



Spain DPA's 1st annual report

Spain's Data Protection Agency's first annual report, for 1994, consists of a wide-ranging and detailed summary, with graphics, of the Agency's activities. It includes information on:

1. Files which have been registered, including different registration methods
2. Percentage of public and private files registered by region
3. Percentage of files transferred between public administration bodies and private entities and files which will be transferred across borders
4. Complaints and requests from individuals, of which 45% related to financial solvency and credit-worthiness
5. Inspection visits - eight during the year
6. Information to individuals, mainly by telephone but also by mail on request
7. Registration of codes of conduct - text included in the annual report's Annex II
8. Draft rules affecting the Data Protection Act.

The report also includes an international data protection review. There is a summary of the common position of the European Union's Data Protection Draft Directive. The report highlights some of the pending problems related to data protection, such as telecommunication services, health and genetic data and closed circuit television. The last section of the report deals with some very specific interpretation problems of the Data Protection Act which appeared during the first year of the Act's implementation.

The report includes in Annex III a comparison, in columns, of the text of the common position of the EU's Data Protection Draft Directive and of Spain's current Data Protection Act and also the related Statute and Royal Decrees.

This report was written by Professor Dr Olga Estadella Yuste of the Department of Public Law, Autonomous University, Barcelona. In *PL&B Newsletter* (June '95 p.11), she reviewed progress made in Spain in the first two years of its Data Protection Act and in June 1993 p.2, she analysed the law's provisions and principles.

Canada's Federal Privacy Commissioner's annual report

In his 1994-1995 Annual Report, Bruce Phillips, Canada's Federal Privacy Commissioner, urges the adoption of comprehensive privacy legislation covering both the public and private sectors and at both federal and provincial levels. He also advocates the establishment of an independent oversight and compliance mechanism to support such legislation, as well as an expert body similar to the US Office of Technology Assessment to systematically assess the social and technical impact of information technologies.

Reflecting the current technology revolution and its impact on individuals' right of privacy, Phillips puts forward his main message in the Report "If the world is changing in ways which threatens established and accepted rights, then so must change the laws which are needed to fortify and defend those rights."

In the main part of the Report, the Commissioner deals with the following issues:

- privacy, security and the information highway
- a Model Privacy Code for the Private Sector at the initiative of the Canadian Standard Association (See p.7)
- biomedical privacy, for example, drug testing, DNA testing in criminal investigations and a model Genetic Privacy Act
- safeguarding taxpayer information
- the latest court cases
- complaints
- inquiries
- monitoring compliance.

The 1994-1995 Annual Report may be obtained from the Office of the Privacy Commissioner of Canada, 112 Kent Street, Ottawa, Ontario, Canada, K1A 1H3. Tel: + (1) 613 995 2410, Fax: + (1) 613 995 1501.

ISBN 0-662-61956-0.

The Report is also available on audio cassette, computer diskette and on the Office's Internet home page at <http://info.ic.gc.ca/opengov/opc/privacy.html>