

The Future is Here

Asian Local Search and Media Association
October 30th – November 1st



Europe's direction with Media, Data & Privacy

2 Major EU Issues

- GDPR
- E-privacy

GDPR

The General Data Protection Regulation

What is the GDPR?

General Data Protection Regulation (GDPR) proposed by the European Commission will strengthen and unify data protection for individuals within the European Union (EU), whilst addressing the export of personal data outside the EU.

Listen to the full explanation on

<https://www.voiceamerica.com/episode/102355/data-regulations-and-compliances-is-your-company-ready>

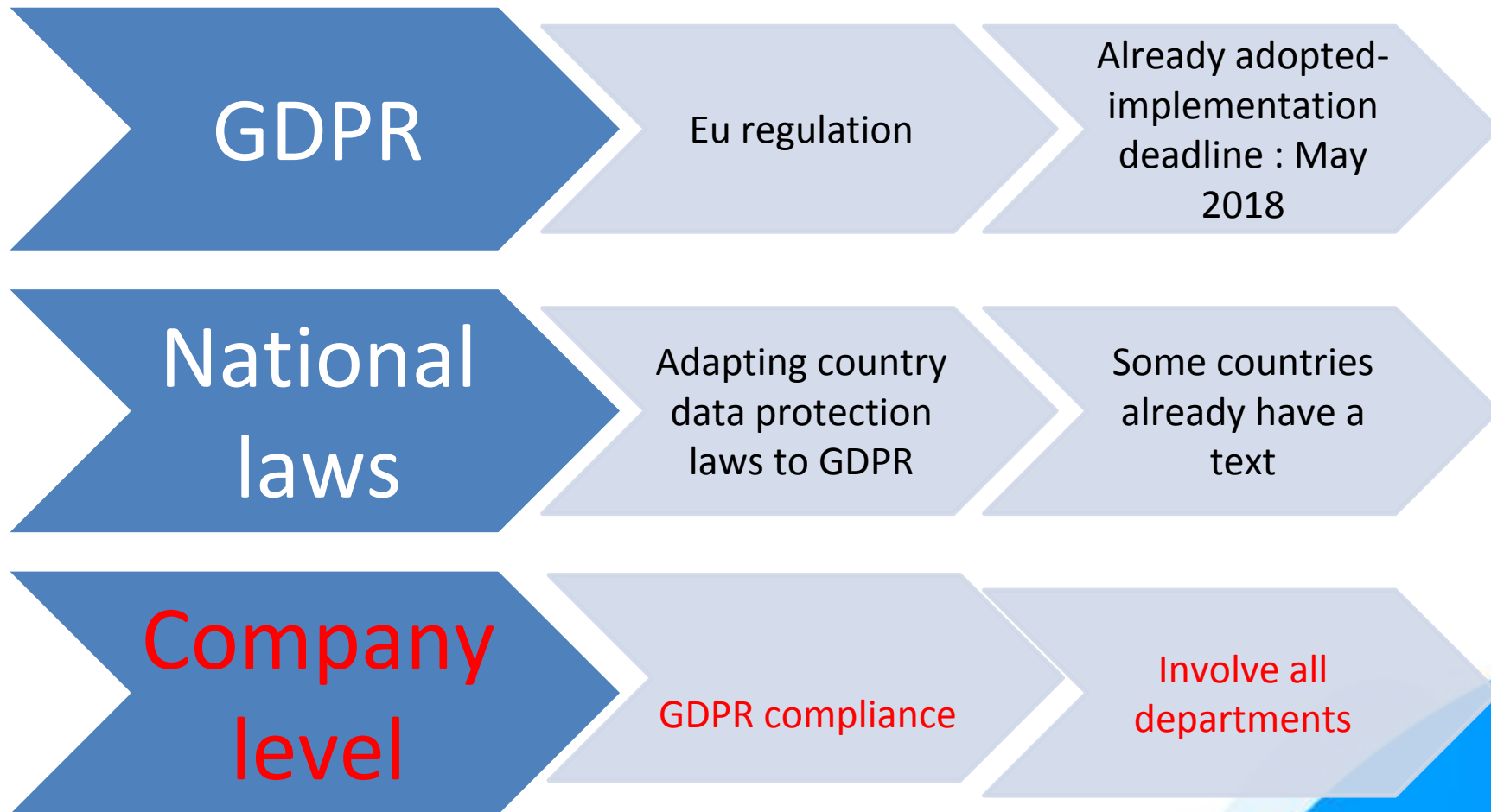
GDPR Compliance is worldwide

Privacy Shield Framework was designed by the U.S. Department of Commerce and European Commission to provide companies on both sides of the Atlantic with a mechanism to comply with EU data protection requirements when transferring personal data

May 2018



GDPR Compliance is a Company Process



GDPR – General Data Protection Regulation

SIINDA White Paper & Check list available to
SIINDA, LSA & ALSMA Members



E-privacy regulation

The most important current threat for our industry

What does e-privacy mean for the online-market ?

The EU Commission published in January 2017 a draft of e-privacy

Biggest Concern Art 15 is normative, it says:

- The **directory/online publishers** shall obtain the consent of users that are natural persons prior to including their data in a directory
- **Directory/online publishers** shall give those end-users the means to verify, correct and delete their data
- **Directory/online publishers** shall inform users about existing and new search functions
- **Directory publishers/online** shall inform end-users that are legal persons about the possibility to object against the data related to them to be included in the directory.

Problems:

- Directory publishers are obliged with all duties, Telcos and carriers are out
- Opt-in for natural persons, opt-out for legal persons
- Directory publishers don't know the natural vs legal persons
- Example Jo, the plumber, and Michael, the dentist, are not a legal person – they can not advertise their businesses
- What's about the existing data – needs to be deleted ?
- No obligation for Telco providers and carriers (and OTT) to share their data with directory publishers

