attend.

Next steps

10. The Department of Justice and Equality is seeking the views and input of relevant stakeholders in the coming weeks prior to the commencement of detailed discussions in late February. Any submission from Facebook would be welcome. The overall objective in the forthcoming negotiations will be to ensure that an appropriate balance continues to be maintained between the need to safeguard personal data and ensuring the free flow of such data within the internal market and, subject to appropriate safeguards, to countries and destinations outside the EEA. We must also seek to ensure that the interests and jobs created by stakeholders operating in Ireland are protected.

February 2012

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Fw: Proposals for General Data Protection Regulation

10/02/2012 09:44

Facebook met with the Minister yesterday and will make a submission to us on the DP proposals.

Regards

----- Forwarded by

02/2012 09:42 -----

From:

To:

Date:

Subject:

ICE

For info.

.R/JSECTOR on 09/02/2012 17:21 -----

From:

To:

Cc:

Date:

Subject:

Apologies for not getting back to you - I've forwarded the message to Google (and will follow up with them by phone tomorrow to confirm). I'm waiting on contact details for Facebook, but I'll have those in the morning also and will deal with them then.

I'll confirm both of these with you via email in the morning.

Regards

From

Sent

To: I

Subject: Proposals for General Data Protection Regulation

Hi

I am wondering if your Department has decided to consult in relation to the Data Protection Regulation or if you will give us contact details so that we can do the necessary consultation?

Regards

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Fw: Briefing for meeting with Facebook on 9 February

Noreen X. Walsh to:

13/02/2012 10:48

Here is the briefing note Seamus prepared for the meeting with Facebook. It is probably too detailed for your purposes but you may be interested in the first 5-6 paragraphs.

Regards

Noreen

Noreen Walsh
Civil Law Reform Division

----- Forwarded by

on 13/02/2012 10:42 -----

From:

To:

Cc:

Date:

Subject:

08/02/2012 13:23

Briefing for meeting with Facebook on 9 February

!@JUSTICE

USTICE, I

I/JELR/JSECTOR@JUSTICE



Briefing for Minister - Facebook meeting.doc

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Reform of EU data protection regime

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- e. The Commission wants to facilitate 'data portability', i.e. make it easier in future for individuals to transfer their own personal data from one service provider to another (article 18). It remains to be seen whether this requires resolution of any technical difficulties.
 - f. The Commission is proposing that in certain cases data controllers will be required to perform 'data protection impact assessments' (articles 22 and 33). Here also, it will be necessary to respect proportionality.
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February 2012

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From :

To: "dataprotectionproposals@justice.ie" <dataprotectionproposals@justice.ie>

cc:

Date : 30/03/2012

Subject: Facebook's submission on the European Data Protection Proposals

Dear Sir/Madam

Please find attached Facebook's submission to the Irish government's consultation on the EU Data Protection proposals. Please don't hesitate to contact me should you have any further enquiries.

Best

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Facebook's views on EU Data Protection Regulation – 30th March 2012

This paper sets out the views of Facebook on the European Commission's proposal for a Regulation "on the protection of individuals with regard to the processing of personal data and on the free movement of such data" (hereafter referred to as the 'Regulation').

Facebook's mission is to give people the power to share and make the world more open and connected. With over 800 million users worldwide, the impact on people's lives ranging from active participation in political dialogue to personal stories of families being reunited is unprecedented.

Facebook is also a driver of economic growth and job creation. A recent study from Deloitte found that Facebook added more than €15 billion in value in the European Union in 2011, supporting more than 230,000 jobs. Facebook therefore welcomes the fact that one of the objectives of the European Commission in proposing the new legislative framework on Data Protection is to foster growth and jobs.

The revision of the Data Protection Directive has the potential to facilitate innovation, and provide consumers with greater transparency and control. Facebook believes that it is possible to have sound privacy regulation and a thriving digital sector. The new legislative framework should focus on encouraging best practices by companies like Facebook rather than on setting out detailed technical rules that will not stand the test of time and may be frustrating and costly for both service providers and users.

This paper addresses ten key aspects of the Regulation indicating which elements Facebook encourages policy makers to consider revising. We stand ready to discuss points of detail about how the legislation might be improved with policy makers, Internet user groups and other organisations in the Internet eco-system.

We hope that these comments will assist the Irish Government in making its input to the debate at EU level.

1. Data Protection Authority (DPA) competence

The core principle of a single DPA having competence across the EU for multinational companies is welcome, though we have concerns about related provisions which could undermine this. It should also be clarified that the "one stop shop" principle applies to a co-controller based outside the EU when there is already an EU based controller within the same corporate group,

The proposed Regulation provides that the Data Protection Authority (DPA) of the country hosts the European Headquarters of a business it has jurisdiction on behalf of the rest of the EU.

Facebook welcomes this provision and the European Commission's initiative to bring about more harmonization to EU Data Protection legislation and especially DPA jurisdiction by creating a 'one-stop-shop' – ie a single regulatory authority for the whole EU market. Since 2010, Facebook Ireland Ltd has provided Facebook users in Europe with their service, and has been subject to oversight by the Office of the Data Protection Commissioner (DPC) for compliance with Irish data protection law.

Facebook is a leader among global Internet service providers in its transparency and willingness to engage with European DPAs and will continue to take this constructive approach to meeting its obligations to its users. Being established in Ireland, the DPC is Facebook's lead DPA. Facebook has recently been the subject of a thorough and detailed audit by the DPC, published at our volition on 21 December 2011, on its practices and policies. Substantial resources were dedicated to ensure that the DPC had all the information it needed to conduct a comprehensive audit. The audit involved three months of rigorous examination, and the final DPC report demonstrated how Facebook adheres to European data protection principles and complies with Irish law. Facebook believes that these practices are extremely important in demonstrating compliance with the law and would like to obtain legal certainty that a true 'one-stop-shop' will be applied in Europe.

