



Associate Editor

Eugene Oscapella
eugene@privacylaws.com

Editor & Publisher

Stewart H. Dresner
Tel: +44 (0)20 8423 1300
stewart@privacylaws.com

Newsletter Subscriptions

Gill Ehrlich
Tel: +44 (0)20 8423 1300
gill@privacylaws.com

Issue 58 Contributors

Reports by Eugene Oscapella
(unless stated otherwise)

Sophie Louveaux
Susan Singleton
Daniel Widstrand
Dr. Ulrich Wuermeling

Contributions

Contributions to this publication and books for review are always welcome. If you wish to offer reports or news items for consideration, contact: merrill@privacylaws.com

Published by

Privacy Laws & Business,
5th Floor, Raebarn House,
100 Northolt Road,
Harrow, Middx HA2 0BX, UK
Tel: +44 (0)20 8423 1300
Fax: +44 (0)20 8423 4536
internet: www.privacylaws.com

The *Privacy Laws & Business* International Newsletter is produced five times a year and is available on an annual subscription basis only. Subscription details are at the back of the newsletter. Whilst every care is taken to provide accurate information, the publishers cannot accept liability for errors or omissions or for any advice given. No part of this publication in whole or in part may be reproduced or transmitted in any form without the prior permission of the publishers.

Design by ProCreative +44 (0)20 8429 2400
Printed by Triumph Press +44 (0)20 8951 3883

ISSN 0953-6795

Identity theft on the rise in US

A recent report in the Wall Street Journal, cited in the Toronto's Global and Mail newspaper (April 12th 2001), reports that identity theft cost American consumers and merchants an estimated \$1 billion US last year. It states that the trend is increasing greatly across the United States. In January, the Federal Trade Commission received 2,330 telephone complaints a week from identity-theft victims, up from 285 the year before. Among the recent victims of identity theft are golfer, Tiger Woods, media mogul, Ted Turner and television host, Oprah Winfrey.

Hong Kong holds Privacy Week

The Office of the Privacy Commissioner for Personal Data (PCO) staged a Privacy Week from March 26th to April 1st 2001 to help raise public awareness of personal data privacy.

The Privacy Week was launched at the *E-Privacy in the New Economy* conference on March 26th by the Privacy Commissioner for Personal Data, Mr Stephen Lau. The conference dealt with consumer and e-privacy, transborder data flows, workplace surveillance, legal issues associated with e-commerce and privacy impact assessments.

As part of the Privacy Week, the PCO hosted the Asian Data Privacy Forum on March 27th. Privacy officials from throughout the Asia region exchanged their views and experiences at the Forum. Several other events, including those designed to increase the awareness of privacy issues among young people, took place during the week. Documents presented at the various Privacy Week events will be made available on the PCO web site.

For the PCO's website address see the directory on p.23.

Microsoft fined by Spain over employee data transfer

The Spanish government has fined Microsoft for improperly transferring employee data from Spain to a webserver located in the US. Microsoft was successful in getting the fines reduced from several hundred thousand dollars to about \$57,000. Of all the EU member states, Spain has the highest fines for data protection offences, ranging up to \$600,000 per offence.

The incident was revealed by Barbara Wellbery, formerly of the US Department of Commerce, in an article entitled "Employers Reviewing Safe Harbor as a Data Privacy Option" appearing in the February 25th edition of the BNA Human Resources International Report.

New Zealand applies to EU for recognition of adequacy

The New Zealand Office of the Privacy Commissioner has confirmed that the NZ Secretary of Justice wrote to the European Commission in early February advising of the amendments to the Privacy Act 1993 (PL&B Feb 01 p.11). In view of those amendments, the Minister formally requested that the EC consider recognising New Zealand as a country that provides adequate protection under the terms of Article 25 of the EU Data Protection Directive.

The letter of application outlined the key features of New Zealand's privacy legislation and the amendments and explained how the law met the Directive's requirements as elaborated in the Article 29 Working Party's content principles.

Blair Stewart, Assistant Privacy Commissioner, will present New Zealand's case at the PL&B Cambridge Conference.