

The logo for the Australian Direct Marketing Association (adma) is displayed in white lowercase letters on a black background. The letters 'a', 'd', and 'm' are connected, and the final 'a' has a small red triangle pointing to its right.

Online Behavioural Advertising

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The Panel



Harry Lowes
Head of Digital
Commonwealth Bank



Samantha Yorke
Legal Director
Asia Pacific



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Compliance,
Regulatory and
Corporate Affairs
Director
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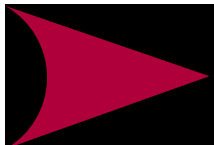


Melina Rohan
Director, Corporate
and Regulatory
Affairs
ADMA



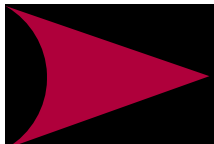
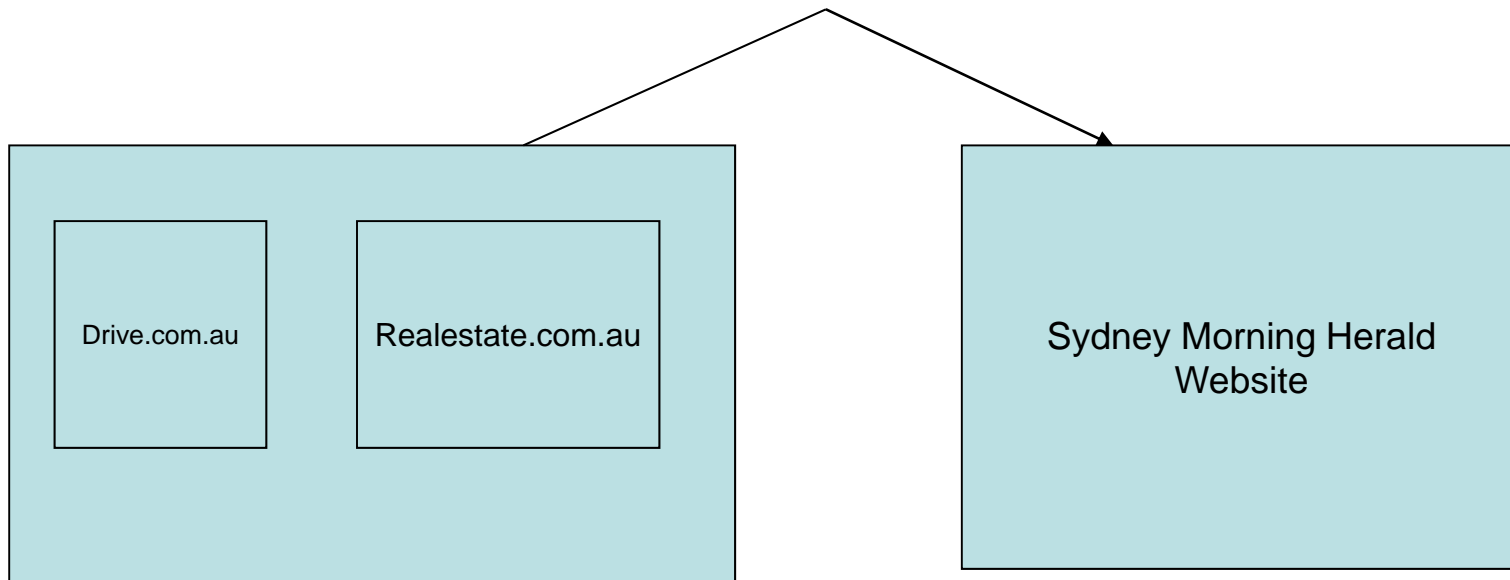
Online Behavioural Advertising

- What is it?
- How widespread?
- Why is it important for marketers?



Third Party OBA is in Scope

Third Party OBA is OBA served to an Internet-enabled device on a website based on the browsing history of the device on websites that are not Associated or Related.



The Australian Digital Advertising Alliance



Government, Consumer and Regulator Reaction



The Hon. Brendan O'Connor,
Minister for Privacy and
Freedom of Information

“I applaud your initiative. However, as is always the case with initiatives of this kind, the success or failure of the Guideline will very much depend on the conduct of those it intends to regulate. I look forward to seeing how this transpires, and encourage, in particular, the ongoing development of the Guideline in consultation with consumers.

