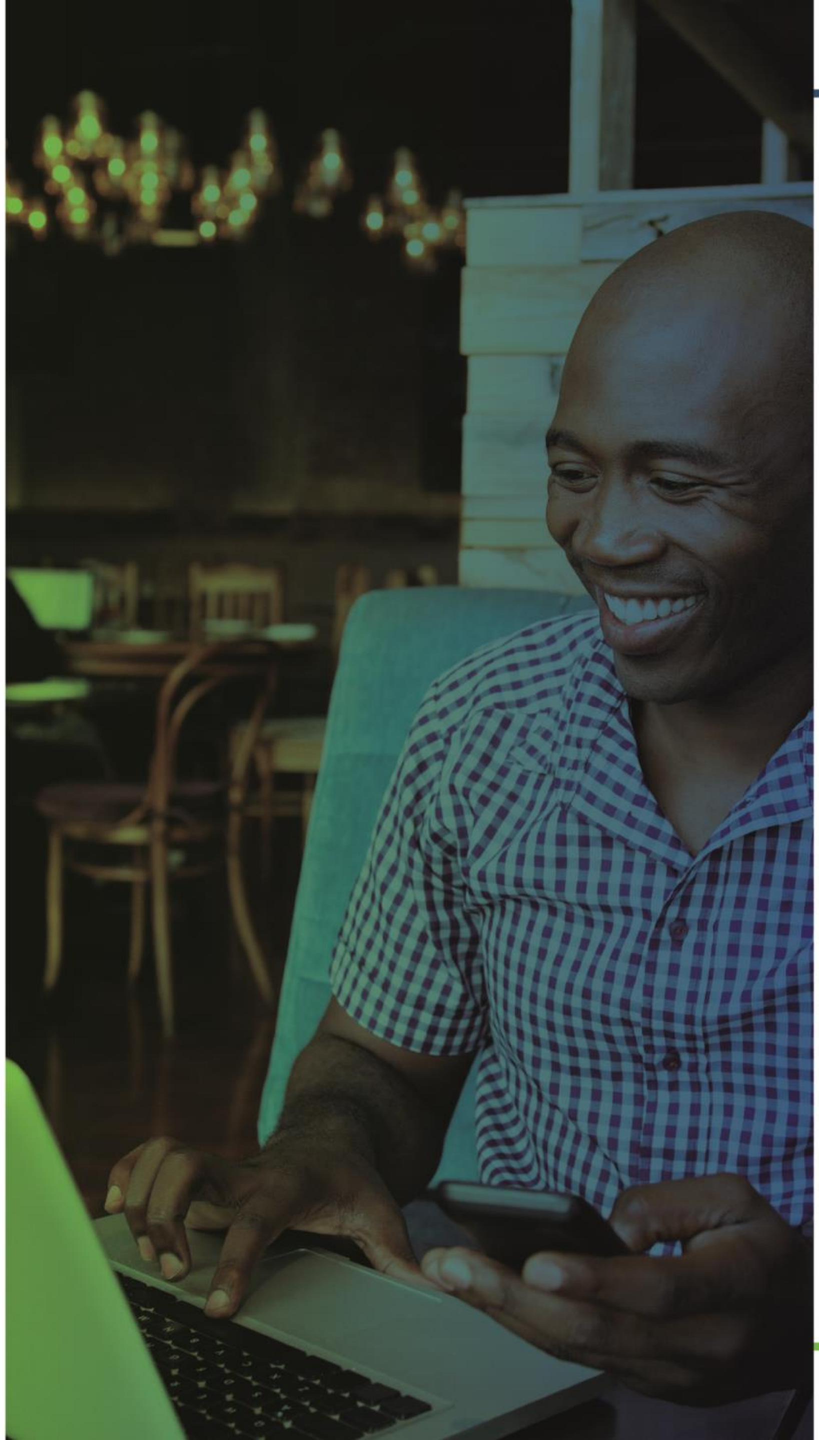


Navigating the Regulation Jungle: Be Compliant, Work Efficiently, and Stay Sane

Thursday, 1 August
10:00-11:00 PST
13:00-14:00 EST
19:00-20:00 CET

Navigating the Regulation Jungle

Be Compliant, Work Efficiently, and Stay Sane

Meet Your Hosts

Chris Simpson

Senior Product Manager

Osano

Skye McCullough

Vice President,
Customer Experience

Osano

Agenda

- Polls
- Why Modern Compliance Is So Disorienting
- Pitfalls to Avoid: Doing It All Yourself and Automating Yourself Into Noncompliance
- Why Context-Aware Data Privacy Solutions Are the Answer
- What Context-Aware Data Privacy Solutions Look Like in Practice
- How This Improves Your Day-to-Day

Poll

How many different data privacy regulations would you estimate your organization is subject to?

01 0 (🤔)

02 1-3

03 4-6

04 7-9

05 10+

osano

Poll

How much do you struggle to orchestrate your organization’s compliance with multiple regulations?

01 Not at all

02 A little bit—we’re mostly on top of our compliance obligations.

03 Somewhat—we’re not 100% compliant by any stretch and/or there may be requirements we’re not aware of.

04 A lot—meeting multiple regulations’ requirements keeps me up at night.

05 We’re really far behind and I don’t know where to start.

Privacy Pros Are Lost In a Jungle

Privacy professionals are struggling with:

- Providing a consistent customer/data subject experience
- Meeting varying compliance requirements efficiently across jurisdictions
- Coaching colleagues on compliance in a shifting environment
- Doing it all with the resources at their disposal

137

137 countries have some form of data privacy and protection law on the books.

63%

63% of privacy professionals feel that limited resources impact their ability to deliver on privacy goals.

20%

Only 2 out of 10 privacy professionals feel totally confident in their organization's privacy law compliance.

(Sources: UNCTAD, 2024; IAPP/EY, 2023)

What Makes Modern Compliance So Disorienting?

SRRs Across Jurisdictions

Offer Every Right to Everybody?

