



Privacy Desk

Data Protection and Privacy Newsletter

www.privacydesk.in

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Enforcement updates



Mortgage company settles Cyber Security charges

Residential Mortgage Services Inc. entered into a settlement agreement with the New York Department of Financial Services (NYDFS), to settle the violation under NYDFS Cybersecurity Regulation. The company had failed to adequately investigate and report a security incident in 2019. As part of the settlement Residential Mortgage Services agreed to pay USD 1.5 million penalty and undertake improvements to its existing cybersecurity program.



Consulting company fined 3.24 million MOP

GPDP, Macau imposed multiple fines totalling to MOP 3.24 million on a Honk Kong based consulting firm, Haoshilai Management Consulting Co. Ltd. for violating the Personal Data Protection Act by making telemarketing calls without having a legitimate basis and informed consent.



Facebook's GDPR consent case

None of Your Business reports that the case between Max Scherms and Facebook has reached the Austrian Supreme Court by way of an appeal. The case involves Facebook circumventing its consent obligation under GDPR in respect of its personalised advertising services.

Facebook claims that it processes personal data for the purpose of personalised advertising on the basis of fulfilling it as its contractual obligation. The lower courts had found that Facebook enjoyed discretion on basing such processing on 'consent' or 'contract'. The Supreme Court of Austria is asked to refer the case to European Court of Justice for seeking clarification on the issue.



Public agency fined by Italian watchdog

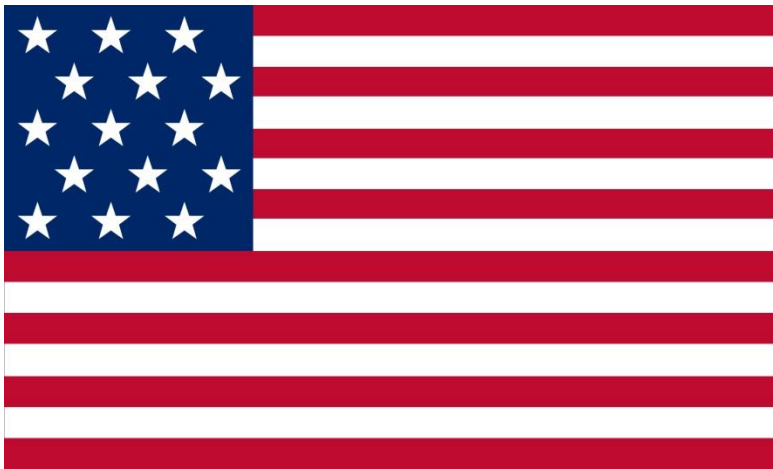
Italy's Data Protection Authority (Garante) concluded its investigation against state's social security benefits agency Istituto Nazionale della Previdenza Sociale (INPS) and revealed that the INPS had maintained and processed incorrect or inaccurate data. Furthermore, INPS also failed to adopt GDPR principles of privacy by design, privacy by default, data minimization and accountability. As a result, Garante fined INPS EUR 300,000.

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Regulatory updates around the globe



- **Regulation for the management of information security and cybersecurity practices approved in Peru.**
- **Additional CCPA Regulations empowering data privacy approved by California Attorney General.**



- **Cybersecurity Affirmative Defence Act passed in Utah USA.**
- **Federal Legislation for National Consumer Data Privacy introduced in USA.**

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EU updates

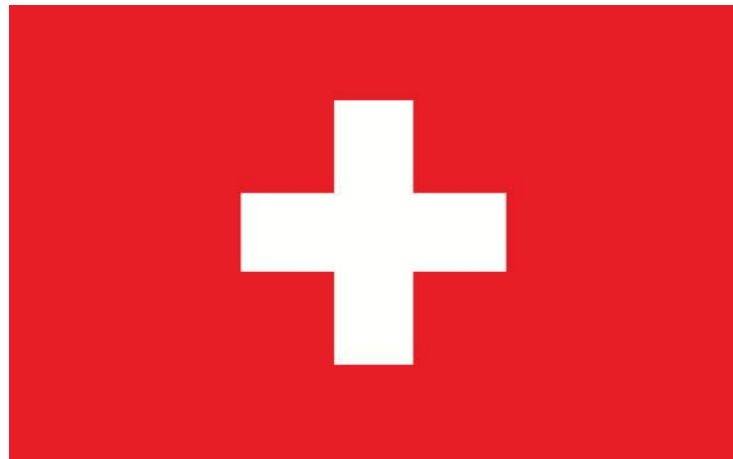




- **Draft resolution on evaluation of GDPR implementation and enforcement adopted by the European Parliament's Civil Liberties Committee.**
- **The European Data Protection Board adopts guidelines on Virtual Voice Assistants and Connected Vehicles.**
- **European Union Agency for Cybersecurity draft version of Cybersecurity Certification Scheme for Cloud Services endorsed by the European Data Protection Board.**

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Guidance Issued



- **Personal Data Protection Commission, Singapore releases guides on Managing and Notifying Data Breaches and Active Enforcement.**
- **Swiss Data Protection Authority releases guide on the new Data Protection Act.**



- **Information Regulator (South Africa) published guidance note on Application for Prior Authorization to processing of personal information.**



- **New guidelines on Personal Data Privacy Protection Law released in Qatar.**

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India Updates



Telecom Regulatory Authority of India



- **Telecom Regulatory Authority of India implements Telecom Commercial Communications Customer Preference Regulations to curb Unsolicited Commercial Communication.**
- **Government assures Co-Win app and portal complies data privacy. Source: Economic Times.**
- **New WhatsApp Privacy Policy violates IT Rules, 2011 and shall not be implemented – Ministry of electronics & information technology submits to Delhi High Court. Source: Economic Times.**

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News around the Globe



- **Consumer Protection Division of the Oregon Department of Justice launches “Do not Click” campaign to curb cyber scams.**
- **South Africa’s Information Regulator released statement raising concern over WhatsApp’s privacy policy.**
- **UK plans to diverge from EU GDPR says UK Digital Secretary – Report’s Reuters**

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