Government, Consumer and Regulator Reaction

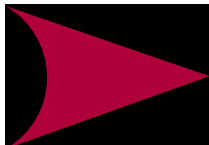


Timothy Pilgrim, Privacy Commissioner

“this is an important first step by industry”

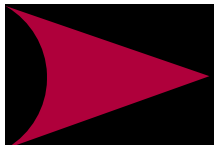
Online Privacy Senate Committee Report

The OPC in consultation with web browser developers, ISPs, and the advertising industry, should, in Accordance with proposed amendments to the Privacy Act, develop and impose a code which includes a 'Do Not Track' model following consultation with stakeholders.



Seven Principles

- Principle I Personal Information and Third Party OBA
- Principle II Providing Clear Information to Users
- Principle III User Choice over OBA
- Principle IV Keeping Data Secure
- Principle V Careful Handling of Sensitive Segmentation
- Principle VI Educating Users
- Principle VII Being Accountable



Principle I Personal Information & Third Party OBA

“If Third Parties wish to combine OBA data with personal information then they must treat OBA data as personal information in accordance with the Privacy Act.”

Third Parties are entities that engage in Third Party OBA. A subcontractor, such as a technical service provider, providing services in relation to a website for an entity that is responsible for a website is not a Third Party unless they are a Service Provider.

Principle II Providing Clear Information to Users

Third Party Notice

Third Parties should give clear and comprehensible notice on their websites describing their OBA data collection and use practices including:

- Their identity and contact details
- The types of data collected and used of the purpose of providing OBA
- The purpose(s) for which OBA data is processed and the recipients or categories of recipients to whom such data might be disclosed
- An easy to use mechanism for exercising choice with regard to the collection and use of data for OBA purposes and to the transfer of such data to Third Parties
- The fact that the company adheres to these principles

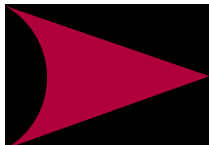
Principle II Providing Notice

OR

Third Parties can provide notice on a Web Page where OBA ads are present if there is an arrangement with the Website Operator for the provision of such notice

OR

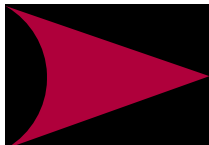
Notice on an industry developed website which will involve Third Parties being individually listed which is linked from a Website Operator Notice (described in the next slide)



Principle II Providing Notice

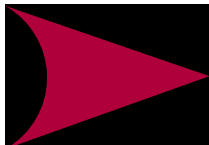
Website Operator Notice

In addition to the above a Website Operator that permits data to be collected from that site and used for OBA purposes by Third Parties, the Website Operator should provide adequate disclosure of this arrangement.



Principle III User Choice over OBA

- A** Each Third Party should make available a mechanism for Web Users to exercise their choice with respect to the collection and use of data for Third Party OBA purposes.
- B** Service Providers providing OBA should obtain Explicit Consent.
- C** Service Providers should provide an easy to use mechanism for Web Users to withdraw their Explicit Consent to the collection and use of such data for OBA



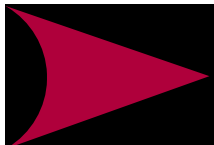
Principle III User Choice over OBA

Service Providers

An entity is a Service Provider to the extent that it provides any of the following services:

- a) Internet access service
- b) toolbar
- c) Internet browser
- d) desktop application
- e) client software

and in providing such a service the entity uses any such service(s) to collect and use data from all or substantially all Internet activity engaged in by Users of the service(s) for the purpose of OBA.



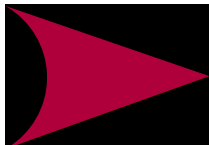
Principle IV Keeping Data Secure

A Safeguards

Companies should maintain appropriate physical, electronic and administrative safeguards to protect the data collected and use for OBA purposes.

B Data Storage

Companies should retain data that is collected and used for OBA only for as long as necessary to fulfill a legitimate business need, or as required by law.



