



Hosch & Morris
Attorneys and Counselors

INTERNATIONAL PRIVACY LAWS AND ENFORCEMENT ACTIONS UPDATE

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UT Law Essential Cybersecurity Law Conference
July 27, 2022

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WHAT WE WILL COVER



1.
**International
Privacy Laws**



2.
**Spotlight on EEA, Brexit &
APAC**



3.
**Recent
Enforcement Actions**

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INTERNATIONAL PRIVACY LAWS

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DATA REGULATIONS ARE INCREASING AROUND THE WORLD

	EU: General Data Protection Regulation (GDPR)		Singapore: Personal Data Protection Act 2012 (amended 2021)		Japan: Act on Protection of Personal Information (APPI) 2017
	Canada: Personal Information Protection and electronic Documents Act (PIPEDA)		UK: Data Protection Act of 2018 & UK GDPR; Privacy and Electronic Communications Regulations (PECR)		New Zealand: Bill of Rights Act (1990), Human Rights Act (1993), and the Privacy Act (1993) (amended 2020)
	Mexico: Federal Laws on Protection of Personal Data Held by Private Parties (2010)		Argentina: Personal Data Protection Law (PDPL), Decree 1558 of 2001		Republic of Korea: Personal Information Protection Act (2011) (amended 2020)
	Brazil: Lei Geral de Proteção de Dados Pessoais (LGPD)		Australia: Privacy Act (1988) (amended 2014) (under review by Attorney General), Notifiable Data Breaches scheme 2018		India: Draft of Personal Data Protection Bill (2019) (awaiting reintroduction before Indian Parliamentary Committee)
	China: Personal Information Protection Law (PIPL), Personal Information Security Specification of 2020, Cybersecurity Law		Israel: The Privacy Protection Act (PPA) 2017		"Adequate" Data Protection: UK, Andorra, Argentina, Canada, Faroe Islands, Guernsey, Israel, Isle of Man, Japan, New Zealand, Republic of Korea, Switzerland, and Uruguay

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PRIVACY / REGULATORY LANDSCAPE

- The privacy landscape is informed by each country's historical and cultural experience.
- The scope of regulations varies.
- The digital age has complicated privacy issues / problems:

- Insecurity
- Appropriation
- Distortion
- Induced Disclosure
- Re-identification
- Stigmatization
- Surveillance

- Unanticipated Revelation
- Unwarranted Restriction
- Dignity Loss
- Discrimination
- Economic Loss
- Loss of Self Determination
- Loss of Trust

VARYING SCOPE OF REGULATIONS

- **Differing Definitions** – covered data, covered individuals
- **Territorial Scope** – extraterritorial applications, cross-border transfers, data localization requirements
- **Responsibilities related to collection, processing, governance, record-keeping, and minimization.**
- **Individual Rights** – access, portability, deletion, etc.
- **Data Security** – protection of confidentiality, integrity, availability and resilience, processes for testing and monitoring effectiveness of security controls.
- **Data breach notification and cooperation with regulators.**
- **Remedies, liabilities, and penalties** – administrative fines, statutory penalties, private rights of action, criminal liability.

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