

Privacy Laws & Business

NEWSLETTER

data protection and privacy worldwide

No. 40

October 1997

Beyond the immediate priorities of adapting national privacy laws to meet the demands of the EU Data Protection Directive, and transferring personal data from EU Member States to countries without "adequate laws" (pp. 3,4,7,9), lie three areas of privacy which we cover in this issue.

The first, *excessive media intrusion*, highlighted by the tragic death of Princess Diana at the end of August, has found a response at the Council of Europe and stricter UK press rules (p. 17). The balance between the right to privacy and freedom of the press had already been addressed in the EU Directive (pp. 2,7) but now awaits interpretation in national law. In addition to media issues, the EU Directive also covers audio-visual data which includes everyday surveillance of us all by way of CCTV (p. 15).

The second, *privacy on the Internet*, and in the world of electronic commerce, is an important part of the European Commission's forward looking work programme (pp. 5-6) which covers the unfair collection of marketing data, digital traces left by the use of on-line services, the dangers posed by intelligent search agents and the lack of e-mail anonymity. Germany's Multimedia Law, in force since August 1st (p.18) and Ministers from 29 European countries addressed some of these issues (p.16). But US non-legal initiatives, such as the Worldwide Web Consortium's Platform for Privacy Protection and TRUST-e, also deserve our attention (p. 28).

The third, *genetic privacy*, concerns genetic testing for employers, police, insurers and governments (pp. 23-27). Should we accept genetic information as a vehicle for determining eligibility for employment, insurance, schooling or having a family? Our report includes recommendations for protecting our genetic information.

Professor Alan Westin puts all the above privacy issues and more into a cultural/historical perspective, gives his view on the current issues and makes some predictions for the next decade (pp. 20-22). *Privacy Laws & Business* will continue to inform and help you respond to these privacy challenges.



Stewart Dresner, Publisher

in this issue

- The future of data protection in Europe** 2
- Article 29 group advises on implementation of the EU Directive** 7
- Privacy Laws & Business Newsletter subscription form** 8
- Can Citibank's TBDF contract work for others in EU Directive context?** 9
- New UK Government: New data protection policies** 10
- Impact of the EU Data Protection Directive in the UK** 12
- News from around the world** 16
- German DPA meets new challenges with amendments to data law** 18
- Privacy overrules press freedom in Germany** 18
- Highest levels of awareness ever recorded in the UK** 19
- Struggles to defend privacy: challenges from 1950 to 2010** 20
- Dangerous curiosity: genetic testing by employers, police, insurers and governments** 23
- Two American initiatives to protect privacy on the Internet** 28

Publisher: Stewart H Dresner
Privacy Laws & Business

Roxeth House, Shaftesbury Avenue, Harrow,
Middlesex, HA2 0PZ, United Kingdom.

Tel: 0181 423 1300 (UK) +(44) 181 423 1300 (Int)

Fax: 0181 423 4536 (UK) +(44) 181 423 4536 (Int)

E-mail: info@privacylaws.co.uk

Web Site: www.thebiz.co.uk/privacy_laws

Copyright © 1997 Privacy Laws & Business ISSN 0953-6795