Article 51 provides that when a data controller and/or data processor is established in several Member States of the European Union the responsible DPA will be the one of the main establishment. However, it remains unclear whether the 'one-stop-shop' principle applies in the case where a controller or processor is based outside of the EU. In the case of Facebook, Facebook Inc (based in the US) is a data processor for Facebook Ireland. If the relationship between these entities was to change, and Facebook Inc were to be regarded as a data controller for the purposes of the regulation, it would not be able to benefit from the "one-stop-shop" principle. In order to bring about more clarity and legal certainty Facebook would urge policy makers to amend the rules dealing with the applicability of the law (Article 3), so that if there is already an EU based controller within a corporate group, that controller should be responsible for compliance in respect of the relevant data processing, as that provides the greatest degree of certainty for both international companies and individuals. Facebook believes that this would enhance the objectives that the European Commission had in mind in ensuring that the 'one-stop-shop' is robust and applies to all controllers and processors regardless of where they are established when the Regulation applies.

Facebook is also concerned that there are a series of articles that undermine the power of the leading DPA, which could lead to inconsistencies in the application of the regulation and create legal uncertainty for businesses. In particular:

- Mutual assistance - Under Article 55(8), an EU DPA can take a provisional measure, if the lead DPA does not answer their request within one month. The DPA of the main establishment might have legitimate reasons for delaying the adoption of a provisional measure and this should not undermine its competence.
- Joint operations of supervisory authorities (Article 56) - The right for each DPA to participate to joint operations equally raises significant risks with regards to the 'one-stop-shop' principle. As we understand it the proposal is that any EU DPA would have the right to be involved in a joint investigation with the lead DPA. The lead DPA could even confer their investigative and executive power to another DPA. This creates significant legal uncertainty for businesses, which have been dedicating resources to cooperating and dealing with their lead DPA.
- Consistency mechanism (Articles 57 – 63)- This provision is aimed at ensuring unity of application of the Regulation in relation to processing operations, which may concern data subjects in several Member States. Facebook supports the objective, however some of these provisions raise a risk for the lead DPA having its power undermined by the European Data Protection Board (EDPB), the European Commission and other DPAs. This is another potential area of legal uncertainty for businesses and risks creating long delays in key decisions, which could have a significant impact on innovation cycles.

2. Controller/Processor

Proposals regarding the definition of the data controller need to be narrowed down to ensure that companies can operate efficiently with legal certainty.

For the purposes of this Regulation, the data controller for EU Facebook users is considered to be Facebook Ireland Ltd and Facebook Ireland Ltd's data processors include Facebook Inc in California. Facebook would like to maintain the clarity of this structure. Facebook has for a long time fully accepted its responsibility to its users in Europe and since 2010, these users have been provided with their service by Facebook Ireland. This structure is compliant with Irish data protection law and is subject to oversight by the DPC.

Facebook is concerned, however, that the concept of data processor in the Regulation is not clearly defined and, as a result, there may be situations where a data processor may unjustifiably be regarded as a data controller. For example, under Article 26(4), if a

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processor is considered to be taking independent decisions then that processor will be deemed as a controller. Facebook believes that the interaction between the two concepts might raise practical difficulties when a data controller and a data processor are part of the same company group and both parts of the group collaborate on a daily basis. The policies and protocols will be defined by the data controller, but often interpreted and implemented independently by the data processor. To avoid any legal uncertainty, Facebook suggests therefore that the definition of data processor is modified to allow certain elements of decision-making.

Article 22 introduces new accountability provisions on controllers. These include requirements to demonstrate compliance with the Regulation through the adoption of internal policies, assignment of internal responsibilities and verification of compliance. Facebook agrees with these provisions, however there may be some difficulty in situations where the level of prescription in the Regulation is such that they may not reflect practices that are otherwise appropriate to safeguard personal data. Facebook therefore suggests that this Article requires further consideration by policy makers.

3. Privacy by default/privacy by design

'Privacy by design' is a welcome principle but the accompanying 'privacy by default' principle takes insufficient account of the sharing ethos underpinning social network services. The Regulation should have respect for the context in which data is collected and processed.

Facebook welcomes the introduction of the 'privacy by design' principle in Article 23. Privacy is at the core of everything that Facebook does and, as part of its work with the DPC, Facebook has made privacy by design a key component of its privacy programme.

Facebook believes that people should have control over each piece of content they post. That is why Facebook empowers people with robust tools and educates them with tool tips and confirmation dialogs the first time they share, which helps to ensure that they are sharing with the people they want and that they know how to adjust their settings for the future.

Facebook regrets however that this provision does not take into account the specific nature of social networking where the very reason that most people join is to share and connect with others. Specifically, Article 23 also introduces the notion of 'privacy by default' and requires that, by default, only personal data that are necessary for a specific purpose are to be processed. It further requires that by default 'personal data are not made accessible to an indefinite number of individuals'.

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At Facebook, the recommended initial account settings are chosen to allow people to easily find and connect with their friends while protecting more sensitive information. More importantly, with the inline controls introduced in August 2011, people are able to choose their privacy settings each and every time they post content by deciding the audience to whom it is viewable.

Facebook also believes that settings should be age-appropriate. This is why special limitations are in place for users under the age of 18. These automatically limit the under 18's sharing to a much smaller subset of people, which substantially reduces their visibility. Under 18s also cannot have public search listings, so their profiles do not show up in public search engines until they have turned 18.

Facebook therefore suggests that this provision is revisited to take into account services that are expressly designed for the sharing of personal data, such as social networking sites. The Regulation should have respect for the context in which data is collected and processed.

4. Children

Facebook broadly supports the specific proposals around children and data protection and suggests that a harmonized definition of a *child for the purpose of data processing* is set at under 13.

Facebook believes that Internet services should be designed in an age-appropriate way. Our present policy is that you must be 13 to have a Facebook account and there are different privacy settings in place for users aged between 13-17 as described above.

