

Meta fined another €265 million for GDPR breaches

The Irish Data Protection Commissioner (the “DPC”) issued another fine to Meta Platforms Ireland Limited (“Meta”) on 25 November 2022. This is one of a number of fines which have been issued to Meta over the last year and half by the DPC in respect of breaches of privacy laws and these fines have a total value of over €900 million.

Background

The Data Protection team at Clerkin Lynch recently issued an article which reported that the DPC had submitted a draft decision to all the Data Protection Commissioners within the EU pursuant to article 60 of the General Data Protection Regulation (the “GDPR”). The draft decision was submitted pursuant to an inquiry into Meta on foot of various media reports which detailed that the personal data of a large number of Facebook users had been published online. The DPC has reported that those supervisory authorities agreed with the decision of the DPC, and the decision was adopted on 25 November 2022.

The findings of the DPC

The main focus of the DPC’S inquiry was whether Meta had complied with the requirements of Article 25 of the GDPR which deals with the concept of Data Protection by Design and Default. During the inquiry the DPC carried out an examination and assessment of Facebook Search, Facebook Messenger Contact Importer and Instagram Contact Importer tools in relation to processing carried out by Meta during the period between 25 May 2018 and September 2019.

The DPC found that Meta had infringed articles 25 (1) and 25 (2) of the GDPR and issued an administrative fine of €265 million together with a number of corrective measures to ensure that

future processing of personal data is in full compliance with the GDPR.

Overview of recent fines issued by DPC

Ireland is the chosen location for many of the large international technology companies and the DPC, as the lead supervisory authority of these companies, has been under pressure to demonstrate that it is enforcing and monitoring compliance with the GDPR. There has been a considerable amount of criticism for the lack of strong enforcement of the GDPR and over the last year the DPC has demonstrated that it is willing to impose large fines on companies who are found to be in breach of the GDPR. These fines will be welcomed by those who want to see a strict enforcement of the GDPR.

The Dublin Circuit Court has recently confirmed the DPC’s decision to impose a €17 million fine on Meta. The decision was adopted by the DPC in March of this year as a result of a series of Data Breach Notifications which were received over a six-month period.

How can Clerkin Lynch help

The Data Protection team at Clerkin Lynch are available to assist clients with compliance with all aspects of the GDPR. We provide tailored advice in relation to company policies and procedures and the application of the GDPR in particular fact scenarios.



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