

Cloud Computing Consultation

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Cloud computing is a way of providing services over the internet. Service providers make available web servers that can accept and store data from users to provide the services. Cloud computing is not merely limited to consumer use, and can be attractive to SMEs or larger organisations. The “cloud” can be an external, public cloud or an internal, private cloud within one organisations.

Enterprise Minister, Arlene Foster recently expressed her view that cloud computing systems would help position Northern Ireland as a worldwide centre of excellence in cloud computing and as a result will help drive future economic growth in Northern Ireland therefore, users and operators of cloud systems need to address the Data Protection Act compliance issues raised.

The European Commission have started a Consultation process on the needs, barriers and opportunities of the use and provision of cloud computing which closes on the 31 August 2011:

<http://ec.europa.eu/yourvoice/ipm/forms/dispatch?form=cloudcomputing>

This follows proposals to develop the United States ‘Safe Harbour’ scheme to allow cloud providers to hold personal data originating within the European Union.

Although there are clear economic benefits to involvement in such systems the use of cloud computing raises serious issues in respect of data protection because of the fact that much of the data stored in the ‘cloud’ is in fact stored outside the EEA and may move geographically. Users must examine their contractual arrangements carefully to ensure that that user of cloud systems meet their data protection obligations.

For further information on cloud computing and data protection, contact Maria O’Loan on 028 9027 1350 (m.oloan@cfrlaw.co.uk).

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