

The class of 1 November will be about the proposal for a new General Regulation on the Protection of Personal Data.

In the class professor Zwenne will discuss 20 questions about the regulation.

The students attending are expected to answer all questions

Questions...

Part. 1

1. What EU instrument is currently the basis for harmonized protection of personal data in the union?
2. What is the problem with that instrument? Or, why do we need regulation?
3. What are personal data? Are phone numbers personal data? And IP-addresses? What about photo's? Can sounds or smells be personal data?
4. What activities with respect to personal data do *not* constitute processing of personal data?
5. You try to sell your old iPhone on eBay and in the context of that you process personal data. Would the regulation applicable to that?
6. Philips, a Dutch manufacturer of electronics processes personal data through an ICT-service supplier in India: will this fall under the scope of the regulation? And what if the data-subjects are residents of Beijing?
7. Should Facebook or Twitter comply with the regulation? Why?



Questions

Part. 2

8. Someone says: if the regulation applies, consent is required. Is that correct?
9. Can Albert Hein sell Bonuskaart data to health insurers?
10. A court orders UPC to provide to a copyright holder the subscriber details of 'uploaders'. What could be the processing ground for the provision of the data?
11. What could an issue be if an employer processes the employees' data on the basis of their consent?
12. Can consent be obtained through acceptance of general terms and conditions?
13. How old must someone be to give his/her consent?
14. How could Facebook verify its users' age?
15. What are 'special data' and for what reason does the regulation provide for a stricter rule for these?



Questions

Part. 3

16. Suppose you want to know how long a bookshop keeps records of the e-books you purchased. What instruments does the regulation provide to get that information?
17. Suppose the bookshop considers this information confidential, as it is essential to its business strategy. For this reason it will not tell you. What could you do?
18. What fines could be imposed on the bookshop?

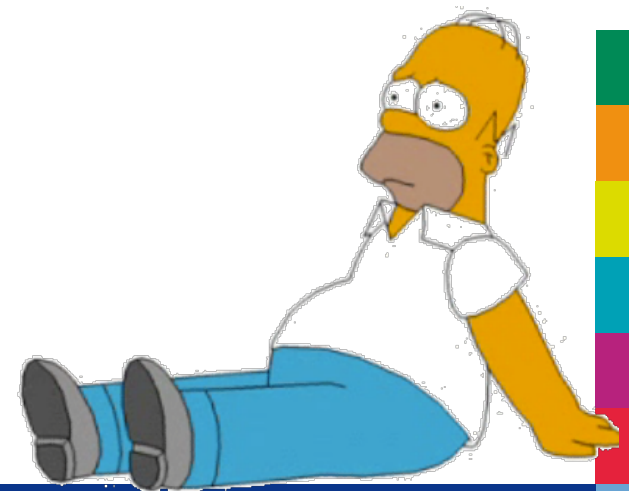


Questions

Part. 4

A French automotive company outsources its human resource management system to an Indian service provider. All HR-data will be stored and processed in Bangalore

19. What could to be done to comply with the provisions of Chapter V of the regulation?



Quiz questions

Part. 5

Article 17 of the regulation defines a right to be forgotten. There is some controversy about this right.

20. What arguments *for* and *against* this right can you think of?

