



July 23, 2020

I hope this email finds you and yours safe and healthy. This update will be distributed on an intermittent basis to help inform BDO clients about the ever-changing global privacy and data protection landscape.



CAYMAN ISLANDS

- Cayman's Data Protection Law has become a defining marker and reminder that we live in the 'age of electronic data, social unrest, and societal fear of health and physical security. As a result, the general public continues to demand better access, knowledge and control over their personal information that is collected daily across business enterprises and technological platforms. Further, at the same time, these businesses face a complex set of shifting challenges (such as COVID 19, Cyber Security, Global Privacy Laws etc.) and this is especially true for senior management when overseeing their business strategy against the backdrop of the current climate. The recent 'BlueLeaks' cyber attack is a bleak reminder of the ever-increasing difficulties management face in protecting customer/client data in their possession. Therefore, business leaders are encouraged to assess existing security standards, including conducting a risk analysis, organizational procedures, and physical and technical measures to ensure the integrity and confidentiality of personal identifiable information. As the use of personal data continues to grow exponentially, the proportion of that data held offsite, in my view, is expected to double by 2025. As a result, we continue to see a steady increase in activity from both data privacy regulators and increasing penalties for leaving data unprotected. It is this combination of accelerating the use (and processing) of Personal Identifiable Information (PII) data and the hastening use of offsite services (such as, cloud services, working from home, working remotely etc.) and growing regulatory complexity that is creating BIG challenges for companies here in Cayman and across the Caribbean region.

The key message here is, as Businesses continue to encourage remote/offsite working, Employers are reminded that they should continue to:

- Secure PII data at employees home, in the cloud and/or on mobile devices, in compliance with Cayman's Data Privacy & Protection requirements
- Remote sanitisation of PII data (including other data types, where applicable) in the cloud and other active environments at key points throughout the data lifecycle.
- Support security initiatives for a hybrid workforce with on-premises and remote erasure, policy-driven automation, and centralised auditability



INTERNATIONAL PRIVACY

- **United States Senator Proposes a Federal Data Privacy Bill:** On June 18, 2020, U.S. Senator Sherrod Brown proposed the Data Accountability and Transparency Act of 2020. The draft bill creates a new framework to increase the accountability of organizations that collect, use, or share personal information. The draft also proposes a new independent agency to be responsible for protecting Americans' privacy rights. You can read the proposed bill [here](#).
- **The UK's Interactive Advertising Bureau Issues Guidance on Special Category Data and Advertising:** On June 15, 2020, the UK's Interactive Advertising Bureau ('IAB') issued [guidance](#) for the digital advertising industry related to special category data (as defined by the General Data Protection Regulation; GDPR). The publication defines special category data and delineates when, and how, the data should be used and processed. The IAB also outlines restrictions and legal risk incurred by advertisers when using special category data.
- **The Philippines National Privacy Commission Issues a Statement on Personal Data Security Incidents Involving Universities:** On June 18, 2020, the Philippines National Privacy Commission ('NPC') released a [statement](#) noting it is investigating recent security incidents involving University information systems. The NPC called for increased security and reminded educational institutions that the public entrusts them to protect their personal data.

COMMENTS OR QUESTIONS? CONTACT:

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This information has been collected through a number of sources including but not limited to BDO's public research, research using BDO's One Trust Data Guidance subscription, and the International Association of Privacy Professionals. Complimentary updates will be sent to our clients until July 23, 2020.



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