The Regulation defines a "child" as being anyone under 18. Facebook questions whether a general definition is appropriate in the context of this regulation and whether this is the appropriate age in relation to data processing of a child in all contexts. If the definition is to remain in the regulation Facebook would recommend a harmonized definition of a *child for the purposes of data processing*, set at the age of under 13, in line with current practices.

Facebook welcomes the specific provision in Article 8 that for online services parental consent is only required for children under 13. Under the same provision "verifiable parental consent" is required "taking into consideration available technology". Although helpful, it is still unclear in what form verifiable consent should take and this is left to be defined by the European Commission at a later date. Facebook believes that many innovative solutions can be found for challenges on the Internet, including the provision

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of parental consent, and would therefore wish to see these provisions implemented in such a way that they encourage rather than limit this innovation.

Facebook supports initiatives aimed at providing children with specific educational material using simple language, explaining the privacy policy and empowering them to give informed consent about the processing of their data.

5. Right to be forgotten

The right to be forgotten needs very careful consideration. As drafted, it raises major concerns with regard to the right of others to remember and of freedom of expression on the Internet. There is also a risk that it could result in measures which are technically impossible to apply in practice and therefore make for bad law. A right balance should be found between data subject's right to get their data deleted, the fundamental rights of other individuals and the reality of the online environment.

The proposal prescribes a right for people to have their data deleted and also requires data controllers, to take all reasonable steps, to obtain erasure of content copied to a third party website or application. It is important to differentiate between three quite different aspects to the 'right to be forgotten':

- The *first* is how people who have posted personal information online can later delete that information. Facebook believes that this is a right people should have at any time and their decisions should be complied with and respected. This is something that Facebook already offers – users can delete individual items of content they have posted on to the service including their whole account at any time.
- The *second* relates to the provision under Article 17(2), which would require deletion of data that has been copied to another service. Such obligations are unreasonable and not feasible for services like Facebook since we cannot control data that has been copied to another service. In order to meet such obligations it would mean that service providers would be obliged to 'monitor' peoples' activities across the Internet. Facebook is strongly concerned that it could also lead to the interpretation that intermediary services could be considered responsible for erasing any content related to the data subject that requests it. This is technically impossible and directly conflicts with the way the Internet works and how the current liability status of intermediaries is designed.
- The *third* is the idea that you can insist that information that others have posted about you be deleted - this is particularly contentious. It is clear that there is a potential conflict between the right for people to express themselves and the

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privacy rights of others. Facebook urges policy makers to consider fully the implications on the open Internet and personal expression as they determine the right balance. The definition of freedom of expression contained in Article 81 and further clarified in Recital 121 is defined quite narrowly and should be extended to cover for example mere expressions of opinion, user generated content and more generally recognise the nature of new forms of communication such as blogging and social networking.

Finally, the debate on the "right to be forgotten" affects a number of Internet services, which rely on user-generated content. This issue is not unique to Facebook or social networking. Policy makers should take into account the "right of others to remember" and reach a balanced conclusion which respects freedom of expression.

6. Consent

Users should be able to exercise control over what personal data companies collect from them and how they use it but the requirement for consent should not lead to an overly disrupted or disjointed internet experience.

The Regulation provides enhanced requirements when controllers rely on data subject consent to legitimize data processing.

It is important to keep in mind that services like Facebook are designed for people to be able to connect and share information. The audit conducted by the DPC at the end of 2011 determined that in the case of a social network, a user provides consent upon registering with the service. Furthermore, Facebook provides extensive information on the site about how information is used and people understand how the service works. In addition, users need to provide their specific and express consent to developers at the time when they download a new application.

The highly prescriptive nature of the requirements for consent contained in Articles 4(8) 5(2) and recital 25 could potentially require more intrusive mechanisms to ask for consent for specific activities. This carries the risk of inundating users with tick boxes and warnings. As well as affecting the user experience, this inevitably will lead to a potential 'devaluation' of the principle, and may make it harder for users to make judgments about when it is appropriate to give consent or withhold it.

Facebook urges policy makers to consider fully the implications of such overly prescriptive provisions that would have an adverse effect on user-experience and could risk undermining the objectives sought.

7. Security / Data Breach notification

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Consumers should have a right to secure and responsible handling of personal data though there is a risk that the overly prescriptive nature of the Regulation could create a level of bureaucracy that distracts organizations and regulators from achieving the principal objective of securing personal data.

Facebook takes the security of its users very seriously. The DPC commended Facebook on its ongoing focus on the protection and security of user data. It acknowledged that Facebook makes innovative use of technology to identify unusual or suspicious activity on an account. Facebook believes that policy makers should recognize innovative approaches to security. For example Facebook promptly warns users if their account has been compromised. It allows access to the last log-in attempts and provides users with one-time passwords when they log in from unsecured locations. We work closely with analysts, engineers, fraud experts and security investigators to prevent abuse, defeat criminals and help maintain Facebook as a trusted environment.

Facebook is concerned about the overly prescriptive nature of the proposed security provisions and questions whether they add anything to actually enhancing security. Under Article 31 data breaches must be notified to the relevant DPA where feasible within 24 hours. The DPA notification requirement is an absolute requirement, which means that, in theory, even the most minor breaches must be reported to the DPA. Facebook is concerned that this will not allow for effective prioritization of the most serious breaches. The obligations also contain prescriptive requirements for the provision of information to the DPAs, which creates an additional layer of bureaucracy. Furthermore, these requirements will force DPAs to redirect resources away from privacy enforcement and towards the processing of notifications. This new obligation, imposed with no regard to the scale or impact of the breach, will likely necessitate the provision of additional funding to DPAs. In the absence of such government funding, DPA's may not have appropriate resources to promptly deal with these continual, and often *de minimus*, notifications and this would undermine their effectiveness and the confidence in their role in ensuring that data controllers properly handle important personal data breaches.