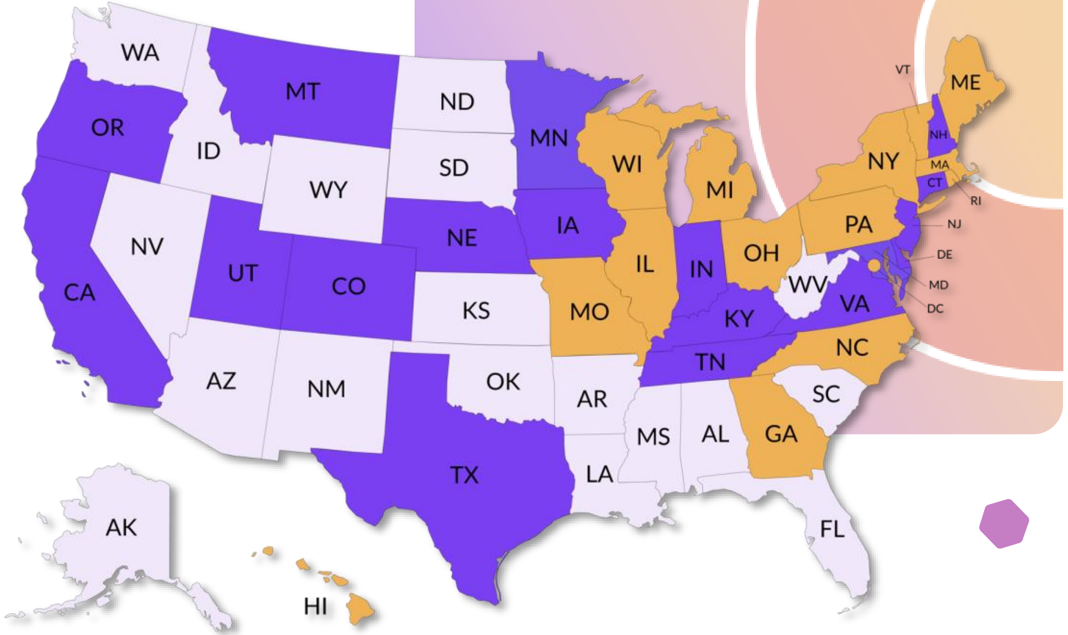
Lower risk and more consistency for customers, but more labor

Honor Rights Requests Based on Jurisdiction?

Laborious in its own way, confusing for customers, and invites risk of error

How to Manage Complex DSAR Types?

Time-consuming and expensive to manage; how do you reduce their risk and reserve time to handle them?

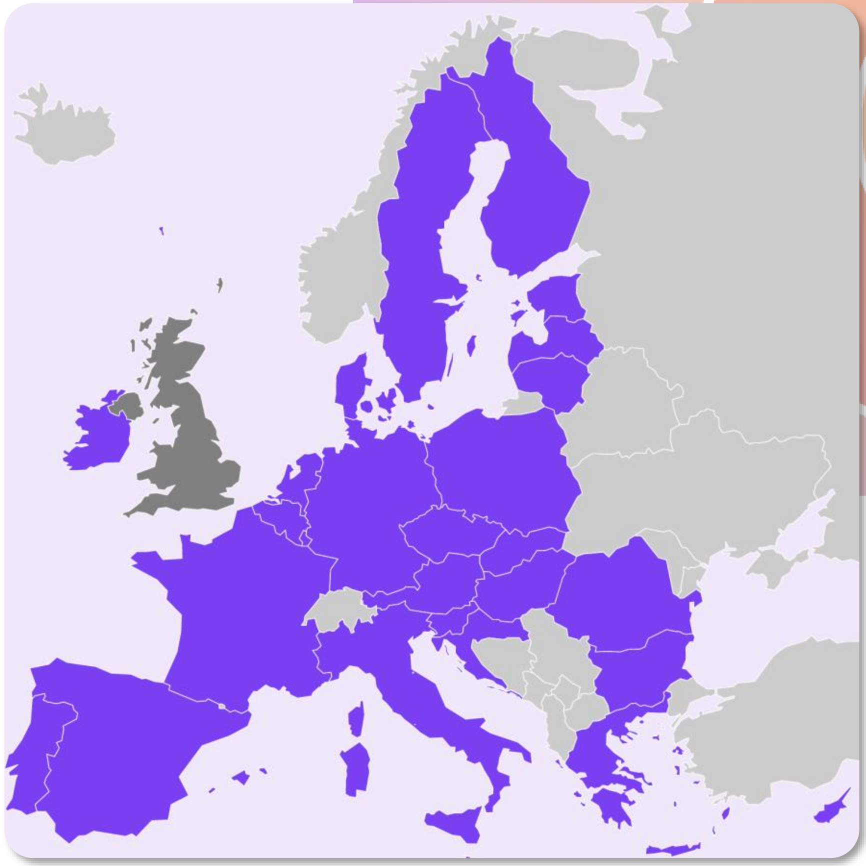


What Makes Modern Compliance So Disorienting?

Data Protection Authority Requirements

EU Data Protection Authorities Each Have Their Own Take on the GDPR

- With the exception of California, most consent banners in the U.S. are one-size-fits-all
- In the EU, they differ based on each member state
- Notice must be provided in end-users' preferred language



What Makes Modern Compliance So Disorienting?

Unique Regulatory Requirements

Many laws have unique or uncommon provisions. For example:

Lists of Third-Parties Upon Request

Oregon and Minnesota require you to provide a list of the specific third parties to whom you've sent data subjects' PI

