

Research, analysis and opinion on international media law

Meta to block access to news for all users in Canada



Canada's parliament passes Online News Act, ensuring dominant platforms fairly compensate local news publishers in digital market

Meta announced, on 01 August, that it plans to block access to news on Facebook and Instagram in response to Canada's new media law, the Online News Act, which was approved on 22 June.

Google joined Facebook in escalating a campaign against the new law, Bill C-18, which aims to ensure that dominant platforms fairly compensate local news publishers.

Meta started the process in August to end access for all users in Canada, with changes expected within weeks.

Heritage Minister Pablo Rodriguez, who introduced the bill last year, explained that

platforms have no immediate obligations under the act, and that the government was open to consulting with them on the regulatory and implementation process.

In a blog post, Google commented: 'We have now informed the government that when the law takes effect, we unfortunately will have to remove links to Canadian news from our Search, News and Discover products in Canada.'

Alphabet-owned Google stated it would remove all links to Canadian news from search results once the bill takes effect on 19 December this year. →

UK Online Safety Bill final and ready to become law

Britain's Online Safety Bill passed its final Parliamentary debate on 19 September and is ready to become law.

The bill will make the UK the safest place in the world to be online, placing new obligations on social media companies, firmer protection for children and more control for adults.

The "ground-breaking" legislation has a zero-tolerance approach to protecting children, which means platforms will be legally responsible for content they host.

Social media platforms will be expected to provide parents and children with clear and accessible ways to report problems online.

Platforms will also be required to remove illegal content quickly, or prevent it from appearing on their sites in the first instance.

Fines for non-compliance will be enforced by Ofcom and could reach £18 million, or 10% of a platform's global annual revenue.

Technology Secretary Michelle Donelan said: "The Online Safety Bill is a game-changing piece of legislation. Today, this government is taking an enormous step forward in our mission to make the UK the safest place in the world to be online."

NSPCC Chief Executive, Sir Peter Wanless said: "We are absolutely delighted to see the Online Safety Bill being passed through Parliament. It is a momentous day for children and will finally result in the ground-breaking protections they should expect online."

The Online Safety Bill also includes new laws to tackle online fraud and violence against women and girls. ■

What's inside

- 1-2 MEDIA MARKET NEWS COVERAGE
- 3 VIETNAM IMPLEMENTS NEW DATA PROTECTION LAW
- 4 FEATURED FIRM: CHARLES RUSSELL SPEECHLYS

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Howden to acquire UK film and TV insurance broker to meet media-client demand

Howden has announced its acquisition of Media Insurance Brokers (MIB) in a move that represents Howden's efforts to enhance its media and entertainment offering.

The deal was announced in July and is expected to strengthen Howden's sport and entertainment practice, particularly in Europe. The deal value was not disclosed.

MIB is a leading independent UK and Irish film and television broker, in operation since 1990, and has distinguished itself as a leading choice for industry clients. It has offices in London, Glasgow and Dublin, and also offers specialist insurance products to clients in the music and events sectors.

Duncan Fraser, Global Practice Leader, Sport & Entertainment, Howden, said: "MIB's established relationships and deep industry knowledge, with many leading clients in the film, television, music and live events sectors, presents us with a significant opportunity to grow our business."

Richard Moore, Managing Director, MIB, also commented: "The team at MIB has worked hard for many years to establish a first-class brand within our sector which stands for excellent service and product knowledge for all our clients. This acquisition by Howden means we can continue on this path as part of a much larger group." ■

Meta to block access to news for users in Canada continued from page 1

Facebook and Google called for changes to the bill, stating that proposals, which include revenue-sharing deals, were unsustainable for their businesses. Both platforms signaled possibly ending access to news in Canada unless the act is amended.

Canada's federal government disagreed with suggestions to make changes, with Prime Minister Justin Trudeau commenting that "bullying tactics" will not work.

In a statement, Canada's Heritage Minister, Pascale St-Onge, commented: "Big tech would rather spend money to change their platforms to block Canadians from accessing good quality and local news instead of paying their fair share to news organizations."

