

## Data Protection

### ICO publishes Brexit statement

The Information Commissioner's Office (ICO) has published a short statement following the UK referendum result. It confirms that the ICO shall be discussing the implications of the result and its impact on data protection in the coming weeks.

At this stage, it is not clear how the UK will renegotiate its relationship with the EU. Once the UK formally leaves the EU, the General Data Protection Regulation (GDPR) will not apply in the UK. However, since the GDPR comes directly into force across the EU from 25 May 2018, it will apply in the UK in the interim period until the UK exits the EU. In any event, the territorial scope of the GDPR means that organisations collecting and using personal information from citizens in the EU will need to comply with it regardless of where they are located. UK businesses handling personal data should continue preparations for the GDPR.

Following Brexit negotiations, it is highly likely that the UK would be required to prove that it has "adequate" data protection standards in place in order to be classified as a "safe" destination for EU personal data. It seems highly likely that the UK will enact provisions identical or very similar to the GDPR in order to achieve an adequacy ruling. It is unknown at this stage whether the UK would also be required to implement additional measures.

A copy of AG's Q&A on the Impact of Brexit on Data Protection is available [here](#).

The ICO's announcement is available [here](#)  
*Information Commissioner's Office, 01 July 2016*

### ICO publishes annual report for 2015/2016

The ICO has published its 2015/2016 annual report, highlighting key data protection issues from the last year. A particularly notable point was the large increase in fines being levied by the ICO, which were up to almost £2m million, following changes to the law in April 2015. Key fines have been issued in relation to nuisance marketing and companies engaging in cold calling practices.

The report also highlights the ICO's achievements in 2015/2016, including its role in the right to be forgotten case involving Google, its role in the parliamentary cyber security inquiry, and subsequent cyber security work and guidance highlighting technology risks. The report flags political uncertainty in relation to the Brexit result, however the report highlights that no major changes are expected to the UK data protection regime, or the role of the ICO, for at least the next financial year.

The full report is available [here](#).  
*Information Commissioner's Office, 28 June 2016*

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