AI Notice and Assessments

Colorado's new AI bill features similar requirements as privacy laws, but for AI

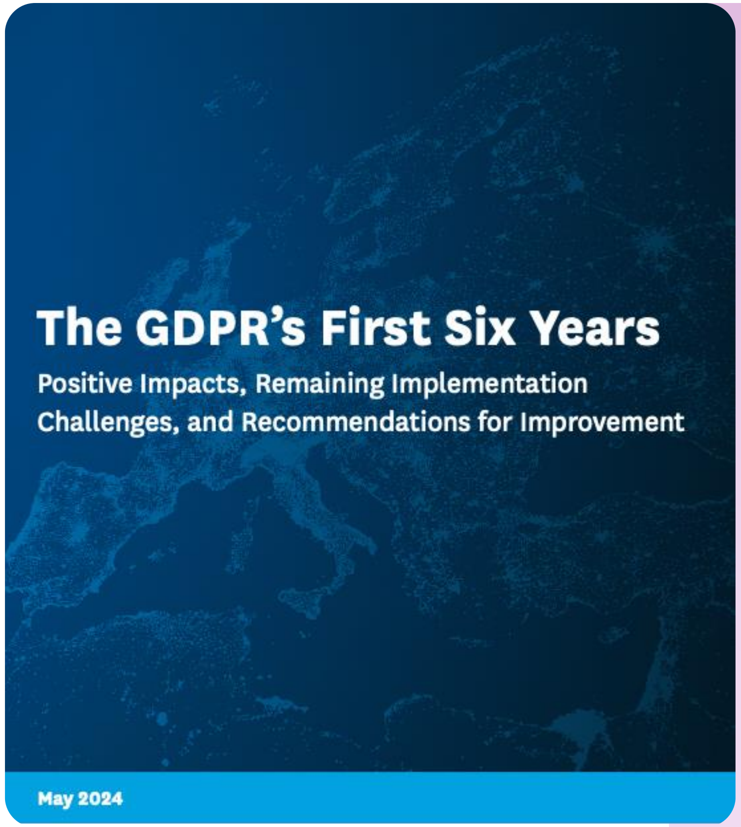
Outright Bans

Maryland forbids certain activities outright, even with data subjects' consent

What Does This Mean for Privacy Pros?

Inefficiency, Risk, and Overwhelm

- Privacy professionals and their organizations are between a rock and a hard place
- If vexatious SRRs ramp up in the U.S. as they have in Europe, organizations will need to be crystal clear on:
    - Which rights requests must be acted on
    - Which can be dismissed outright
    - Which require further analysis and documentation
- Asking for more budget and headcount may not be enough on its own



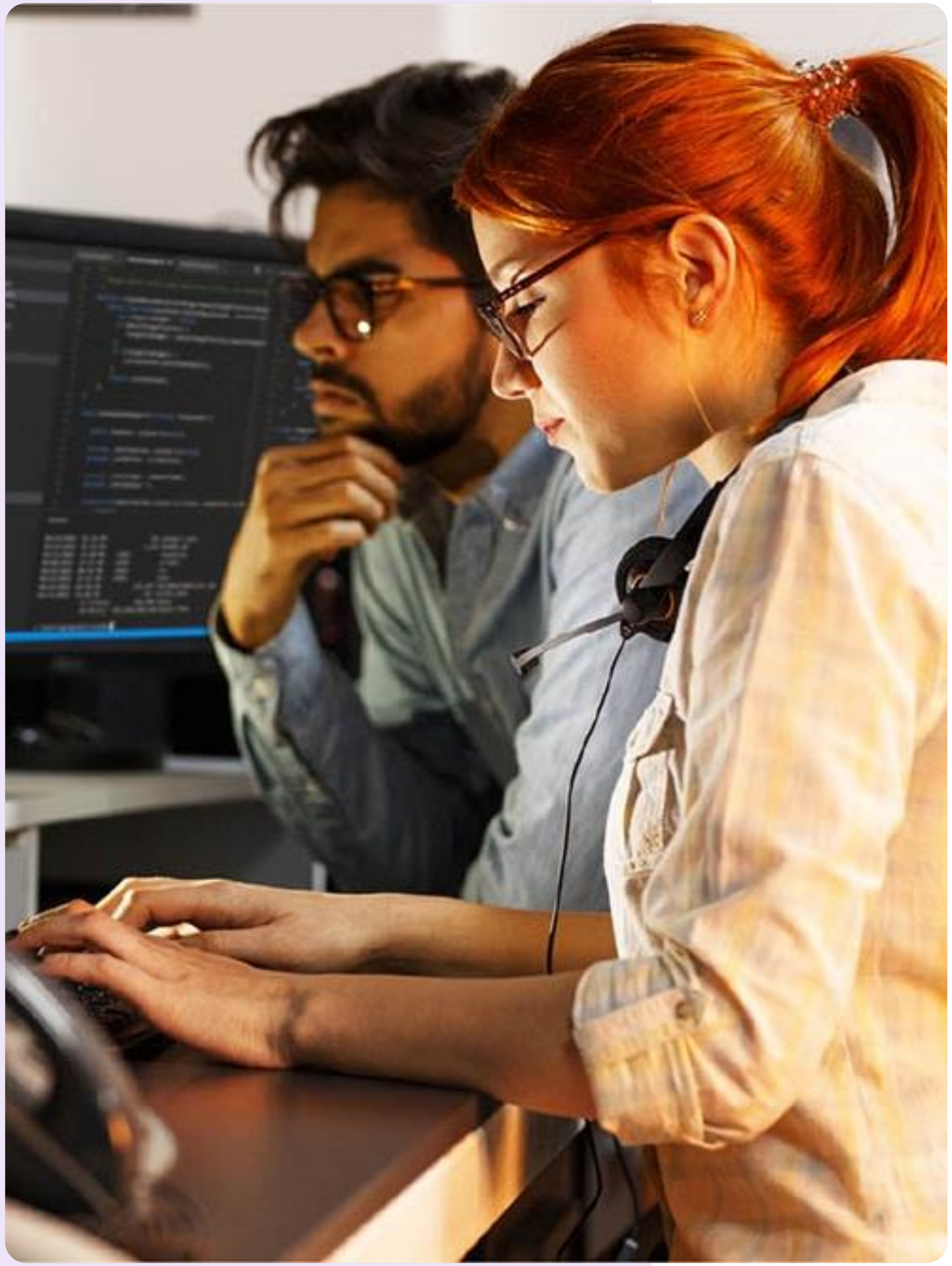
The GDPR's First Six Years

Positive Impacts, Remaining Implementation Challenges, and Recommendations for Improvement

May 2024

"Providing important and effective rights to individuals has been a core achievement of the GDPR. However, organisations are experiencing some challenges related to the interpretation of these rights and the potential for abuse. [...] For example:"

