

Computer and Telecommunications Law Review



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What's Up with Apps in Hong Kong? 163

Rising concerns over the collection of personal data through Apps has recently prompted a review of practices adopted in Hong Kong for data collection via Apps as well as the issuance by the Privacy Commissioner of an Information Leaflet providing guidance to App developers on Hong Kong privacy laws. This article provides an overview of the review, the Information Leaflet and related direct marketing issues.

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Binding Corporate Rules for Data Processors: A Solid First Step towards Self-Regulation? 167

In response to increased demands to facilitate international data transfers within large data processor organisations (such as outsourcing and cloud computing service providers) the EU recently introduced binding corporate rules for data processors. This article discusses the main features of the new rules, taking into account the latest guidance from the Article 29 Data Protection Working Party, and to what extent they are likely to live up to their expectations.

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Twitter, the microblogging service, has some 100 million active users who collectively post more than 250 million 140-character messages, or tweets, per day. On November 4, 2012, one of those users, Sally Bercow, whose followers at the time numbered approximately 56,000, posted the following tweet: "Why is Lord McApline trending? *Innocent face*". The subject of the tweet, however, did not think it such an innocent one and brought proceedings for defamation against Bercow. As in the offline world, subject to available defences, a tweeted statement is defamatory if it is capable of lowering the complainant's reputation in the eyes of right-thinking people. The latest in a line of cases concerning the liability for defamation of users of social media, *McAlpine v Bercow* illustrates that the law applies online in the same way as it does otherwise.

STEVE SMITH AND AGNIESZKA GRABIANKA-HINDLEY

Preparing for a Fully Converged Audiovisual World: Growth, Creation and Values 174

The European Commission has published a Green Paper on the online distribution of audiovisual works in the EU and a corresponding consultation paper, entitled "Preparing for a Fully Converged Audiovisual World: Growth, Creation and Values". The aim, the Commission says, is to launch a debate on the audiovisual media landscape in light of the convergence of media services through the development of connected TV and the increased consumption of mobile digital services. The paper sets out the challenges and opportunities raised by the changes in the way audiovisual works are produced, marketed and distributed owing to digital technology and the internet, and asks various questions regarding whether and how the regulatory framework needs to be adapted.

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Bitcoins are the world's first decentralised digital or virtual currency, which is based on a peer-to-peer creation and validation system. Since its inception in 2009, it has gathered a significant following of enthusiasts, and currently around 40,000 transactions using Bitcoins take place every day. This article seeks to explain what exactly Bitcoins are and how they work.

Special Briefing
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Regulation of Competition in Nigeria's Liberalised Telecommunications Market: a Case for Complementing Sector-specific Regulation with a General Competition Law Commission 179

Since the liberalisation policy of the Nigerian telecommunications sector in 2000, the sector has experienced a serious boom in terms of foreign direct investment and telecommunications density. The liberalisation policy has also engendered serious competition among various telecommunications firms. The Nigerian Communications Commission is saddled with the responsibility of regulating competition in the sector. This article argues that with the full liberalisation of the sector, the prevailing sector-specific regulation of competition in the sector has become anachronistic and creates a regulatory gap in the prohibition, detection and imposition of sanctions for anti-competitive practices in Nigeria's telecommunications market. It further argues for a co-regulatory approach in which a general competition law commission and a sector-specific body should be adopted in the regulation of competition in the sector. This article suggests that unless a number of reforms are implemented, the regulation of anti-competitive practices in the telecommunications sector would remain elusive and might plunge the sector into the tapestry of private monopolies. This article is divided into four sections. The first section provides a background to the telecommunication industry with a view to showing the journey to the liberalisation of the sector. The second part identifies some of the anti-competitive practices in the industry since the adoption of the liberalisation policy. The third examines the choice of regulation of competition in the sector with a view to critiquing it. The final segment of the article suggests a spectrum of reforms that would assist in ensuring a fair and sustainable level of competition in the industry.

QUENTIN ARCHER AND EDWARD
SOUTHALL

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