Privacy of Geo-Location Data

Panel Members:

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Chair of the WGIC Policy Committee

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VISION

To be a collaborative platform for advancing the role of the geospatial industry, and strengthening its contribution to the world economy, society and its environment.

MISSION

To be a catalyst for intra- and inter-industry knowledge exchange, co-creation of business opportunities for the industry, and enhance its impact through policy advocacy, business development and collaborative programs.
There is a growing global recognition of the importance of protecting personal privacy information.

Policy makers across various jurisdictions worldwide are taking legislative actions to protect citizens’ privacy rights, and regulate the use of personal information.
**Special Interest Group (SIG) Members**

**Africa**
- Derek Clark, South Africa

**Asia Oceania**
- Glenn Cockerton, Spatial Vision, Australia
- Dr. Siva Kumar, Geospatial Solutions, IIC Technologies, India
- Eng. Mazura Nor Zulfikli, Malaysia
- Dr. Victor Khoo, Singapore

**Europe**
- Cassandra Moons, TomTom Europe
- Francesco Pignatelli, EC-JRC
- Ray Boguslawski, On contract to EC-JRC
- Dara Keogh, On contract to EC-JRC

**North America**
- Prashant Shukle, Canada
- Cristina Guirette Saldana, INEGI, Mexico
- Pat Cummens, ESRI, USA
- Scott Allbert, M-Files, USA
- Ed Cox, Prime Policy Group, USA

**South America**
- Marcelo Fernandes, TomTom, Brazil
- Zorka Marinovic, TomTom, Chile

**WGIC Support**
- Barbara Ryan
- Sharmishtha Seth
- Shravistha Ajay Kumar
Countries Surveyed with ‘Current’ Regulations on Data Privacy

- **USA Regulations:**
  - The Geospatial Act 2018
  - The Privacy Act of 1974
  - California Consumer Privacy Act

- **Brazil Regulations:**
  - Informatic rights law
  - General of Data protection of Brazil

- **South Africa Regulations:**
  - Electronic Communications and Transactions Act 2002
  - Protection of Personal Information Act, 2013

- **India Regulations:**
  - Sections 43A & 72A of Information Technology Act 2000
  - The Personal Data Protection Bill, 2018

- **Europe Regulations:**
  - General Data Protection Regulation

- **Malaysia Regulations:**
  - Personal Data Protection Act (PDPA)
  - Malaysia Geospatial Act (Proposed)

- **Australia Regulations:**
  - Privacy Act 1988
  - Privacy Amendment (Enhancing Protection) Act 2012
  - Privacy Regulation 2013
  - Privacy Amendment (Notifiable Data Breaches) Act 2017
  - Australian Privacy Principles, 2019

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- **Mexico Regulations:**
  - General Law of Protection of Personal Data in Possession of Obligated Subjects
  - Federal Law of Protection of Personal Data in Possession of Individuals (Private Sector)
Countries Surveyed with ‘Current’ Regulations on Data Privacy

- Survey limited in geographic scope
- Need more coverage of other territories
Countries Surveyed with ‘Current’ Regulations on Data Privacy

- GDPR used as reference
- Most comprehensive (restrictive) to date
- Requirements implemented by gov’t & industry alike
Impact of privacy regulation on the geospatial industry
Key Regulatory Requirements (GDPR)

- Appoint a responsible individual for data protection
- Apply data protection by design and default
  - Anonymization
  - Data retention
  - Check whether the combination (linking) of data where location is involved reveals personal information
  - Perform periodic privacy risk assessments / data protection impact assessments
- Comply with data subjects’ rights
  - Specify clear purpose for collecting data
  - Obtain consent to use data
  - Support requests to erase data
  - Enable data subjects’ access to their personal data
  - Inform data subjects of changes in how their data is used
  - Enable transfer of a data subject’s personal data to another organization (data portability)
- Publish all relevant information
  - Privacy notice
  - Cookie policy
  - Relevant forms (e.g. consent, access request)
Recommended Practices for Geospatial Industry

Set up a governance structure for (location) data protection

Set up a (location) data management program
- Develop personal data protection risk strategy
- Develop personal data protection policy
- Put in place Data Protection Agreements for organizations you provide with personal data
- Ensure awareness raising and training in place for all staff

Implement traceability
- Audit trail of policy documents and changes
- Customer records (consent, requests, complaints etc.)
- Audit trail on access to data, use of data, and transfer to other organizations (to support data requests, breach investigations)

Security
- Encryption
- Password protections

Monitoring
- Compliance with data protection policy
- Customer perception
- Effectiveness of data handling and security controls
Key Messages

• There is a growing global recognition of the importance of protecting personal privacy information;

• WGIC Members are responsible for the collection, processing and distribution of geo-location data, not the personal information that may be associated with, or derived from, this data; and

• Protecting personal information is of the utmost importance to Members of the World Geospatial Industry Council (WGIC).
Next Steps for WGIC Policy Committee

Engage
Engage with the public sector and policy-makers.

Understand
Understand the direction of legislative work around data privacy and personal information protection.

Review
Review the impact on the geospatial industry at large and the WGIC membership in particular.

Use
Use the results to make recommendations to WGIC Members to help guide their interactions in jurisdictions around the world.