Similarly, under Article 32 data breaches need to be notified to data subjects where the breach is likely to adversely affect the personal data or privacy of the data subject. In this instance, the notification must be made without undue delay. This provision raises the same concerns as in Article 31 namely that, the 24 hour deadline is too short, the information to provide to the data subject is extensive and the the data breach is not clearly defined.

Furthermore, given the broad definition of data subjects in the regulation there is a risk that Facebook would be obliged to inform all users who have accessed a page, group or

cons

profile that has been compromised. In order to avoid such a costly and cumbersome process, Facebook suggests that the scope of this article is narrowed down.

8. International data transfers

Progress has been made on the international data transfer front. But the Regulation fails to recognize the Safe Harbor and creates several requirements that will be of concern for international organizations.

The Regulation only allows data transfers outside of the EEA if the conditions set out in Articles 40-41 are complied with.

As with the current Directive, transfers to non-EEA territories with an adequacy finding are permitted. Under A41 (3) and (5) the European Commission can decide that a country, but also, an organization (for example, a private company) does not meet the adequate level of protection. Facebook urges policy makers to amend this provision and exclude international organizations from Article 41. The current practice is that a DPA is responsible for deciding the adequacy of a private organization to execute international transfers and this should remain the case.

To ensure the compliance of its international data transfers, Facebook employs different mechanisms including: users' consent; strong data transfer clauses in its data processing agreement; and also relies on the EU-US Safe Harbor Agreement. Facebook regrets the fact that the regulation does not make any reference to this instrument, which has helped many start-up companies grow and offer their services to more people in the confidence that their legal obligations are met. Facebook has for a long time fully accepted its responsibility to its users in Europe and participated in the EU-US Safe Harbor Agreement for data processing for several years. This was a good way to meet its obligations to protect the privacy rights of users in the EU before it had its operations well established in Europe.

Facebook is also concerned about the extra layer of bureaucracy, which is created by the requirement under Article 42(4). This refers to the situation in which the contractual clauses included in the data processing agreement are not standard and the controller is required to get the prior authorization from the lead authority (Article 34), or from the European Data Protection Board (Articles 57, 58).

Finally, Article 44 specifies the derogations from the general prohibition on international data transfers. The data transfer will be authorized if (1) it is based on a legitimate interest of the controller or processor and (2) the transfer cannot be qualified as frequent or massive, and (3) the controller or processor has assessed all the circumstances and adduced appropriate safeguards with respect to the protection of

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personal data. Whilst this is a positive development, the reference to "not being frequent or massive" is unhelpfully vague and subjective and reduces the potential beneficial effect of allowing organizations to determine the appropriate safeguards that may otherwise legitimize an international data transfer.

9. Sanctions

The high level of potential sanctions for breaches of the Regulation risks turning relations between companies and regulators into a combative one and may undermine the incentive of internet companies to invest in the EU.

The new proposal has a regime that includes very harsh fines for breaches of data protection law. These could be as high as 2% of the global revenue of a commercial enterprise.

Facebook is concerned that the magnitude of potential fines will create a disincentive for innovation and associated job creation among internet service companies. This could be a major blow for the European Union given that the internet sector is widely recognized as the major driver of job creation and growth in an otherwise moribund economic environment.

Moreover, it should be borne in mind that the level of potential sanctions might create a disincentive for open engagement by companies with regulators. Facebook's interaction with the DPC and other regulators across the EU has shown that a lot can be achieved through open and transparent dialogue, even on difficult issues. Irish data protection law, at present, obliges the DPC to seek an amicable resolution to disputes. This approach, with its focus on developing solutions and implementing best practice, is particularly beneficial when grappling with the data protection challenges which flow out of technological innovation. A regime that threatens businesses with such heavy fines would imperil this cooperation and drive people away from an open relationship with DPAs. Ultimately this will not deliver privacy benefits as effectively as a less litigious model likely to be engendered by the proposed sanctions regimes. The proposed regime will likely lead to lengthy court cases, potentially at considerable cost for the state.

10. Powers of the Commission to extend the Regulation

Proposals to grant the Commission wide-ranging powers to extend the Regulation should be considered carefully.

The Regulation includes 26 instances where the Commission has granted itself the power to extend the Regulation by adopting delegated acts in accordance with Article 86. Facebook is concerned that this approach might compromise the level of legal

(71)s

certainty afforded by the Regulation and could undermine the legislative competences of the European Parliament and the Council of the European Union.

Facebook urges policy makers to ensure greater certainty by designing the process as transparently as possible and give the opportunity to the industry and other stakeholders to participate in it.

Facebook Ireland
30 March 2012

Note of Meeting with Facebook

Attendance:

Facebook:

Civil Law Reform Division: Seamus Carroll; Noreen Walsh.

Date: 2 May 2012

Subject: European Commission Proposal for a General Data Protection Regulation

Mr Carroll explained that discussions on the Proposal for a General Data Protection Regulation at EU Working Group level were progressing slowly. Depending on progress made during the Cypriot Presidency we would hope to seek to achieve agreement on some aspects of the Proposal during the Irish Presidency.

We launched a public consultation process on the Proposal in March.

Mr Carroll explained that there are a number of important issues that need to be clarified during the discussions on the Proposal as follows:

- (1) Definition of personal data – there are concerns that the proposed definition is too broad; any reference to a person appears to be personal data. Based on the definition and the recitals it appears that context is important in determining whether or not data is personal data e.g. an IP address is not personal data per se but in certain circumstances it can become personal data.
- (2) Scope of the 'household exemption'. The meaning of 'gainful' is not clear, in particular it is not clear if it is only monetary reward or if it is broader. Mr Carroll raised the question of targeted advertising by Facebook, in particular the question as to whether Facebook remains the data controller in the case of targeted advertising. explained that an advertiser would indicate who they wished to target; Facebook would tell the advertiser how many members fall within the target audience; the advertiser will never know who the recipients of their targeted advertising are.
- (3) Requirement to have explicit consent – there are a number of concerns in relation to this issue in particular that this requirement could result in reduced protection arising from 'click fatigue'; consumers may simply click 'yes' to everything. In this context the Commission is anxious to distinguish between contractual and non-contractual situations; the issue of consent does not arise if processing is based on a contract. In this context said that there is a contractual relationship between Facebook and Facebook users. wondered what happens when the terms of the contract are revised; Facebook are concerned about what should happen every time they add a new feature/application. They are concerned that they will have to seek consent far more often than is reasonable in the context of a social network site.

