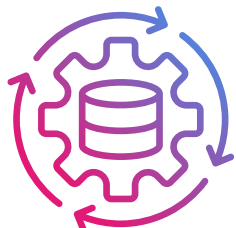




The Basics of Choice and Consent in Data Privacy Compliance

Choice and consent are fundamental concepts in data protection - allowing individuals to control how their personal information is collected, used, and disclosed. Requirements vary based on jurisdictions, industries, sectors, types of personal information, and processing activities.

Key considerations for ensuring choice and consent



1 Assessing data processing

- **Document data inventory:**
 - Categories of data collected
 - Purposes for use and disclosure
- **Ask important questions:**
 - Do you need sensitive personal information?
 - What jurisdictions and sectors do you operate in?
 - What types of data and purposes for processing?



2 Determining choice mechanisms

- **OECD Principles**, for example:
 - **Collection Limitation:** Limit personal data collection and obtain data by lawful and fair means with individual consent where appropriate
 - **Use Limitation:** Use personal data only for specified purposes and do not disclose or use data beyond those purposes
- **APEC Cross Border Privacy Rules (CBPR):** For organizations operating in APEC economies, provide clear and conspicuous choice mechanisms to exercise choices regarding data collection, use, and disclosure
- **Opt-in vs. opt-out:**
 - **Opt-in:** Active, affirmative action to indicate a choice
 - **Opt-out:** Allows individuals to unsubscribe or opt-out from certain processing activities



3 Acknowledge regulatory variations

- **California Consumer Privacy Act (CCPA), among other requirements:**
 - Opt-out from selling or sharing personal information
 - Provide a conspicuous link or alternative offline method
- **EEA (GDPR and ePrivacy Directive)**, for example:
 - Different types of choice mechanisms based on legal basis and categories of personal information
 - Cookie consent mechanisms, where applicable
 - The right to object processing when the data processing has been based on legitimate interest
- **Data Privacy Framework:** Opt-out choice for direct marketing, where applicable



4 Technological means of providing choice

- **Recording choices:** Implement procedures and technical measures to record individual preferences
- **Taking appropriate action:** Ensure that appropriate actions are taken when an individual exercises their choice
- **Inclusion in privacy notices:** Include disclosures and working mechanisms in your privacy notice



5 Special considerations for minors

- **Adherence:** Always adhere to local laws and regulations

Trust, transparency, and choice

Build customer trust with privacy-first digital experiences by respecting consent preferences, gaining user opt-ins/opt-outs, and empowering customers with their privacy rights.



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