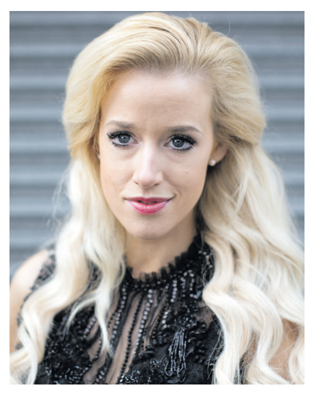
GDPR: life after deadline

The new regulation may no longer dominate the headlines, but the task of enforcing new data laws has only just begun. Quinton O'Reilly reports


Angela Madden


Emerald de Leeuw


Brian Honan

The hustle and bustle around GDPR has quietened down since it came into effect. But May was just the beginning of a much harder process.

With more than a month gone since it came into effect, GDPR is starting to cause small ripples.

Recent research by the International Association of Privacy Professionals (IAPP) found that Ireland's data protection commission received 547 data breach notifications and 386 complaints in the first month alone.

Companies such as Harvey Norman and Ticketmaster are reporting data breaches to their customers, as the new regulations make such reporting mandatory.

The key part is that businesses are now taking data protection seriously, said Brian Honan of BH Consulting.

"We had over two decades of data regulations regarding how companies should respect people's privacy and how to protect their personal data, but it seems only since GDPR came into force that companies have realised we need to really start paying attention to this because we could be sanctioned in many different ways," he said.

While that's a positive, there are still a number of areas that need to be addressed by businesses and regulations. The process to becoming GDPR-compliant doesn't just involve putting the policies in place, but ensuring that those processes can be completed without disrupting your business.

The high number of reports doesn't suggest that more companies are being attacked than before, but that such incidents weren't reported properly.

"The key thing is, it highlights that breaches have not been reported properly before May 25 and only since it's been mandatory to report them," said Honan.

"We've seen the extent of issues around data security and data privacy within organisations and that's coming into force, so that hopefully should lead into better investments by organisations to protect the information that has been entrusted to them."

A big issue will be data information requests where individuals can see what personal data a company has on them. That's going to create a significant strain on companies as they try to meet these requests, according to Angela Madden of Rits.

"Now it's the harder part of embedding these parts in, so where you see a lot of time and resources going is into how do we implement the retention policies," she said.

"Until now, people have focused on primarily the outside . . . [to say] to the public that they're compliant. Now they're finding that once they put these procedures into operation, it's not as straightforward as they think.

"Like for data retention, how do I go about deleting them now, and if I delete a record, is there a knock-on effect? It's time-consuming because it's [about] having the resources to do this [while] being able to do day-to-day [operations] as well."

The other issue that will impact companies, and something regulators are keeping a close eye on, is rulings in other countries. Since GDPR is an EU-wide initiative, if a decision is made in France, it would likely affect every other EU country.

> **The thing to remember in GDPR is that the R stands for regulation, meaning it's European-wide**

"The important thing to remember in GDPR is that the R stands for regulation, meaning it's European-wide," said Horan. "A decision made in France under GDPR could impact companies elsewhere, so it's not just the Irish supervisory authority we need to be keeping an eye on, but the rest of the EU as well."

One issue that may arise is around that of major US firms with bases here who may look for ways to work around the regulations. While many of them have updated their privacy policies to ensure compliance, it can be a case of them following the letter of the law rather than the spirit.

The topic of data protection and rights has lead to California passing its own privacy act, which Emerald de Leeuw of Eurocomply suggested will help drive compliance among US companies in Europe.

"It won't fully come into force until 2020 because it was such a rush job. But that will really drive compliance for European-based headquarters because at the end of the day, a lot of the European HQ still have to get the OK from the US to spend on privacy and compliance," she said.

"I'm hoping that this California act will drive that compliance across Europe as well because of the fact that they might take their local [laws] a bit more seriously . . . Some companies have been trying to circumvent GDPR for a certain part of their customer base, but that will no longer be possible because they'll be cut by that other Act, so this will be interesting."

While it has only been in effect for a month, the impact that the build-up and implementation of GDPR is having on the wider conversation, both in Europe and globally, could be its biggest draw.

"What GDPR has done is opened the conversation on a global scale and drawn attention on what actually goes on [in these companies]," said de Leeuw. "I've been doing GPDR, and, really in the last 18 months, I've noticed people saying this is a thing we have to look into . . . and the media has a huge role to play in making sure companies are trying to implement GDPR.

