



# Data Privacy Laws & Regulations

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# What is Personal Data/Information?

- **Contact Details:** Name, Address, Email address, Phone number, National/State ID #
- **Online /Technical Identifiers:** Cookie ID, IP address, Location data, RFID tag, MAC address, Pixel tag, Browsing history, App & website usage data
- **Special Category data:** Race, Political or religious views, Health and biometric data, Genetics, Sexual Orientation.
- **IOT data collected:** Data from voice assistant, Electricity use, Laundry use, TV preferences.
- **Unencrypted, Encrypted, & Pseudonymized data related to an identifiable living individual**



# Anonymized vs. Pseudonymized

Information (name)	Anonymized	Pseudonymized
Peter	*****	4We8Kd
Annabelle	*****	L8Fg447bA
Mark	*****	KJDe23
Elizabeth	*****	Aq18zRe87
Mark	*****	KJDe23
Annabelle	*****	L8Fg447bA



# The Europe Union General Data Protection Regulation (GDPR) 2018

- **Consent:** be allowed to give explicit, unambiguous consent before the collection of personal data
- **Data Breach Notification:** organization is required to notify authorities and affected individuals within 72 hours of a data breach event of personal information.
- **Rights Given to Individuals:**
  - May request access to personal data. May ask how data is used, processed, stored, and transferred. Electronic copy must be provided free of charge.
  - May transfer their data from one organization to another at any time. Data must be in commonly used and machine-readable format.
  - May request that their data be deleted and/or stopped being processed.
  - May request that data be updated, completed, or corrected.



# North America

- **HIPAA (US) 1996:** Created national standards to protect sensitive patient health information from being disclosed without the patient's consent or knowledge.
- **CCPA (California) 2018:** Currently the strictest data privacy and digital consumer rights law within US borders. Known as "GDPR-lite." Seeks to:
  - Grant users rights over their data through access, transfer, editing, and deletion requests
  - Give consumers the ability to opt out of certain data-processing practices
  - Establish greater consequences for businesses that fail to adequately protect data
  - Shift accountability for data protection onto businesses that collect and handle user information



# Asia

- **Personal Data Protection Bill (India) 2019:** Sets rules for how personal data should be processed and stored, and lists people's rights with respect to their personal information.
  - Gives consumers the right to access, correct, and erase their data.
  - Allows consumers to transfer their data, including any inferences made by businesses based on such data, to other businesses.
  - requires all businesses to make organizational changes to protect data better. I.e privacy-by-design
  - all "sensitive personal data" be stored in India and that "critical personal data" not be transferred out of India.
  - the government can require any business to share valuable non-personal data
- **Data Privacy Act (Philippines) 2012:** Comprehensive law covering data privacy
  - Updated in 2016 to include the correct processes for pseudonymisation and anonymisation of data: how to prepare the data, the types of data allowed to be extracted, testing needed afterwards to ensure data cannot be re-identified without proper credentials.



# Future of Data Privacy Laws

- In 2020, data privacy legislation was considered in at least 30 U.S. states. However most of the bills failed to pass.
- International data transfers will remain an area of focus
- Washington Privacy Act 2021 - Broad scope of data privacy similar to CCPA



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