



# Privacy Desk

## Data Protection and Privacy Newsletter

[www.privacydesk.in](http://www.privacydesk.in)

A background image showing a business meeting with people in suits sitting around a table, with a laptop and papers visible. The image is dimmed and has a dark overlay.

# Enforcement updates



GARANTE  
PER LA PROTEZIONE  
DEI DATI PERSONALI



## Company fined in Italy for making illicit promotional calls

Garante, the Italian data protection authority imposed a fine of EUR 3.3 million on Sky Italia S.r.l. for violating the provisions of GDPR. The company had been processing personal data, which was obtained indirectly from third-party companies, in order to carry out promotional activities. The users who consented to communicate their data to third parties did not authorize their data to be used promotional purposes. The data protection authority thus imposed a fine and prohibited them from processing data for promotional purposes made with lists acquired from other companies.



## Norwegian toll company faces fine for illegal transfer of personal data

Ferde AS, a Norwegian toll company, was fined NOK 5 million, by the Norwegian data protection authority. The authority, upon becoming aware of information related to passages in toll rings being transferred to a data processor in China, initiated an audit into the companies procedures and measures to ensure adequate security for transferring information to China. Upon concluding the audit, the authority stated that Ferde AS has breached various provisions of GDPR, such as lack of valid legal basis for transferring personal data to China. Thus, the Norwegian data protection authority imposed a fine on the company.



## **Court orders surrender of personal data in course of pre-litigation dispute**

The Munich Higher Regional Court ordered the defendants of a case to surrender copies of all personal data, such as telephone notes, file notes, minutes, e-mails, letters and subscription documents for investments to the plaintiff. The court held such instance as a valid right to information under the provisions of the GDPR. The court held that letters and emails from the plaintiff to the defendant are to be regarded as personal data under the provisions of the GDPR, by understanding the term of personal data broadly.



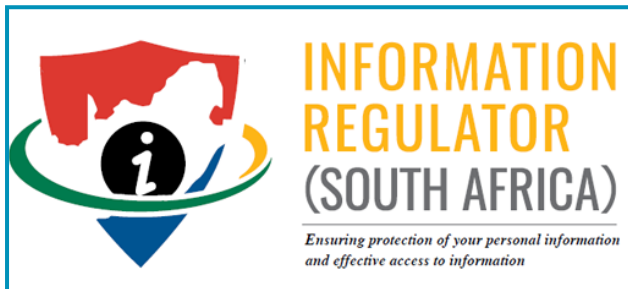
## Settlement against TikTok of USD 92 million gets early approval

The United States District Court for The Northern District of Illinois releases opinion on the settlement against TikTok, giving it a go ahead. The members of the class action suit had accused TikTok of unlawfully collecting their biometric and other personal data. Along with the settlement the court also has asked the social media company to refrain collecting users' biometric data, nor collect geolocation or GPS data, or transmit user data outside the U.S or store user data in databases outside the U.S, unless it makes a disclosure in its privacy policy in compliance with privacy laws.

A background image showing a business meeting with people in suits sitting around a table, holding pens and looking at documents. The image is dimmed and has a dark overlay.

# Guidance updates

**CNIL.**  
COMMISSION NATIONALE  
INFORMATIQUE & LIBERTÉS



- **CNIL, the French data protection authority, released white paper on data protection in payment transactions.**
- **The Consumer Affairs Agency released commentary on their whistleblowing guidelines.**
- **South Africa's Information Regulator released a guide on how to use the Promotion of Access to Information Act (PIPA) for access to any rights provided under PIPA and the Protection of Personal Information Act, 2013.**
- **CNIL publishes Q/A's regarding the collection of personal data in the workplace and on the use of the COVID health pass and conditions for verifying vaccination status**



A background image showing a business meeting with people in suits, hands clasped, and a laptop. The image is dimmed and has a dark blue overlay.

# Regulatory updates around the Globe



- **The Kids Internet Design and Safety (KIDS) Act has been reintroduced.**
- **Decree Law, amending the Italian data protection law, has been published in the Official Gazette and has entered into force.**
- **Florida's Protecting DNA Privacy Act has come into effect, from 1<sup>st</sup> October 2021.**

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# US updates

**epic.org** | ELECTRONIC PRIVACY  
INFORMATION CENTER

- **The Electronic Privacy Information Center published its comments on the newly formed National Artificial Intelligence Research Resource Task Force, advises the force to focus on privacy.**



- **New Jersey based fertility clinic reaches settlement of USD 495,000 with the Acting Attorney General of New Jersey over cybersecurity lapses and data breach.**



United States Senate Committee on  
**Homeland Security &  
Governmental Affairs**

- **The Homeland Security and Governmental Affairs Committee introduce the bipartisan legislation requiring critical Infrastructure owners and operators to report cyber-attacks.**



- **The U.S. Senate Committee on Commerce, Science and Transportation convened two hearings namely, “Protecting Consumer Privacy” and “Protecting Kids Online” on how to better protect consumer and children privacy.**

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# India updates



- **The Department of Telecommunications issued guidelines of storing customer application data.**
- **India's Personal data protection bill may become a business risk for the app, Truecaller. Reports Business Insider.**
- **New draft report on the personal data protection bill, likely to be circulated by November 6. Reports Hindustan Times.**

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# News around the globe





- **Germany's Federal Office for Information Security establishes the German National Coordination Center for Cybersecurity in Industry, Technology and Research.**
- **GDPR fines hit a total of EUR 984.47 billion in the 3rd quarter of 2021. Almost three times higher than fines imposed in 2020. Reports Finbold.**
- **Syniverse, a company which routes text messages of USA carriers, declares a hack of its internal systems. Reports Vice.**

# Contact Information



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