Privacy Unplugged – GDPR Update for IAB Canada

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Where we've come from...

A quick bit of background

- The European Union adopted the General Data Protection Regulation (GDPR) in April 2016

- The GDPR is a new comprehensive legal framework governing the processing of 'personal data'

- The GDPR will replace all existing data protection legislation in EU28

- It comes into effect on 25 May 2018 and will be applicable to all entities processing the personal data of individuals based in the EU

- The GDPR <u>WILL NOT</u> replace the existing ePrivacy Directive – known in the industry as 'the cookie law'

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The GDPR in a nutshell

1. You have to comply when you process 'personal data'. **Personal data is much broader than PII** and includes online identifiers (e.g. cookie IDs / advertising IDs)

2. Companies **must comply with the GDPR if they want to do business in the EU** regardless where they're located

3. Companies have to justify the processing of personal data – for our industry you would usually rely on (positive) **consent or legitimate interest**

4. The GDPR includes **extensive rights for individuals** (e.g. transparency, erasure, automated decision-making)

5. The GDPR comes with **huge fines – up to 4% of global annual turnover or £18m** (whichever is greater)

6. Companies must demonstrate their compliance (accountability) and **beware of 'joint liability'**

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The key challenge for our industry...

...how do you provide transparency and obtain consent in this complex ecosystem?

Enter the IAB Europe Transparency & Consent Framework (TCF)

- Enables 1st parties to make dynamic disclosures about 3rd party technology providers.

- Permits transmission of signals through the supply chain using a common data format, that enables companies to "know" rather than "assume" their permission to process data.
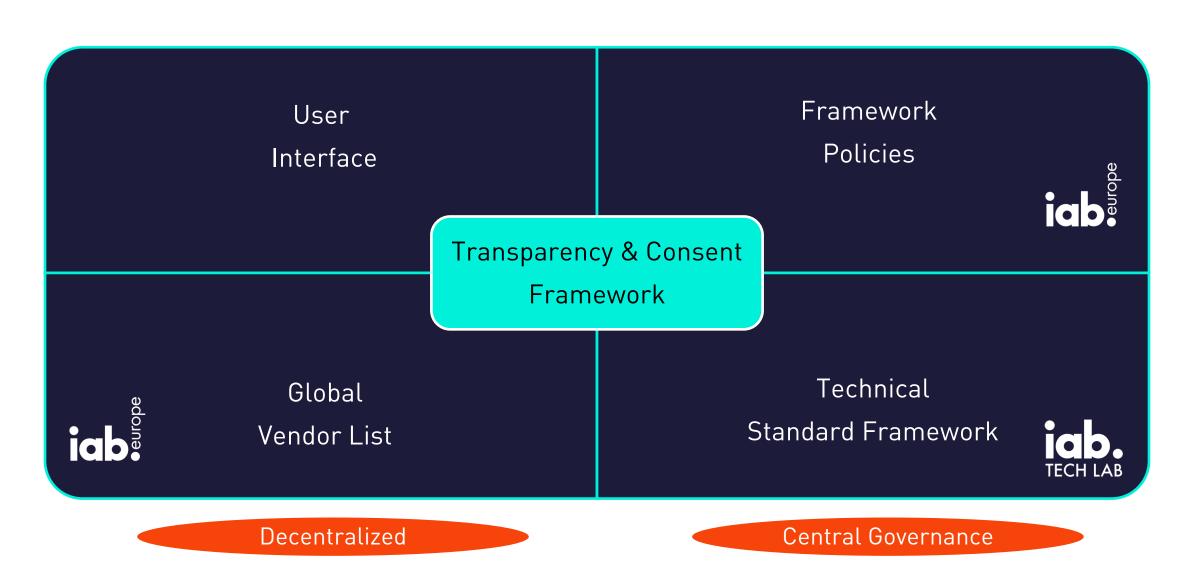
Key features of the TCF

- **Transparency for consumers and publishers** into partners that help monetise services

- **Control for publishers** over partners operating on services and processing their users' data

- **Control for consumers** over how their personal data is used

- **Standardisation** allowing industry to operate and communicate efficiently using a single, open source standard

- **Flexibility** for publishers and demand sources to build or work with various standard compatible providers and/or UIs

- **Minimize disruption** of the internet, benefiting consumers, publishers & advertisers

What has been released so far

- IAB Tech Lab published Open RTB Advisory on passing consent in programmatic environments in February 2018.

- IAB Europe released details on the technical specifications of the Framework for public commentary on 8 March – deadline closed on 8 April.

- We have received feedback from all over the world, particularly from the publisher community

- V1.1 of the Framework due out soon – most of the issues raised with us have been accommodated.

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Where we are now...

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The TCF as it stands today

- We have completed the policies applicable to participants in the TCF (Vendors, Consent Management Providers (CMPs), Publishers) – these will be made public in the coming days.

- The terms and conditions for Vendors and CMPs have been completed.

- Vendors (e.g. SSPs, DSPs) and CMPs are able to apply to the Global Vendor List (GVL) TODAY – the cost for access is 350 Euros and for Vendors 1,200 Euros per year

- We have multiple cases in the implementation progress and one publisher endorsement to date that is not insignificant – from Buzzfeed

- Best practices on UI/UX are being experimented with and we will naturally share what we can as the volumes build

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Where we're going from here...

Next steps

- We have scheduled meetings with data protection authorities in Europe for late April / beginning of May.

- We will be presenting the mechanism and discussing any refinements from a reporting or accountability standpoint they might have.

- The TCF is an iterative Framework with regular updates expected as it evolves together with the legal framework in Europe.

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Thank you

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