

Data Protection & Privacy. Jurisdictional Comparisons
 By Monika Kuschewsky (ed)
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The third edition of *Data Protection & Privacy* has been published by Thomson Reuters in the Sweet & Maxwell International Series. It contains a general overview of the data privacy regulation of almost 50 jurisdictions around the world and is an excellent reference guide for companies, legal professionals and data protection officers. Because of its encyclopaedic nature, this book review will mainly focus on a description of the nature and the structure of the book, rather than the actual content. To start, Monika Kuschewsky is the general editor. Monika Kuschewsky is a German attorney-at-law (*Rechtsanwältin*). She has practiced in Brussels since 2000 and prior to joining the law firm Covington she was a partner in an independent Brussels-headquartered law firm where she developed and headed the European data protection practice for three years. Kuschewsky is qualified as a Certified Information Privacy Professional/Europe (CIPP/E) and a company data protection officer (*Betrieblicher Datenschutzbeauftragter*, GDDcert). These qualifications give Kuschewsky an in-depth knowledge of the specificities of German data protection law.

Like the two previous editions, published in 2012 and 2014, the latest edition of *Data Protection & Privacy* provides a comparative overview of national data protection and privacy laws. Each chapter covers a different jurisdiction, it is written by a local expert practitioner and provides an overview of the key elements and principles of data protection and privacy law in that jurisdiction. Because each chapter follows the same Q&A structure, readers can conduct quick comparisons between the various legal regimes. The third edition covers 46 jurisdictions (8 more than the previous edition and 16 more than the first edition) from six continents as well as two regional summaries for the Asia Pacific and Latin America. Moreover, the European Commission's Data Protection Officer has written a chapter on the data protection rules applicable to the EU institutions and bodies. The European Data Protection Supervisor, Giovanni Buttarelli, and the Chairwoman of the Article 29 Data Protection Working Party and CNIL President, Isabelle Falque-Pierrotin, have contributed forewords.

Each chapter normally contains a description of a country, or sometimes a bigger jurisdiction. It is usually written by experts from law and/or consultancy firms.

1. Argentina – Marval, O'Farrell & Mairal.	16. Hong Kong – Deacons	31. Portugal – Coelho Ribeiro Associados
2. Australia – Gilbert + Tobin.	17. Hungary – Oppenheim Law Firm	32. Romania – Nestor Nestor Diculescu Kingston Petersen
3. Austria – Preslmayr Rechtsanwälte OG	18. India – Vaish Associates Advocates	33. Singapore – WongPartnership LLP
4. Belgium – Covington & Burling LLP.	19. Ireland – Mason Hayes Curran	34. Slovakia - Havel, Holásek & Partners s.r.o.
5. Brazil – Felsberg Advogados	20. Israel – Vigal Arnon & Co	35. Slovenia – Rojs, Peljhan, Prelesnik & Partnerji
6. Bulgaria – Djingov, Gouginski, Kyutchukov &	21. Italy – NCTM	36. South Africa – Adams & Adams

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Velichkov		
7. Canada – Osler	22. Japan – Atsumi & Sakai	37. South Africa – Lee & Ko
8. Chile – Palma & Palma Abogados	23. Lithuania – Valiunas Ellex	38. Spain – Garrigues
9. Colombia – Peña Mancero Abogados	24. Luxembourg – Arendt & Medernach SA	39. Sweden – Mannheimer Swartling Advokatbyra AB
10. Costa Rica – Thompson Abogados	25. Malaysia – Christopher Lee Ong	40. Switzerland – Lenz & Staehelin
11. Czech Republic – Havel, Holásek & Partners s.r.o	26. Malta – GVTH Advocates	41. Taiwan – Lee and Li, Attorneys-at-Law
12. Denmark – Beck – Bruun	27. Mexico – Laurant Abogados	42. Turkey – ELIG
13. EU – Covington & Burling LLP	28. Morocco – Hajji & Associes	43. UAE – Al Tamimi & Company
14. EU Institutions & Bodies – European Commission	29. Netherlands – Vondst Advocaten	44. UK – Covington & Burling LLP
15. Germany - Covington & Burling LLP	30. Poland – Soltysinski Kawecki & Szlezak	45. USA - Covington & Burling LLP

The book provides a very clear, practical and quick insight in the data privacy standards of each country. A typical chapter is devised as follows.