- Fishing expeditions
- Mass litigation threats
- Seeking to paralyze operations



Doing It All Isn't Feasible

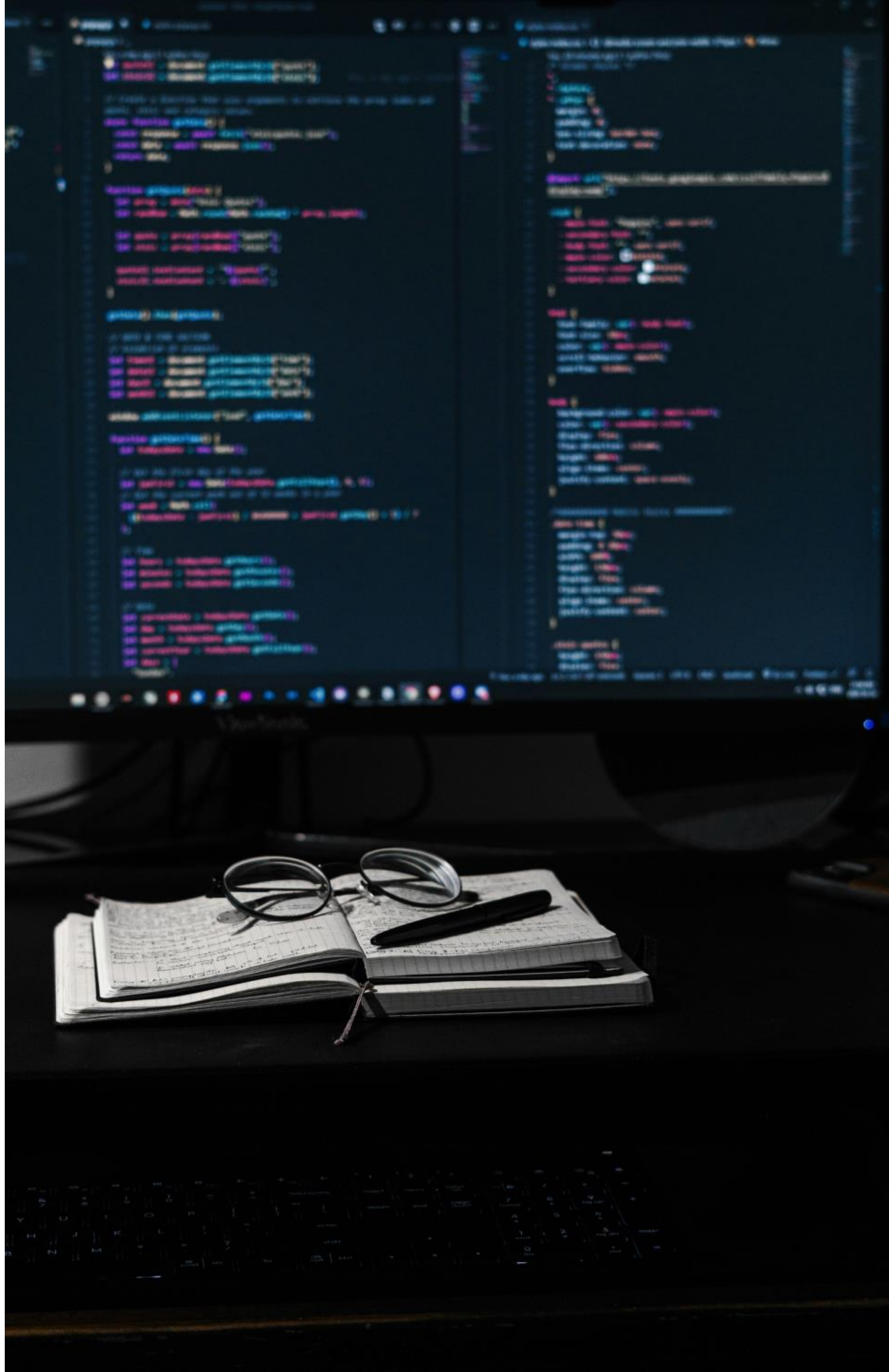
You Can't Reduce All Risks

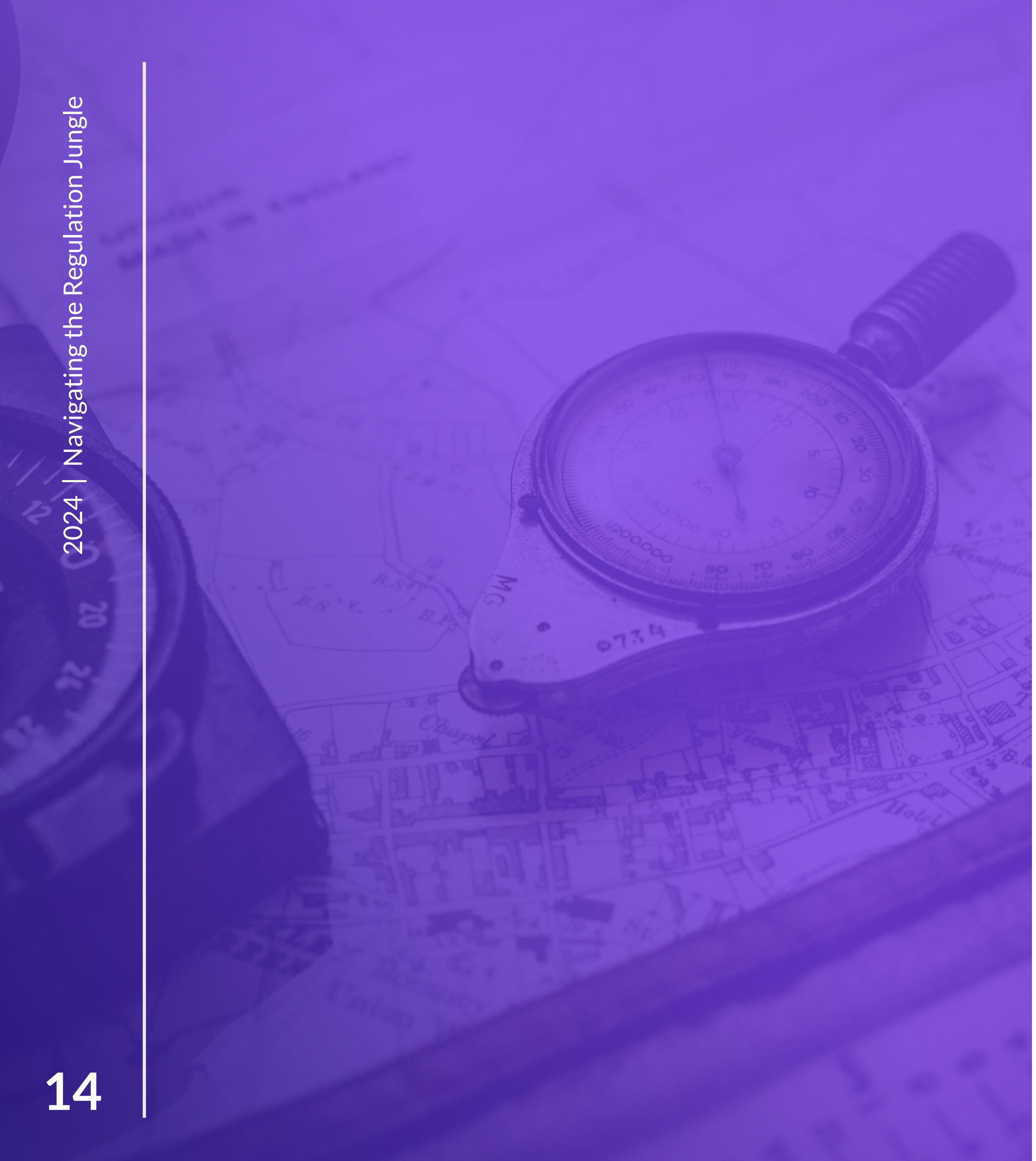
- But you can identify the most important ones for your business
- And you can identify the risks you will accept
- Ask yourself:
  - **Which jurisdictions are the most important to my business?**
  - **What are the greatest risks to my customers' privacy?**
  - **How can I balance my business's needs with my customers' privacy?**
  - **What's the current state of privacy controls in my organization?**
- Document your reasoning, your controls, etc. for your own benefit and as defense should a regulator come investigating

Automation May Not Solve All of Your Problems

Compliance Automation Can Be Quicksand

- Build homegrown automated compliance solutions?
  - May require an entire new business dedicated to developing and maintaining these solutions
  - Still dependant on privacy professional expertise for maintenance and updates
- Buy “fully automated” data privacy software solutions?
  - Only useful when compliance expertise is baked in
  - Being able to automate tasks and fully customize your solution may still require significant effort in terms of implementation, input, maintenance, and configuration
  - Can lead to automating noncompliance



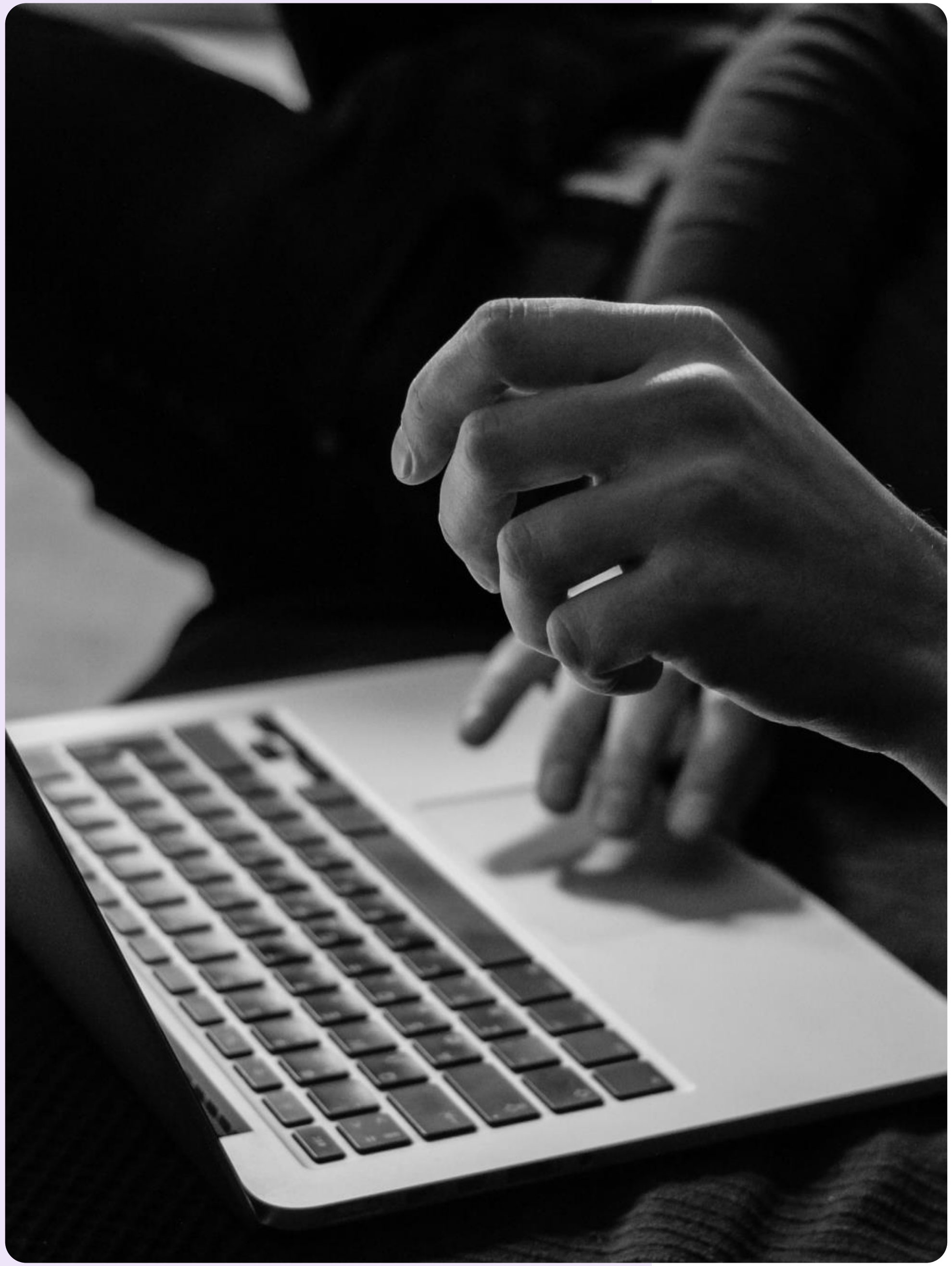


The Answer:

Context-Aware Privacy Solutions

The Right Tools Can Help You Navigate the Jungle

- You wouldn’t navigate a jungle without your compass, map, and machete
- You wouldn't trust a guide to take you through the jungle if they don’t know where you want to go
- **Context-aware automation at the right scale**
  - Neither too zoomed in nor too zoomed out
- **Context-aware automation in the right places**
  - Automate the easy calls
  - Don't automate where judgement/oversight is required
- **Compliance know-how built-in**. You shouldn’t have to, e.g.:
  - Keep pace with regulatory updates in every jurisdiction you operate
  - Configure consent banners per jurisdiction
  - Set up expensive, risky SRR workflows for highly unlikely edge cases



What Context-Aware Solutions Look Like:

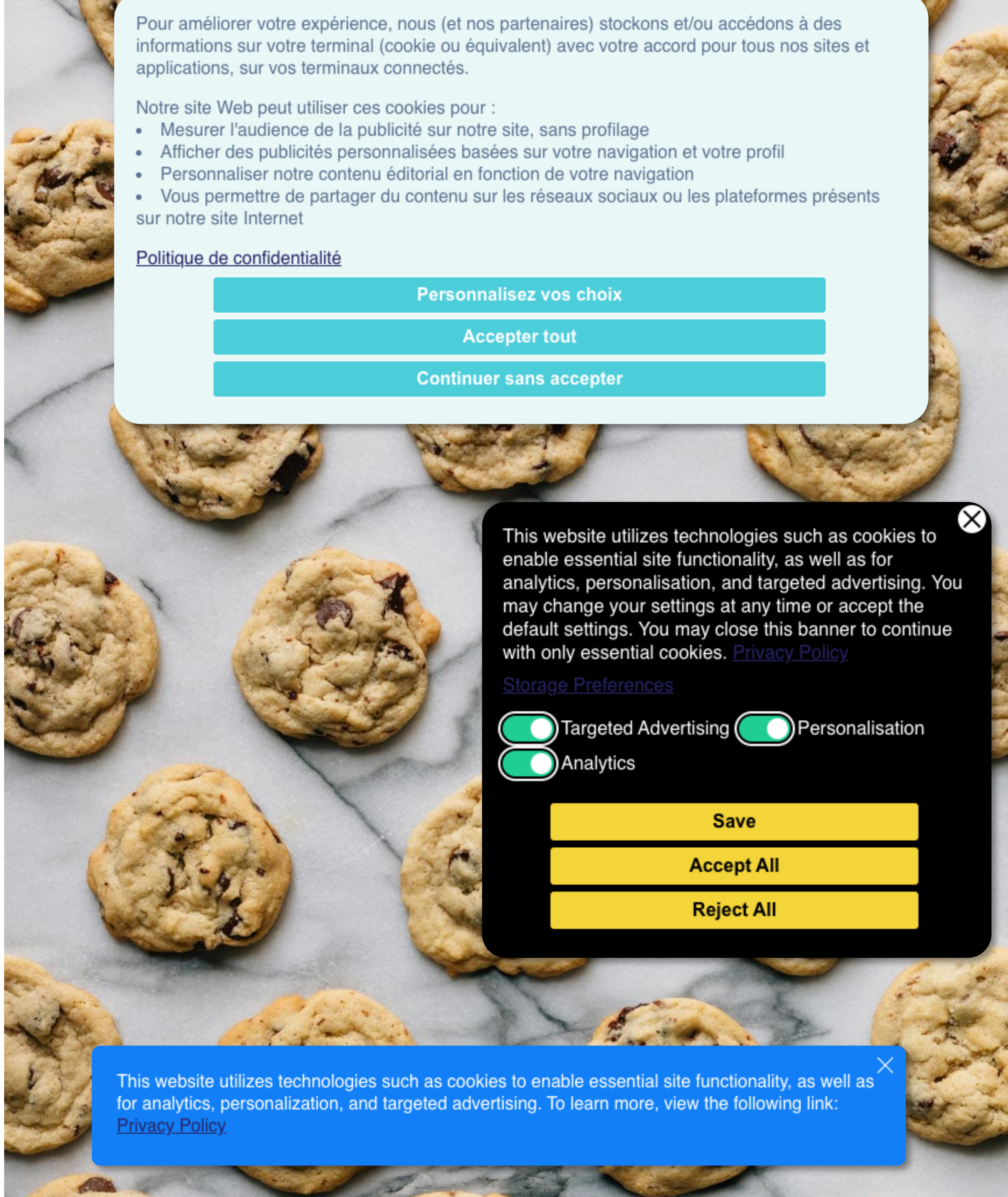
Subject Rights Requests

- Geofencing subject rights requests gives you greater control
  - Automatically limit requests from non-covered jurisdictions
  - Automatically reject duplicative requests when appropriate
  - Automatically offer appropriate rights based on covered jurisdictions
- Language localization
- Privacy experts track regulatory effective dates and subject rights, ensuring day-one compliance

What Context-Aware Solutions Look Like:

Cookie Consent

- Cookie banners must have different functionality, language, and design for certain jurisdictions
- Some jurisdictions can be covered by one banner type; others require unique design
- Privacy solutions need to:
  - Offer guardrails on banner customization to ensure local compliance while allowing for branding
  - Provide UI elements and links in compliance with local authorities' and regulations' rulings
  - Be maintained by the providers' privacy experts to make updates based on new regs, rulings, etc.



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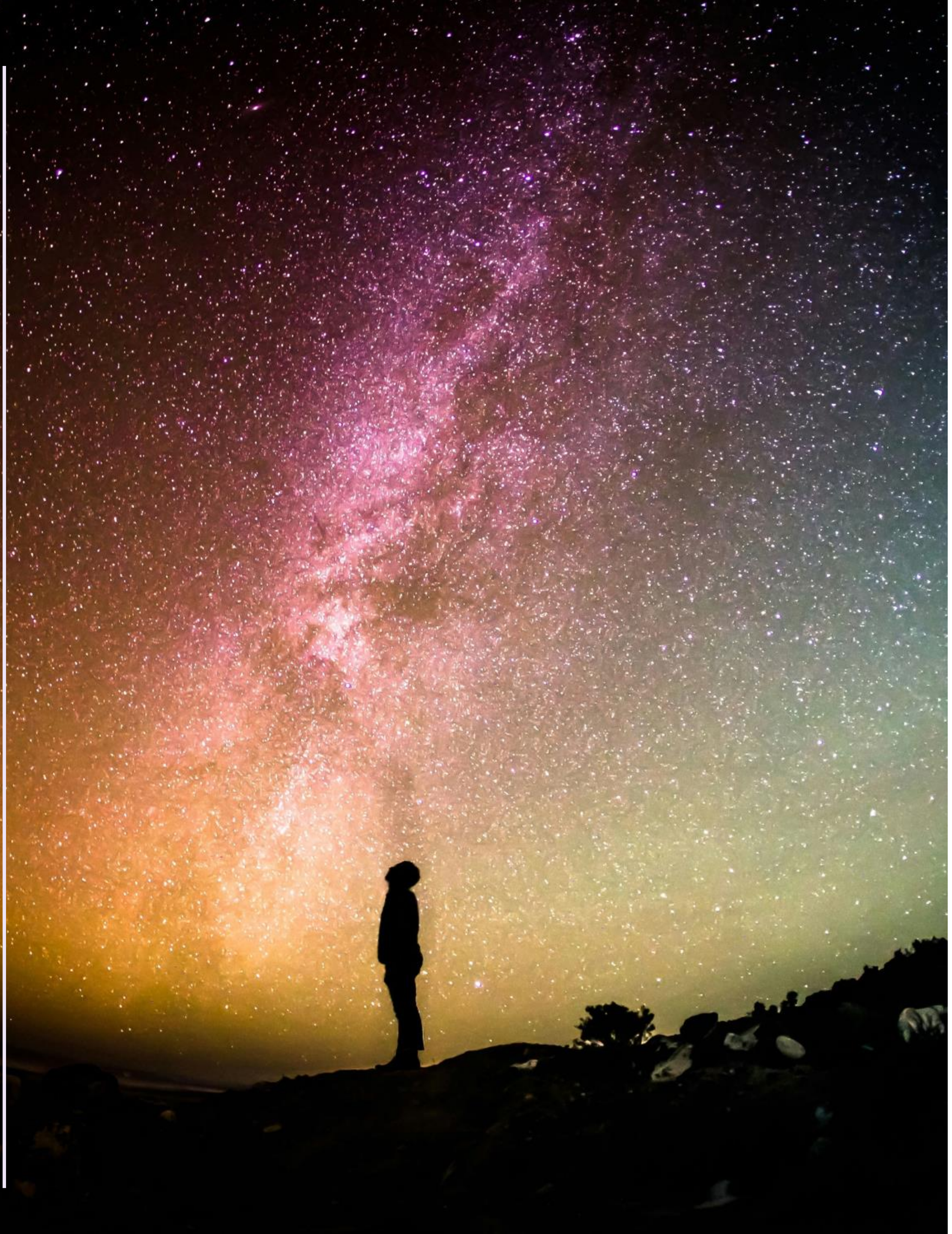


What Context-Aware Solutions Look Like:

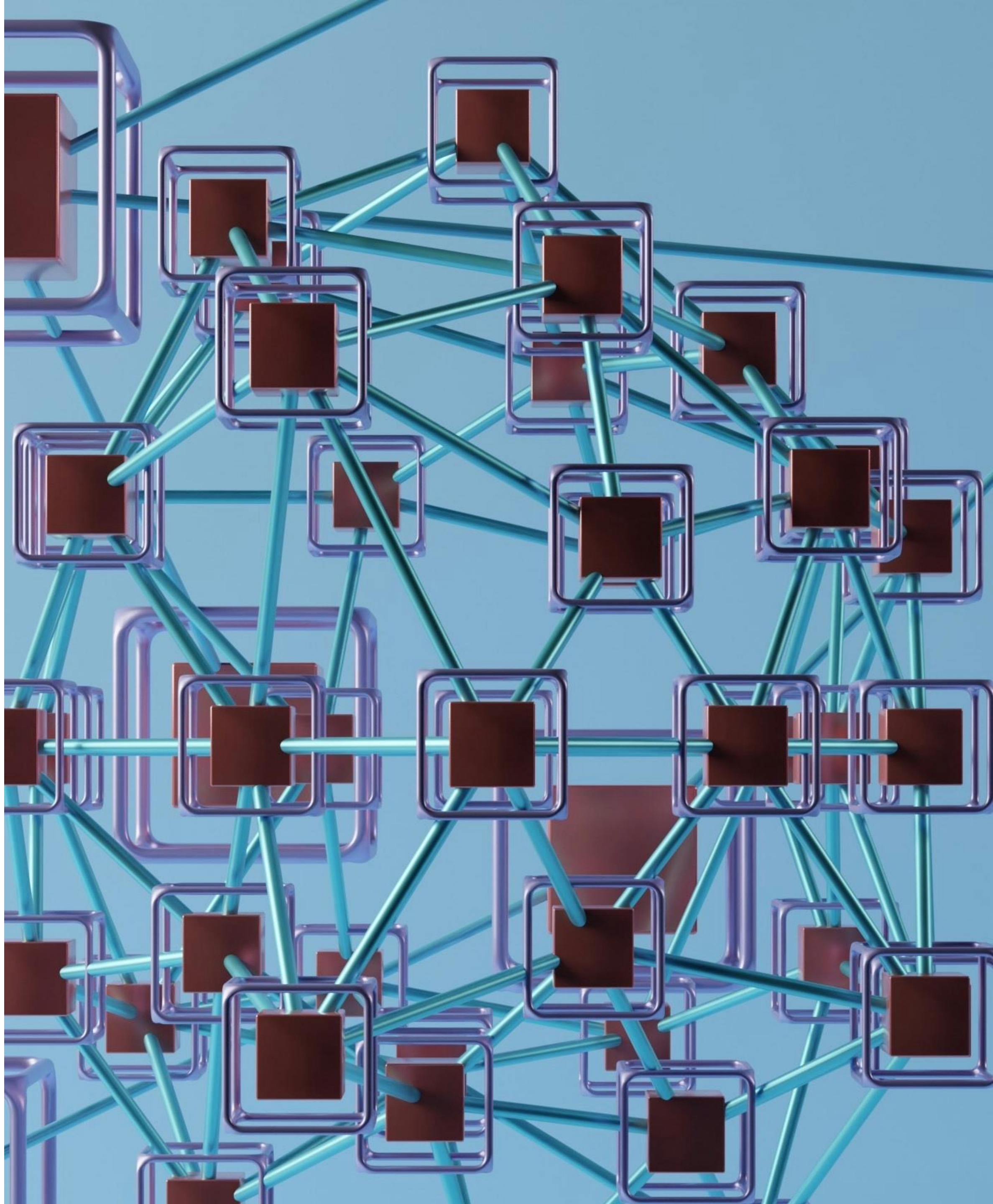
Universal Consent

- Cookies are just one avenue for personal data collection
- Managing consent across non-cookie-based channels is known as “universal consent” management
- Allows you to centralize consents from different systems, simplifying multijurisdictional consent management
- Provides means to honor do-not-sell/global privacy control signals in jurisdictions that require it
- Universal consent isn’t mandated by law, but makes compliance with key laws much easier (e.g. CCPA)

What Context-Aware Solutions Look Like:

Data Mapping

- It’s important to know when and where personal data you control is flowing from one jurisdiction to another
  - Are there appropriate contractual provisions in place?
  - Has a data protection adequacy decision been made for that jurisdiction?
  - Has a transfer impact assessment been conducted?
- Some data privacy solutions expect you do this yourself via spreadsheet
- Others generate data maps that aren’t especially relevant for data privacy compliance
- Data maps should identify risk and enable prioritization without requiring excessive labor or leaving privacy pros bogged down with inapplicable information



AT-A-GLANCE

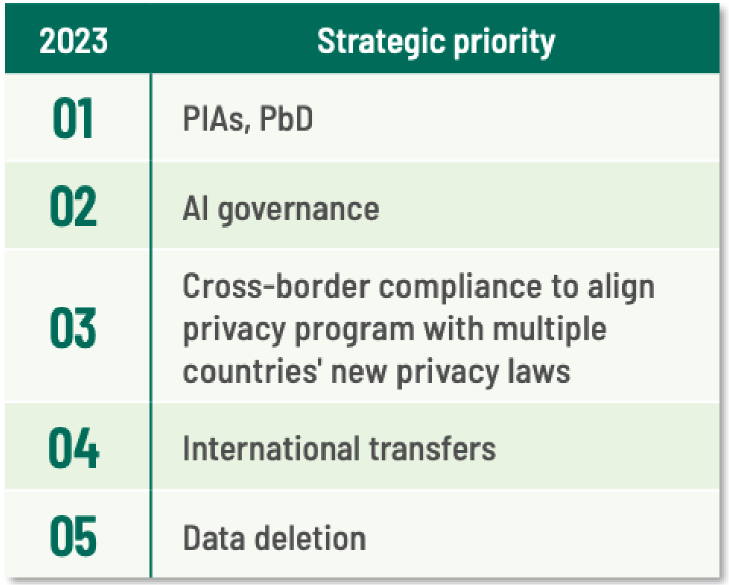
IAPP-EY Privacy Governance Report 2023

How This Affects Your Day-to-Day:

Time for Strategy & Enablement

Without focusing on cross-border compliance, you'll have more time to spend on the privacy strategy and enablement only you can provide:

- Assessments and privacy-by-design enablement
- AI governance
- Mapping data to understand transfers
- Minimizing data collection and enforcing retention policies



2023	Strategic priority
01	PIAs, PbD
02	AI governance
03	Cross-border compliance to align privacy program with multiple countries' new privacy laws
04	International transfers
05	Data deletion

How This Affects Your Day-to-Day:

Stronger Advocating Position

- Start with a relatively cheap approach to addressing resource gaps through context-aware data privacy solutions
- If gaps remain, you'll know that they require additional human resources to cover
- Having automated what can be automated, you'll be better positioned to make your case to your CFO.

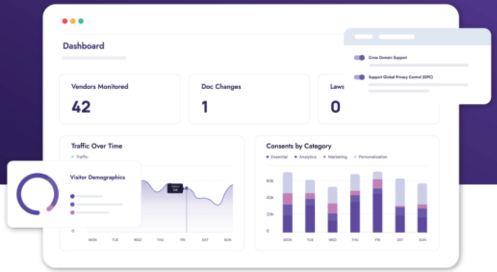
How This Affects Your Day-to-Day:

Greater Scalability

Localization + automation data privacy solutions enable you to:

- Expand into new regions
- Develop new products and services
- Manage new and evolving regulations

Stay In Touch and Learn More!



Dashboard

Vendors Monitored
42

Doc Changes
1

Laws
0

Traffic Over Time

Consents by Category

Visitor Demographics

Schedule a Demo

Check out the Osano Blog

Q&A

Ask your most pressing data privacy questions.

Web Conference
Participant Feedback Survey

Please take this quick (2 minute) survey to let us know how satisfied you were with this program and to provide us with suggestions for future improvement.

Click here: https://iapp.questionpro.com/t/ACtQeZ3gda

Thank you in advance!

For more information: www.iapp.org

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