"Some companies aren't really that noble in terms of implementing GDPR; they're implementing it and implementing it well in some companies. However, the reasons they're doing it is to save their own bottom line, which makes complete sense because what's happening in practice in the real world [is that] people become more and more aware of how liable they actually are."

While the realities of being GDPR-compliant are being felt, the major impact will happen when a company gets fined for not being compliant. While it dominated headlines during the build-up, the likelihood is that the majority of fines will be much smaller than the oft-quoted 4 per cent of global annual turnover.

Still, those companies who are playing catch-up are encouraged to continue doing so until they are compliant, with Honan suggesting they view May 25 "as the starting line".

"Don't panic and, if in doubt, seek professional advice, but make sure whoever you're dealing with has had the proper experience," he said.

McMurtry launches electric car company

- Billionaire is sole shareholder in the new start-up

BY JOHN REYNOLDS


David McMurtry: 'I'm fascinated by the technology . . . I'm still playing around with it'

Irish billionaire inventor David McMurtry is the sole investor in McMurtry Automotive, an electric car start-up, *The Sunday Business Post* can exclusively reveal.

The firm, which is based in Gloucestershire, near the Renishaw headquarters in Britain, has four employees who are all engineers in their twenties and thirties.

The managing director previously worked with Mercedes AMG, the high performance division of Mercedes, which has an operation in the UK. Another engineer also worked there, and worked on components for Formula One car engines made by Mercedes that were used in Mercedes, Williams, Force India, Lotus F1 and McLaren F1 cars.

Another previously worked for McLaren Applied Technologies, while the fourth employee previously worked for Jaguar Land Rover.

Among the work they have carried out is on suspension and chassis design, vehicle dynamics, a software-based driver interface to control all the vehicle's functions, a way to modify the vehicle's motor and an Android-based way to interface with the car's electronics and data streams.

McMurtry Automotive had £293,000 in the bank, net assets of £453,499 and owed its creditors £584,648 after more than one year, according to its accounts filed for the period ending in June last year. They suggest he invested a six-figure sum in the firm.

McMurtry was only a director of the firm for a short period of time, until June 12 last year, he confirmed in an emailed statement. "McMurtry Automotive is a company I started to investigate technology outside the Renishaw environment. I'm the sole investor and I stepped down as a director for personal reasons," he said, declining to elaborate further.

McMurty occasionally makes angel investments and mentors a number of entrepreneurs, but prefers to keep the details private.

In the course of our interview, we spoke about Elon Musk's Tesla and the rumours that fellow inventor James Dyson is working on an electric car.

"Dyson is a fantastically interesting guy. He's obviously been enormously successful. But taking on the car, he's taking on an enormous challenge. He's taking on big rivals. To do that, I wish him all the luck in the world. He'll have to come up with something quite different, which he's very capable of doing of course," McMurtry said.

"If you look at what Elon Musk is doing with Tesla, he will have a battle to fight with the German car industry, which is coming after them." (Our interview took place before US president Donald Trump announced plans to put tariffs on cars imported from the EU.)

McMurtry added: "It will be interesting to see how Musk gets on. The Chinese are quite far ahead in certain areas as well.

"I think next year the Germans are going to make a bigger impact in the electric car sector. They've got the advantage of having the processes in place to make components like the wheels, the body, the structure, and what have you. They've got important things like the quality of the interior down to a fine art at this stage. Jaguar Land Rover is coming along too of course.

"I've had a drive in a few Teslas and they aren't quite there on the build quality yet, in my opinion. But they're very good and they'll get there. They've woken up the rest of the industry and now the fight is on.

"There's nothing protecting the existing giants. It's going to be a battle. But without patents, that battle means the margins for everybody will be less.

"Personally, I've bought a very modest Renault electric car. I'm fascinated by the technology, particularly the motor control technology. I'm still kind of playing around with it, and I haven't really used it properly yet."

McMurtry previously owned a Ford Sierra Cosworth RS500 that he enjoyed driving on track days. His everyday car is a Mini John Cooper Works, the fastest production version of the iconic model ever made.

IDA's top priority is the regions

Multiple job announcements show countrywide focus


Denis Collins

The global investment climate is in flux right now with investors looking to locate in jurisdictions that can offer them stability across the policy, regulatory and talent worlds.

Ireland has some excellent fundamentals that will help the country to win investment into the future. The IDA will fight to win business for Ireland first; after that, it works to position regional opportunities correctly through a team effort.

Every day of the year, IDA Ireland is working to make sure that investors are aware of the opportunities there are for development of their businesses in regional Ireland.