6(1)

- (4) Profiling: the Commission is proposing much stronger controls in relation to profiling; profiling is useful in some contexts but there are also concerns that in some cases it can be damaging.

explained that Facebook does not carry out profiling; it does not follow people around on the web or look at search histories; what it does is to use information provided to Facebook but if a person 'likes' a particular page on Facebook it will be taken into account. If a Facebook user sees an advertisement that he/she would rather not see he/she can block it.

- (5) The meaning of the right to be forgotten will need to be clarified e.g. how it will operate where data is no longer under the control of the data controller, how it will apply to public authorities, etc.

indicated that the scope of the right to be forgotten is of concern to Facebook. Facebook has no problem removing personal data posted by an individual about himself/herself within Facebook over which they have control but there are difficulties in relation to data posted by others and data copied onto third party sites over which Facebook has no control.

- (6) There are enforcement issues in relation to the proposed territorial scope of the Proposal.

More generally Mr Carroll expressed the view that privacy by design and anonymising data should be encouraged and there should be a greater emphasis on risk assessment than on size of organisation in the Proposal.

indicated that Facebook would have concerns in relation to the large number of delegated acts provided for in the draft Regulation; this appears to defeat the objective of replacing the 1995 Directive with a more detailed and comprehensive Regulation.

Noreen Walsh
Civil Law Reform

6(2)



Update to Facebook's data use policy

11/05/2012 17:16

History

This message has been replied to.

Hi Seamus

I hope you've had a good week. I wanted to let you know about proposals for updates to Facebook's Data Use Policy (aka privacy policy) which have just been made public.

We are making improvements to our Data Use Policy in response to feedback from users and the results of a comprehensive audit of Facebook's international HQ, Facebook Ireland, recently undertaken by the Irish Data Protection Commissioner. The audit concluded overall that Facebook has a "positive approach and commitment ... to respecting the privacy rights of users" and encouraged us to enhance our Data Use Policy to be even more detailed about how we use information.

Today we're proposing improvements that respond to this feedback. We're adding more examples and detailed explanations to help users understand our policies. For example, we include additional tips, marked with a light bulb so users can find them easily. We've added new links to our Help Centre. We created a new section explaining how we use "cookies" and similar technologies and updated the corresponding explanations about cookies in our Help Centre. We also provide more information about how we use data to operate Facebook, to advertise, and to promote safety and security for Facebook users. These examples and explanations are designed to help users understand what the Data Use Policy means in every day practice.

In terms of process, Facebook's new draft policy will circulate through our site governance process. We have a transparent process for proposing updates to our governing documents. We post changes for notice and comment before they become effective on the site. If the comments reach a certain threshold, users have an opportunity to vote on the changes. Our users will be notified about these updates from an announcement on the left-hand side of our home page or from a megaphone announcement on mobile devices.

The changes build upon the privacy policy format we rolled out last year. Facebook thinks we've struck the right balance with our layered, flexible format. You can get the most important information up front and then drill down if you want more details in plain English.

For more information about today's rollout, you can find our blog post to users [here](#) which includes a link to detailed information and a step by step guide for users.

And of course, do not hesitate to let me know if you have questions or concerns. I'm happy to explain more about these changes.

Many thanks.

7



Re: Meeting with Facebook

Seamus S. Carroll to Paul O'Brien

02/02/2012 13:47

Cc:

Bcc: Noreen X. Walsh

Paul,
I am happy to attend.
Regards

Paul.

mus, Jane, Arising fro...

02/02/2012 12:25:05

From: Paul.
To: "Seamus S. Carroll"
Cc:
Date: 02/02/2012 12:25
Subject: Meeting with Facebook

Hi Seamus, Jane,

Arising from a meeting between Facebook senior management and the Taoiseach in Davos the Taoiseach promised to facilitate a meeting between y with Facebook, and with Minister Sherlock and relevant officials from D/JEI and D/Justice to discuss both data protection and copyright legislation.

This meeting has been arranged for 7pm, Thursday 9th February in the Sycamore Room in Government Buildings.

Seamus, can the Department send the most appropriate official?

Jane, either yourself or Tom may wish to attend on behalf of the Minister.

Best regards,

Paul

Paul

8

Tá Roinn an Taoisigh meáite ar seilbhís phroifisiúnta, éifeachtach agus chúirtéiseach a sholáthar dár gcustaiméirí go léir. Chun amharc ar an Chairt do Chustaiméirí, cliceáil ar <http://www.taoiseach.gov.ie//irish/index.asp?docID=1763>

Is le haghaidh an duine nó an aonáin ar seoladh dó/di an t-eolas a seachadadh, agus d'fhéadadh ábhar faoi rún agus/nó ábhar faoi phribhléid a bheith istigh leis. Tá



RE: Proposals for General Data Protection Regulation
Noreen X. Walsh

09/02/2012 17:19

History:

This message has been forwarded.

Noreen,

Apologies for not getting back to you - I've forwarded the message to Google (and will follow up with them by phone tomorrow to confirm). I'm waiting on contact details for Facebook, but I'll have those in the morning also and will deal with them then.

I'll confirm both of these with you via email in the morning.

Regards

R

-----Original Message-----

From: Noreen X. Walsh

Sent: 09 February 2012 14:28

To:

Subject: Proposals for General Data Protection Regulation

Hi Richard

I am wondering if your Department has decided to consult in relation to the Data Protection Regulation or if you will give us contact details so that we can do the necessary consultation?