1. Legislation	4. Special Rules	8 Information obligations	12 Registration Obligations
1.1 Name/Title of the law	4.1 Employment	8.1 Who	12.1 Notification requirements
1.2 Pending legislation	4.2 Health	8.2 What	12.1.1 Who
1.3 Scope of the law	4.3 Finance	8.3 Exceptions	12.1.2 What
1.3.1 The main players	4.4 Telecommunications	8.4 When	12.1.3 Exceptions
1.3.2 Types of data	4.5 Historical, statistical and scientific research purposes	8.5 How	12.1.4 When
1.3.3 Types of acts/operations	4.6 Children	9. Rights of Individuals	12.1.5 How
1.3.4 Exceptions	4.7 Whistleblowing	9.1 Who	12.1.6 Charges
1.3.5 Geographical scope of application	4.8 email, internet and video monitoring	9.2 What	12.2 Authorization requirements
1.3.6 Particularities	4.9 Direct marketing and cookies	9.3 Exceptions	12.2.1 Who
2. Data protection authority	4.10 Big Data	9.4 When	12.2.2 What
2.1 Role and task	4.11 Mobile apps	9.5 How	12.2.3 Exceptions
2.2 Powers	5. Data quality requirements	9.6 Charges	12.2.4 When
2.3 Priorities	6. Outsourcing and Due Diligence	10 Security of data processing	12.2.5 How

3. Legal basis for data processing	6.1 Outsourcing	10.1 Confidentiality	12.2.6 Charges
3.1 Consent	6.2 Due Diligence	10.2 Security requirements	12.3 Other registration requirements
3.1.1 Definition	7. International Data Transfers	10.3 Data security breach notification obligation	12.4 Register
3.1.2 Form	7.1 Applicable rules	10.3.1 Who	13. Data Protection Officer
3.2 Other legal grounds for data processing	7.2 Legal basis for international data transfers	10.3.2 What	13.1 Function recognized by law
3.3 Codes of conduct	7.2.1 Data transfer agreements	10.3.3 Exceptions	13.2 Tasks and powers
	7.2.2 Binding corporate rules	10.3.4 When	14. Enforcement and sanctions
	7.2.3 Safe Harbor and Privacy Shield	10.3.5 How	14.1 Enforcement actions
	7.2.4 Other legal bases	10.4 Cybersecurity	14.2 Sanctions
	7.3 E-discovery and law enforcement requests	11 Data Protection Assessments, Audits and Seals	14.3 Examples of recent enforcement of data protection rules
	7.4 Representatives		15. Remedies and liability
			15.1 Judicial remedies
			15.2 Class actions
			15.3 Liability

Each sub-section may be as short as ‘not applicable’ and as long as 2 pages. The usual length a chapter would be covering is somewhere between 15 and 30 pages; the book in total is somewhere around 1100 pages. The book gives a very good general overview of the different jurisdictions around the world. Obviously, this description is neither complete nor detailed. It is a good handbook for practitioners, for students and even researchers who are looking for a nice starting point for a comparative analysis and it is useful for anyone interested in comparative legal research. The two forewords by Buttarelli and Falque-Pierrotin give the book something extra. Still, with a price tag of £240, it is by no means a cheap book. Some topics discussed in the book could have deserved more attention. For example, many chapters mere say ‘not applicable’ when discussing potential special rules for Big Data under section 4.10. Still, in many countries, there have been court cases, reports issued and parliamentary discussions over this issue. Other issues provide a quite interesting overview. For example, after the Zakharov case by the ECtHR, there has been much discussion about the role of class actions in privacy procedures. This book provides a very nice overview on the possibility of engaging in class actions in the various jurisdictions.