



(a regulation governing consent is to be preferred in any case)

- stepping up the data protection law provisions on disclosure of information before the closing of vital contracts governing, for instance, the relationships between landlord and tenant or relating to employment or other equally important fields
- replacing, as far as possible, the registration of data files with the supervisory body by the appointment of independent data protection officials
- strengthening the control powers of the Federal and of the Länder (state) Data Protection Commissioners.

### **Commissioners want extended powers**

The Commissioners recommend that the Federal Government and the legislator should, to the greatest extent possible, treat the public and private sectors in the same way. For example, it should be possible to appoint independent data protection officials within public bodies, as well as within private companies. It is also suggested that the text should explicitly recognise the independence of supervisory authorities, and extend their powers to enable checks for compliance to be carried out, regardless of

whether any data protection provisions have been violated.

With regard to the citizen-friendliness of the legislation, the Commissioners demand that the wording of the Act should be clear and intelligible. The Commissioners furthermore point out that the Government and the legislature need to ensure a high standard of data protection by preventing any deterioration of data protection in areas that do not fall under the Directive.

On the question of press exemptions, the Commissioners are willing to allow the press and broadcasters special exemptions only when they are necessary to safeguard freedom of expression.

The Federal Government was still drafting the amendments to the Data Protection Act at the end of February. Delay is partly due to the fact that there are also other Acts that have to be amended because of new data protection provisions.

**This is an edited version of a report on the German Data Protection Commissioners' 54th Conference by Helmut Heil, Regierungsdirektor at the Office of the Federal Data Protection Commissioner, Postfach 200112, 53131 Bonn, Germany.**

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### **1998 CONFERENCE CALENDAR**

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|------------------------|--|
| <b>May 5</b>           | <b><i>Privacy Laws &amp; Business 3rd Money Laundering Regulations Roundtable</i></b><br>Host: Financial Options, Manchester, UK. Attn: Gill Ehrlich, Coordinator,<br>Privacy Laws & Business, Roxeth House, Shaftesbury Avenue,<br>Harrow, Middx, HA2 0PZ, UK Tel: + (44) 181 423 1300 Fax: + (44) 181 423 4536<br>Email: info@privacylaws.co.uk Website: www.privacylaws.co.uk |
| <b>July 13-15</b>      | <b><i>Privacy Laws &amp; Business 11th Annual International Conference</i></b><br>St. John's College, Cambridge, UK.<br>Attn: Ms Gill Ehrlich, Coordinator, <i>Privacy Laws &amp; Business</i> see above   |
| <b>September 9</b>     | <b><i>Privacy Laws &amp; Business 4th Money Laundering Regulations Roundtable</i></b><br>Host: Royal Sun Alliance, Bristol, UK<br>Attn: Ms Gill Ehrlich, Coordinator, <i>Privacy Laws &amp; Business</i> see above   |
| <b>September 15</b>    | <b><i>Privacy Laws &amp; Business 9th Data Protection and Privacy Commissioners' Workshop</i></b><br>Santiago de Compostela, A Coruña, Spain. Subject to be announced<br>Attn: Ms Gill Ehrlich, Coordinator, <i>Privacy Laws &amp; Business</i> see above  |
| <b>September 16-18</b> | <b><i>20th International Conference of Data Protection &amp; Privacy Commissioners</i></b><br>Santiago de Compostela, A Coruña, Spain.<br>Tel: + (34) 1 308 4831/4702 Fax: + (34) 1 308 4790/4692  |