Regards

Noreen

Noreen Walsh

Civil Law Reform Division

Is le haghaidh an duine nó an eintitis ar a bhfuil sí dírithe, agus le haghaidh an duine nó an eintitis sin amháin, a bheartaítear an fhaisnéis a tarchuireadh agus féadfaidh sé go bhfuil ábhar faoi rún agus/nó faoi phribhléid inti. Toirmisctear aon athbhreithniú, atarchur nó leathadh a dhéanamh ar an bhfaisnéis seo, aon úsáid eile a bhaint aisti nó aon ghníomh a dhéanamh ar a hiontaoibh, ag daoine nó ag eintitis seachas an faighteoir beartaithe. Má fuair tú é seo trí dhearmad, téigh i dteagmháil leis an seoltóir, le do thoil, agus scrios an t-ábhar as aon ríomhaire. Is é beartas na Roinne Dlí agus Cirt agus Comhionannais, na nOifigí agus na nGníomhaireachtaí a úsáideann seirbhísí TF na Roinne seoladh ábhair cholúil a dhícheadú.

Más rud é go measann tú gur ábhar colúil atá san ábhar atá sa teachtaireacht seo is ceart duit dul i dteagmháil leis an seoltóir láithreach agus le mailminder[ag]justice.ie chomh maith.

The information transmitted is intended only for the person or entity to



RE: Proposals for General Data Protection Regulation

10/02/2012 11:12

Cc: "Noreen X. Walsh",

Seamus,

Thanks for that. I've confirmed with my contact from Google. She is going to discuss with management and will revert to me before close of play today to let me know if they will be making a submission.

Regards

R

-----Original Message-----

From: Seamus S. Carroll [mailto:

Sent: 10 February 2012 09:44

To:

Cc: Noreen X. Walsh

Subject: Fw: Proposals for General Data Protection Regulation

Richard,

Facebook met with the Minister yesterday and will make a submission to us on the DP proposals.

Regards

----- Forwarded by

1012 09:42 -----

From: Noreen X. Walsh

To: Seamus S. Carroll

Date: 09/02/2012 17:22

Subject: Fw: Proposals for General Data Protection Regulation

For info.

Noreen

----- Forwarded by Noreen X. Walsh.

From: "Richard

To: "Noreen X. Walsh"

Cc: "

Date: 09/02/2012 17:12

Subject: RE: Proposals for General Data Protection Regulation

Noreen,

Apologies for not getting back to you - I've forwarded the message to Google (and will follow up with them by phone tomorrow to confirm). I'm waiting on contact details for Facebook, but I'll have those in the morning also and will deal with them then.

I'll confirm both of these with you via email in the morning.

Regards



Re: Fw: Briefing for meeting with Facebook on 9 February

Noreen X. Walsh

13/02/2012 10:55

History:

This message has been replied to.

Thanks Noreen, will be in touch about date for meeting with Facebook.

Anne

Anne Farrell

Noreen X. Walsh

Anne Here is the briefing note Seamus prepared f...

13/02/2012 10:48:05

From: Noreen X. Walsh
To:
Date: 13/02/2012 10:48
Subject: Fw: Briefing for meeting with Facebook on 9 February

Anne

Here is the briefing note Seamus prepared for the meeting with Facebook. It is probably too detailed for your purposes but you may be interested in the first 5-6 paragraphs.

Regards

Noreen

Noreen Walsh
Civil Law Reform Division

----- Forwarded by Noreen X. Walsh

From: Seamus S. Carroll
To:
Cc:
Date: 08/02/2012 13:23
Subject: Briefing for meeting with Facebook on 9 February

[attachment "Briefing for Minister - Facebook meeting.doc"]

11



Re: EU Data Protection regulations - more detailed perspective

Seamus S. Carroll

07/03/2012 14:23

I look forward to receiving your paper. Perhaps we can meet up next time.
Regards

That's a shame. Unfortunat... 07/03/2012 14:17:03

From:
To: "Seamus S. Carroll"
Date: 07/03/2012 14:17
Subject: Re: EU Data Protection regulations - more detailed perspective

That's a shame. Unfortunately I'm only in Dublin on 14 and 15. We're finalising a paper setting out Facebook's views on the proposals which I will send to you at the end of this week. Hopefully useful for your meeting in Brussels.

Thanks

On 3/7/12 2:10 PM, "Seamus S. Carroll"

>
>Unfortunately I will be in Brussels at a meeting to discuss the data protection proposals on 14th and 15th; Will be here on 16th if that suits you.
>
>Regards
>
>
>
>
>From:
>To:
>
>Date: 07/03/2012 12:37
>Subject: EU Data Protection regulations - more detailed perspective
>
>
>
>Hi Seamus
>
>I am going to be in Dublin next week for a couple of days and if convenient
>I'd like to catch up with you to discuss more detailed aspects of the draft
>DP regulation following our meeting with you and your Minister last month.

12(1)

>Are you available on the morning of 15 March?

>

>Many thanks

>

>

>Description: Description: Description:
oid:image001.png@01C8F888.8FCCE630

and Ireland| facebook

>*****

>*****

>Is le haghaidh an duine nó an eintitis ar a bhfuil sí
dirithe, agus le

>haghaidh an duine nó an eintitis sin amháin, a
bheartaítear an fhaisnéis

>a tarchuireadh agus féadfaidh sé go bhfuil ábhar faoi
rún agus/nó faoi

>phribhléid inti. Toirmisctear aon athbhreithniú,
atarchur nó leathadh a

>dhéanamh ar an bhfaisnéis seo, aon úsáid eile a bhaint
aisti nó aon

>ghníomh a dhéanamh ar a hiontaoibh, ag daoine nó ag
eintitis seachas an

>faighteoir beartaithe. Má fuair tú é seo trí dhearmad,
téigh i dteagmháil

>leis an seoltóir, le do thoil, agus scríos an t-ábhar
as aon ríomhaire.