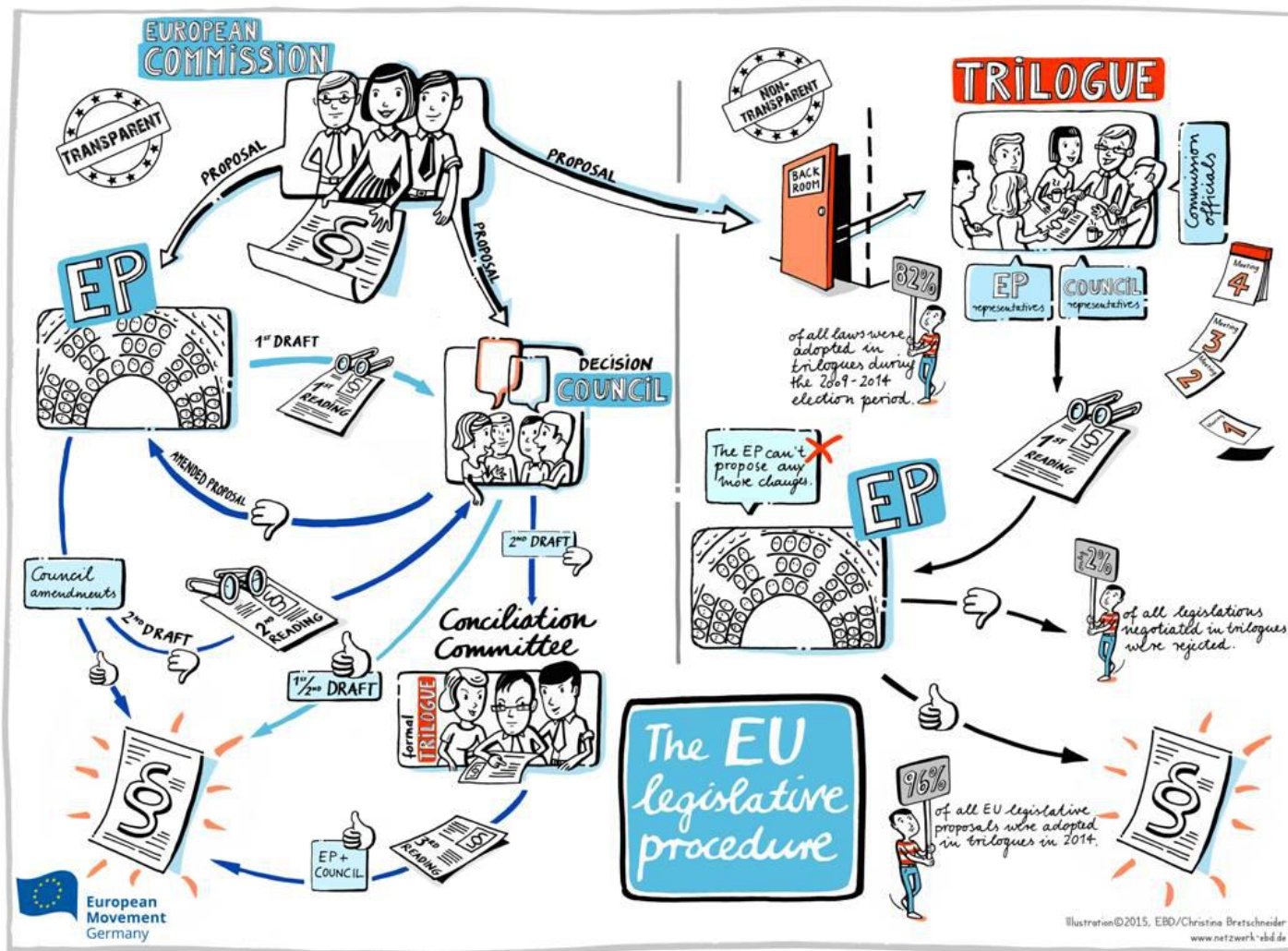
But everyone is concerned about E-privacy

- Cookies consent removed and replaced by do-not track
 - Replaced by browser settings that can authorize cookies or not. Big issue for all advertisers. Do-not-track browser settings would not be able to see any first and third part cookies, so no behavioral targeting possible.
- No more cookies wall possible
 - process referred to as cookie wall and currently used by many media providers.
- Applicable to all providers including OTTs
 - All companies 'functionally equivalent' services, known as 'over-the-top' service providers (OTT).
- Applicable to machine-to-machine communications and meta-data
 - the transmission of machine-to-machine communications (if this contains personal data)*
 - the metadata of communications, such as the source, location, date, time and duration of the communication
 - public communication networks (provided to an undefined group of consumers), such as Wifi hotspots
- Consent is the default rule
- Direct marketing calls must be identified as such
- Opt-in on all data not Opt-out

The five issues that concern SIINDA the most

- **Only the operators of electronic communication services** are able to collect the data of users, **not the directory publishers**
- **Opt-out** for all users, natural and legal persons
- The operators have the obligation to make the data of their users available for directory publishers in non discriminatory, fair manner at an cost-oriented price
- Users acting in commercial intent should have the same possibilities like legal persons
- The regulation should not apply for existing data, data that are published already or data the users provide themselves
- Advertising models are at risk

How does the EU work?



Why are we telling you this in Asia? We need your help!

- If you do business in EU this could affect you
- Political decisions and views cascade; if this is not changed it could be picked up by your country
- We need data facts on directories business models, contacts per country and actions overview from all over the world to support our arguments; please help us.



Could you share with us the information about your country; it helps us build database

Country :

- **Political System**
- **Number of players/competition in directories/ local portals**
- **Subscribers inclusion**
- **Links with telcos**
- **Current and future business models**
- **Do you have a subsidiary or connections in the EU**
- **Do you have any political contacts in the EU**
- **300 words on data availability in your country**
- **300 words on e-privacy position of your country**