"This shows how deeply irresponsible and out of touch they are, especially when they make billions of dollars off of Canadian users." Canada's media industry has called

France passes law protecting minors on social media

France has approved a new law intended to protect children online, and reduce the harmful effects of social media.

The landmark law was approved on 29 June by President Emmanuel Macron, and requires platforms to verify user ages. The law also compels platforms to obtain parental consent for children under the age of 15.

Social media platforms found to be in breach of the legislation will be fined up to 1 per cent of their global revenue.

The new legal framework is part of wider government efforts to reduce children's screen time as well as protect them from cyberbullying and other crimes.

According to the French National Commission for Technology and Freedoms, more than half of minors aged 10-14 use social media sites. Some users as young as eight years of age register on platforms such as Snapchat and Instagram.

Digital Transition Minister Jean-Noel Barrot told lawmakers that the law would be "applied as soon as possible".

The legal change will allow parents to request suspension of their child's account, and will require sites to offer tools to limit the time children spend on their platform.

French politician, Laurent Marcangeli acknowledged that the law would not entirely alleviate concerns of children's online safety. He called for "advancements in age verification technology online and heavily investing into digital education for parents, children and teachers." ■

for tighter online regulation of dominant internet companies to allow news businesses to recoup financial losses in recent years.

In 2022, Facebook and Google received an 80 per cent share of the online advertising market in Canada.

The country's independent budgetary watchdog estimated that news outlets could receive around CAD330 million a year from deals mandated under the legislation. ■

Vietnam issues interim decree on personal data protection

Chu Bao Khanh



Vietnam's new law on data protection to take effect in 2024, with interim Decree issued in July

Vietnam does not have a comprehensive law on personal data protection and so personal data is not yet truly protected.

Witness the rise of online services that collect and process big data from private sources. Protecting personal data presents a large challenge and is somewhat in conflict with another government objective which is to provide national cybersecurity. Insuring cybersecurity can conflict with the protection of individual privacy.

The need for consolidated legislation to provide personal data protection is well recognized. Based on Decision No. 06/QD-TTg, a new law on personal data protection is planned to be issued sometime in 2024. In the interim, the government issued Decree 13/2023/ND-CP on personal data protection (Decree 13), which took effect on July 1, 2023.

Decree 13 makes major additions to Vietnam's personal data protection framework: (i) designates the Department of Cybersecurity and Prevention of Cyber-Crimes under the Ministry of Public Security to oversee the enforcement and application of personal data regulations, including Decree 13; (ii) creates a unified definition/classification of personal data (including basic and sensitive data); (iii) establishes a framework for cross-border data transfers; and (iv) introduces international concepts such as 'data controller' and 'data processor', and provides a full set of rules regarding their rights and obligations.

Fundamentally, Decree 13 pursues a soft management approach toward personal data processing/transfer. That is, no prior approval by or registration with the authorities is

required. Instead, only an impact assessment of personal data processing/transfer activities must be maintained by data controllers/processors and be reported to the authorities after the processing/transfer occurs.

In line with this development, the Government has also set up a legal framework for cybersecurity, which has an impact on personal data.

Compromises between perfect privacy and perfect cybersecurity are inevitable. New Decree 53/2022/ND-CP introduces regulations on data localization (ie, storing data inside the country) and mandatory physical establishment in Vietnam of offshore companies that provide certain services in Vietnam (eg, telecommunications, e-commerce, social networks, online games, telephone/video calls, emails, etc.).

Specifically, and subject to certain triggering conditions (eg, violation of the Cybersecurity Law), a foreign service provider (of regulated services) must establish a branch or a representative office in Vietnam and must store certain regulated data in Vietnam. The data it must store in these circumstances is the personal data of customers in Vietnam and data created by Vietnam-based customers (for example, credit card information, IP addresses and registered phone numbers).

How to regulate and protect personal data is a growing issue, and it is clear that the Vietnamese government intends to develop more rigorous measures to protect privacy. Vietnam, however, must act prudently to avoid imposing administrative burdens on service providers and, thus, restrict its citizens' access to necessary online services.

Vietnam needs to find a path to balance its objective to protect privacy and the imperative it sees to create a credible cybersecurity shield. ■

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