>Is é beartas na Roinne Dlí agus Cirt agus

Comhionannais, na nOifigí agus

>na nGníomhaireachtaí a úsáideann seirbhísí TF na Roinne
seoladh ábhair

>choluíl a dhícheadú.

>Más rud é go measann tú gur ábhar colúil atá san ábhar
atá sa

>teachtaireacht seo is ceart duit dul i dteagmháil leis
an seoltóir

>láithreach agus le mailminder[ag]justice.ie chomh
maith.

>

>The information transmitted is intended only for the
person or entity to

>which it is addressed and may contain confidential
and/or privileged

>material. Any review, retransmission, dissemination or
other use of, or

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material from any

>computer. It is the policy of the Department of
Justice and Equality and

>the Agencies and Offices using its IT services to
disallow the sending of

>offensive material.

>Should you consider that the material contained in this
message is

12(2)

Cc:
Date: 03/04/2012 14:22
Subject: Major developments in the data protection field - Développements majeurs intervenus dans le domaine de la protection des données

Mesdames, Messieurs,

Nous travaillons actuellement à la préparation de la prochaine réunion plénière du T-PD qui aura lieu du 19 au 22 juin 2012 à Strasbourg et sur les documents qui vous seront soumis à cette occasion. Je vous serais reconnaissante de bien vouloir nous informer dès que possible des développements majeurs survenus dans le domaine de la protection des données dans votre pays depuis la dernière réunion plénière du T-PD qui s'est tenue du 29 novembre au 2 décembre 2011. Vos envois seront compilés dans un document figurant à l'ordre du jour de la plénière du mois de juin. Grand merci par avance de nous faire parvenir votre contribution avant le 16 mai 2012. Cordialement

Le Secrétariat

Dear All,

We are currently working on the preparation of the next T-PD Plenary Meeting which will take place in Strasbourg from 19 to 22 June 2012 and on the documents which will be made available on this occasion.

I would be grateful if you could inform us, as soon as possible, on the major developments in the data protection field in your Country since the last T-PD Plenary which was held from 29 November to 2 December 2011. Your contribution will be included in a document mentioned in the draft agenda of the Plenary of June.

Thank you very much in advance.

Best regards

The secretariat



Fw: Major developments in the data protection field - Développements
majeurs intervenus dans le domaine de la protection des données

Noreen X. Walsh to:

03/04/2012 14:26

Gary

See e-mail below from the Council of Europe. Is there anything you would like to include in the document on major developments in the data protection field since November 2011?

Regards

Noreen

Noreen Walsh
Civil Law Reform Division

64



Re: Major developments in the data protection field - Développements
majeurs intervenus dans le domaine de la protection des données

Gary o: Noreen X. Walsh

03/04/2012 15:32

History: This message has been replied to.

What sort of things get reported on to give me an idea as obviously we concluded our Facebook
Ireland audit report as an example?

Noreen X. Walsh

----- Original Message -----

From: Noreen X. Walsh

Sent: 03/04/2012 14:26 GDT

To:

Subject: Fw: Major developments in the data protection field -
Développements majeurs intervenus dans le domaine de la protection des
données

Gary

See e-mail below from the Council of Europe. Is there anything you would like to include in the
document on major developments in the data protection field since November 2011?

Regards

Noreen

Noreen Walsh
Civil Law Reform Division



Re: Major developments in the data protection field - Développements
majeurs intervenus dans le domaine de la protection des données

Gary Noreen X. Walsh

15/05/2012 20:00

History: This message has been replied to.

Noreen,

Apologies for not replying sooner. In that case I would suggest that we reference our audit of Facebook as a significant development perhaps especially in light of the recent communication on social networks. If you want me to send you a few lines I can do that tomorrow.

Regards

Gary

Noreen X. Walsh

----- Original Message -----

From: Noreen X. Walsh

Sent: 10/05/2012 12:13 GDT

To: Gary

Subject: Fw: Major developments in the data protection field -
Développements majeurs intervenus dans le domaine de la protection des
données

Gary

I am wondering if you have anything that you would like to include in the CoE report on developments since November 2011 (see e-mails below).

Thanks

Noreen

Noreen Walsh
Civil Law Reform Division

----- Forwarded by Noreen X. Walsh

10/05/2012 12:12 -----

From: Noreen X. Walsh/

To: Gary

Date: 04/04/2012 15:22

Subject: Re: Major developments in the data protection field - Développements majeurs intervenus
dans le domaine de la protection des données

Gary

Here is the report that was issued by the CoE for last December's T-PD meeting.

Regards

Noreen

Attachment "CoE Major Developments National Reports December 2011.pdf" deleted by Gary

Noreen Walsh

16



Re: Major developments in the data protection field - Développements
majeurs intervenus dans le domaine de la protection des données

Noreen X. Walsh to: Gary

16/05/2012 09:41

Thanks Gary, it would be great if you could send me a few lines on the Facebook audit.

Regards

Noreen

Noreen Walsh
Civil Law Reform Division

Gary T. Davis

Noreen, Apologies for not replying sooner. In that...

15/05/2012 20:00:54

From: Gary
To: Noreen X. Walsh
Date: 15/05/2012 20:00
Subject: Re: Major developments in the data protection field - Développements majeurs intervenus
dans le domaine de la protection des données

Noreen,

Apologies for not replying sooner. In that case I would suggest that we reference our audit of Facebook as a significant development perhaps especially in light of the recent communication on social networks. If you want me to send you a few lines I can do that tomorrow.

Regards

Gary

Noreen X. Walsh

----- Original Message -----

From: Noreen X. Walsh
Sent: 10/05/2012 12:13 GDT
To:
Subject: Fw: Major developments in the data protection field -
Développements majeurs intervenus dans le domaine de la protection des
données
Gary

I am wondering if you have anything that you would like to include in the CoE report on developments since November 2011 (see e-mails below).