The 'sell' to investors is constantly evolving, but in recent years, critical momentum has been achieved by having the existing business community work alongside our regional stakeholders to create local 'commercial ecosystems' where new investors can thrive. This new commercial ecosystem concept encourages collaboration across business groups, working with the industry and academic communities and, equally importantly, selling the quality of life that exists for so many people outside Dublin.

Executing IDA's Regional Strategy is a crucial next step for the growth of Ireland Inc on many levels – commercially, academically and socially. As an IDA board member and chairperson of the board's sub-committee on regions, it is quite exciting to drive the agency's regional strategy and see it evolve.

The IDA Ireland team do an outstanding job in moving the regional agenda forward, an agenda which has been in place since 2015, and has resources dedicated to the regions; top-shelf skills; real targets; ongoing execution; and buckets of passion.

The team's passion really is second to none – I see it on a daily basis, and I am extremely proud of them and their achievements.

Winning jobs for the regions is also a wider team effort, and many stakeholders are involved, across multiple agencies, who join IDA in pushing regional options with investors, including those in industry, academia, government, and the public sector.

One group or organisation cannot make it happen in a vacuum – it is paramount that we continue to foster collaboration across groups like the Department of Business, Enterprise and Innovation (DBEI); industry groups; Chambers Ireland, Enterprise Ireland (EI); Local Enterprise Offices (LEOs); councils, universities and institutes of technology (ITs); large and small-to-medium companies, among others.

The potential upside for regional Ireland of investment is significant, with knock-on effects across the community.

We must also be aware that Ireland will have to focus on its strengths in order to win business. As an investment location, we cannot be all things to all people.

In a perfect world, IDA Ireland would be able to attract a Fortune 100 company, with big numbers of jobs, into every region of the country. But this is not necessarily a realistic ambition for all regions across Ireland and the IDA will focus on each region's strengths to target businesses that suit the opportunities in that area. I'm encouraged by many recent results from across the country.

The border

One shining example over the past year is the Sligo area. An important catalyst was developing the Building Block – a collaborative effort across many groups, led by IDA, who created this co-working space, business hub and focal point for business creativity along the Garavogue River in Sligo town. It has become the heart of the region and is driving business creativity across the border region.

There have been multiple exciting job announcements from LiveTiles and Phibro among others. This is a good example of the IDA's regional focus and collaboration model at work.

The west

The west continues to support a large cluster of medical device companies. Financial services companies Metlife and Fidelity have also opened second Irish sites in Galway in recent years.

Mid-east

Areas like Meath are also doing well with a data centre project from Facebook, and Shire announcing their Piercetown site in 2016.

Mid-west

Another example is in Limerick, where a very strong, diverse, collaborative team is driving a robust agenda across advanced manufacturing, pharma, aviation, and services, among other industries. A recent job announcement from Stats is an example of this.

Midlands

The Midlands offers access to resources from Roscommon to Dublin and it is a geographic location with much to offer. One example of success there is the recent announcement of 200 jobs by Neueda Technologies who are establishing their software engineering hub in Athlone.

South-east

I also attended recent meetings with the Wexford County Council leadership team – a very impressive team with a focused strategy. Their region has much to offer commercially as well as for leisure, with the added value of having a port that can continue to be utilised on a global basis. The recent job announcement by depositary company INDOS, in the financial services space, is quite encouraging. West Pharma's continuing expansion in the South East is also to be welcomed.

South-west

I'm also very encouraged by recent developments in the Kerry area. From the indigenous side, agtech and financial services focus is growing rapidly. We are also actively participating in a growing collaboration across IDA, Kerry County Council, IT Tralee, EI, Science Foundation Ireland (SFI) and companies like FEXCO and Dairymaster.

Staying competitive

Competition for international investment is ferocious at the moment, and if we want to bring business into our regions, Ireland must stay competitive into the future. Smarter regional infrastructure must be designed with a view to creating conditions which will encourage investors to locate their businesses in the regions. Ireland's new Project 2040 promises to boost the country's regional attractiveness in the years to come as it rolls out new projects.

IDA will continue to fight to win investment for regions across Ireland. But the only way that we can do this is through collaboration. As the DBEI's Regional Action Plan for Jobs says, it takes a whole region to win an investment, and if we all work together to sell the many excellent opportunities that exist across Ireland right now, we will see even more big names locating in the regions into the future.

Denis Collins is chairperson of IDA Ireland's Regional Development Committee and a board director