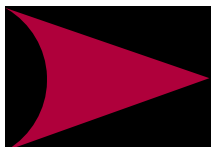
Principle V Careful Handling of Sensitive Segmentation

Children

Companies agree to comply with applicable law and self regulatory codes in relation to marketing and advertising to children (for example the AANA Code of Practice and the ADMA Direct Marketing Code of Practice)

OBA categories uniquely designed to target children under 13 will not be created.

This principle does not restrict the collection of OBA Data for the purpose of marketing to children's products to parents and other adults.



Principle V Careful Handling of Sensitive Segmentation

Other Sensitive Segments

Any company seeking to deploy OBA relying on the use of Sensitive Market Segments will obtain the Web User's Explicit Consent in accordance with applicable law, prior to engaging in OBA using that information.

Examples of sensitive market segments include sensitive market segments based on health information, sexual preferences or practices, religious beliefs.

To find out more about sensitive information go to the Regulatory Affairs Compliance Tool webpage on Privacy

<http://www.adma.com.au/regulatory/compliance-tools/privacy-principles/>

Principle VI Educating Users

Companies that engage in OBA should provide information to inform individuals and businesses about OBA, including easily accessible information about how data for OBA purposes is obtained, how it is used and how Web User choice may be exercised.

This may include information in easy-to-understand language and user-friendly format (such as online video). Companies and Associations are encouraged to use a consistent or common resource for such educational information.



Principle VII Being Accountable

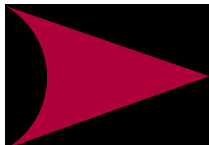
A Applicability and Eligibility

This Guideline is self-regulatory in nature and creates obligations for any signatory.

Signatories have six months to comply from launch.

B Compliance

Signatories to this Guideline are responsible for certifying that they comply with this Guideline. Self-certification of compliance shall be limited to those requirements applicable to each Company's business model. In the event that a single Company may be subject to multiple obligations, self-certification must cover all such applicable provisions.



More on Principle VII Being Accountable

C Validation

Companies engaging in Third Party OBA in Australia should undertake:

- a) a review of company websites and websites of OBA business partners for the purpose of validating complaint with obligations under this Guideline
- b) to resolve any identified areas of non-compliance in a transparent manner and within a reasonable period of time.

D Handling Consumer Complaints

Programmes under this Guideline include:

- a) easily accessible mechanisms for consumers to lodge complaints
- b) transparent, easily recognisable and accessible mechanisms for handling complaints
- c) reporting



your online choices

a guide to online behavioural advertising



- Home
- About
- Five top tips
- Helpful information
- About ADAA
- ADAA Best Practice Guideline
- FAQs
- How to make a complaint
- Your ad Choices
- Jargon buster

Home

Welcome to a guide to online behavioural advertising and online privacy.

Online behavioral advertising makes advertising online more relevant to your interests and online browsing experience.

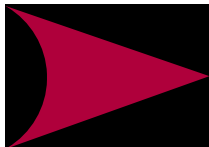
On this website you'll find information about how behavioural advertising works, further information about cookies and the steps you can take to protect your privacy on the internet. If you don't find the information here that you're looking for you can drop us a line here.



<p>About</p>	<p>FAQs</p>	<p>Five top tips</p>
<p>Make a Complaint</p>	<p>Opt Out</p>	<p>Best Practice Guideline</p>
<p>Jargon Buster</p>	<p>About ADAA</p>	<p>Other helpful information</p>

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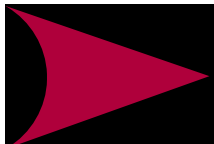


Australian Direct Marketing Association

adma

Industry reaction

- Just how does industry feel about this?



This is the first step

- The Best Practice Guidelines for OBA and the consumer education website are a first step
- In the next six months
 - Industry will be working to develop an easily recognisable, universal ICON which will be presented in all, on or around all Third party OBA advertising
 - Development of transparent and open complaint handling processes that will be independently overseen
 - Review of the guideline (as required)
 - Consulting with Government, consumer and regulatory affairs stakeholder on the guideline



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Thank You