Thanks

Noreen

Noreen Walsh
Civil Law Reform Division

17



Re: Major developments in the data protection field - Développements
majeurs intervenus dans le domaine de la protection des données

Noreen X. Walsh

18/05/2012 10:54

History: This message has been replied to.

Noreen,

My apologies. You should not have had to remind me twice never mind three times.

I hope this is sufficient.

Regards

Gary



FB Developments.doc

Noreen X. Walsh

Gary Would it be possible to send me a short not...

18/05/2012 09:53:08

From: Noreen X. Walsh
To: Gary
Date: 18/05/2012 09:53
Subject: Re: Major developments in the data protection field - Développements majeurs intervenus
dans le domaine de la protection des données

Gary

Would it be possible to send me a short note on the Facebook enquiry for the CoE major
developments report by early afternoon today as I have received an e-mail from the CoE indicating
that today is the deadline for sending in material.

Thanks

Noreen

Noreen Walsh
Civil Law Reform Division



Noreen, Apologies for not replying sooner. In that..

15/05/2012 20:00:54

Noreen X. Walsh

----- Original Message -----

From: Noreen X. Walsh
Sent: 10/05/2012 12:13 GDT
To: Gary
Subject: Fw: Major developments in the data protection field -
Développements majeurs intervenus dans le domaine de la protection des
données
Gary

186

I am wondering if you have anything that you would like to include in the CoE report on developments

The Office of the Data Protection Commissioner published on 21 December 2011 the outcome of its audit of Facebook Ireland (FB-I) which was conducted during the last quarter of 2011 including on-site in Facebook Ireland's Headquarters in Dublin. The Report was stated to be a comprehensive assessment of Facebook Ireland's compliance with Irish Data Protection law and by extension EU law in this area. Facebook Ireland has responsibility for all Facebook users outside of the USA and Canada.

The audit found a positive approach and commitment on the part of FB-I to respecting the privacy rights of its users. Arising from the audit, FB-I agreed to a wide range of "best practice" improvements to be implemented during the first 6 months of 2012 with a formal review of progress to take place in July 2012.

The Audit was the most comprehensive and detailed ever undertaken by the Office of the Data Protection Commissioner.

The Report records significant recommendations and commitments from Facebook Ireland in relation to:

- a mechanism for users to convey an informed choice for how their information is used and shared on the site including in relation to Third Party Apps
- a broad update to the Data Use Policy/Privacy Policy to take account of recommendations as to where the information provided to users could be further improved
- transparency and control for users via the provision of all personal data held to them on request and as part of their everyday interaction with the site
- the deletion of information held on users and non-users via what are known as social plugins and more generally the deletion of data held from user interactions with the site much sooner than presently
- increased transparency and controls for the use of personal data for advertising purposes
- an additional form of notification for users in relation to facial recognition/"tag suggest" that is considered will ensure Facebook Ireland is meeting best practice in this area from an Irish law perspective
- an enhanced ability for users to control tagging and posting on other user profiles
- an enhanced ability for users to control whether their addition to Groups by friends
- the Compliance management/Governance function in Dublin which will be further improved and enhanced to ensure that the introduction of new products or new uses of user data take full account of Irish data protection law.



Re: REMINDER/RAPPEL : Major developments in the data protection field
- Développements majeurs intervenus dans le domaine de la protection
des données

Noreen X. Walsh to:

18/05/2012 15:48

Corinne

Material in relation to major developments in Ireland is attached as requested.

Regards

Noreen Walsh
Civil Law Reform Division



Major Developments Report - 18.05.12.doc

19 (1)

Ireland

Major developments in the data protection field since 28th T-PD Meeting (November – December 2011)

On 21 December 2011 the Office of the Data Protection Commissioner published its Report on the outcome of its audit of Facebook Ireland (FB-I). The Report provides a comprehensive assessment of Facebook Ireland's compliance with Irish Data Protection law and by extension EU law in this area. Facebook Ireland has responsibility for all Facebook users outside of the USA and Canada.

The audit found a positive approach and commitment on the part of FB-I to respecting the privacy rights of its users. Arising from the audit, FB-I agreed to a wide range of "best practice" improvements to be implemented during the first 6 months of 2012 with a formal review of progress to take place in July 2012.

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- an additional form of notification for users in relation to facial recognition/"tag suggest" that is considered will ensure Facebook Ireland is meeting best practice in this area from an Irish law perspective
- an enhanced ability for users to control tagging and posting on other user profiles
- an enhanced ability for users to control their addition to Groups by friends
- the Compliance management/Governance function in Dublin which will be further improved and enhanced to ensure that the introduction of new products or new uses of user data take full account of Irish data protection law.

The report is available on the Data Protection Commissioner's website:
<http://dataprotection.ie>.

19(2)



Re: Catching up

14/08/2012 14:34

Cc: Noreen X. Walsh

Yes, 11.30 will be fine; you know where our office is. See you then.
Regards

Thanks Seamus. I have an event at breakfast tim...

14/08/2012 14:31:14

From:
To: "Seamus S. Carroll"
Date: 14/08/2012 14:31
Subject: Re: Catching up

Thanks Seamus. I have an event at breakfast time so I would most likely prefer a time after 11am. Shall we say 11.30 to be on the safe side?

On 8/14/12 2:26 PM, "Seamus S. Carroll"

>All well here; just back from holidays.

>

>Friday 14th September, at whatever time suits you, will suit me.

>Regards

>

>

>

>From:

>To: "Seamus S. Carroll"

>

>Date: 14/08/2012 13:53

>Subject: Catching up

>

>

>

>Hi Seamus

>

>I hope you've been able to have a break over the summer. I'll be in Dublin 12-14 September and it would be great to catch up with you on all things

>DPD. I'd also like to introduce you to [REDACTED] who also works on policy

>issues for Ireland. Can you please let me know when is good in your diary

>over those days?

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>Many thanks

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