

DATA PROTECTION ACT 1998

UNDERTAKING

Data Controller: Panasonic UK

Panasonic House
Willoughby Road
Bracknell
Berkshire
RG12 8FP

I, Andrew Denham, Managing Director of Panasonic UK, for and on behalf of Panasonic UK hereby acknowledge the details set out below and undertake to comply with the terms of the following Undertaking:

1. Panasonic UK is the data controller as defined in section 1(1) of the Data Protection Act 1998 (the 'Act'), in respect of the processing of personal data carried out by Panasonic UK and is referred to in this Undertaking as the 'data controller'. Section 4(4) of the Act provides that, subject to section 27(1) of the Act, it is the duty of a data controller to comply with the data protection principles in relation to all personal data in respect of which it is a data controller.
2. The Information Commissioner (the 'Commissioner') was informed on 8 August 2012 that a laptop computer containing the names, home addresses, contact details, dates of birth, nationality, passport details, dietary requirements and emergency contact details of 970 people who had attended hospitality events arranged by Panasonic UK had been stolen from an unlocked hotel room. The laptop was password protected, but was not encrypted or physically secured in any way.
3. The hospitality events were being run on Panasonic's behalf by a third party company, which was acting as a data processor. There was a contract in place between Panasonic and the third party company, but the data protection provisions were extremely limited. Panasonic has comprehensive policies around data protection which, if followed, would have prevented this breach, however it has been unable to demonstrate that these requirements were ever communicated to the third party company.

4. It is understood that the passport information was collected on the basis that hotels are legally required to obtain this data for any guests who are non-UK citizens. However, passport data was collected for all guests, regardless of whether they were non-UK citizens or even staying at the hotel, and were then retained, as the third party company and Panasonic felt it might be useful in the event of an emergency.
5. The Commissioner has considered the data controller's compliance with the provisions of the Act in the light of this matter. The Commissioner has also considered the fact that some of the data lost in this incident consisted of passport details, which he considers it was not necessary for Panasonic to be holding. The relevant provisions of the Act are the third and seventh Data Protection Principles. These Principles are set out in Schedule 1 Part I to the Act.
6. Following consideration of the remedial action that has been taken by the data controller, it is agreed that in consideration of the Commissioner not exercising his powers to serve an Enforcement Notice under section 40 of the Act, the data controller undertakes as follows:

The data controller shall, as from the date of this Undertaking and for so long as similar standards are required by the Act or other successor legislation, ensure that personal data are processed in accordance with the third and seventh Data Protection Principles in Part I of Schedule 1 to the Act, and in particular that:

- (1) The data controller has in place adequate contracts and checks to ensure that data controllers are capable of, and are continuing to, comply with the seventh principle;**
- (2) personal data is collected for a specified, valid purpose and is not held for longer than is necessary for that purpose;**
- (3) the data controller shall implement such other security measures as are appropriate to ensure that personal data is protected against unauthorised and unlawful processing, accidental loss, destruction, and/or damage.**

Signed:

Andrew Denham
Managing Director
Panasonic UK

Dated:

Signed:

Stephen Eckersley
Head of Enforcement
For and on behalf of the Information Commissioner

Dated: