

Regulation: A global perspective

Andrew Cannon, Founder and CEO of
Cannon Business Insight Oy & President of EFAMRO

20th November 2013

Agenda

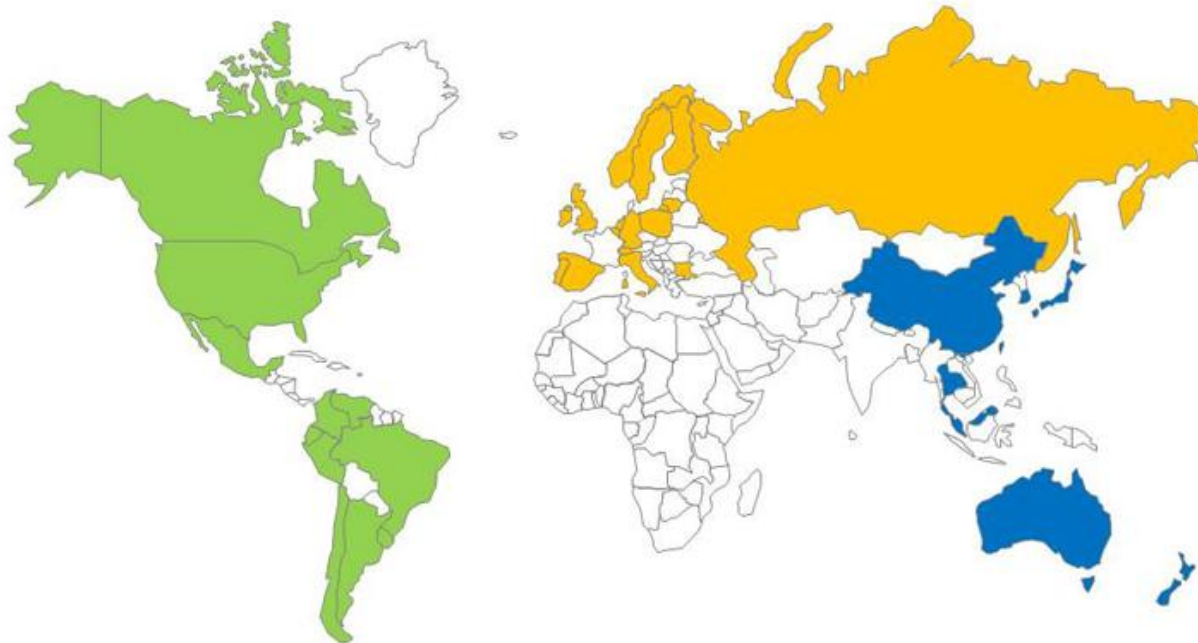
- Taustaa
- Miksi itsesääätely on tärkeää?
- Regulation issues around the globe
- Guidelines



GLOBAL RESEARCH BUSINESS NETWORK

APRC • EFAMRO • ARIA

THE GLOBAL RESEARCH BUSINESS NETWORK CONNECTS **37 MARKET RESEARCH ASSOCIATIONS** AND OVER **3500 RESEARCH BUSINESSES** ON **FIVE CONTINENTS**



GRBN LINKS THREE FEDERATIONS WORLDWIDE



www.aprc-research.com



www.efamro.eu



www.aria-americas.org

MORE THAN

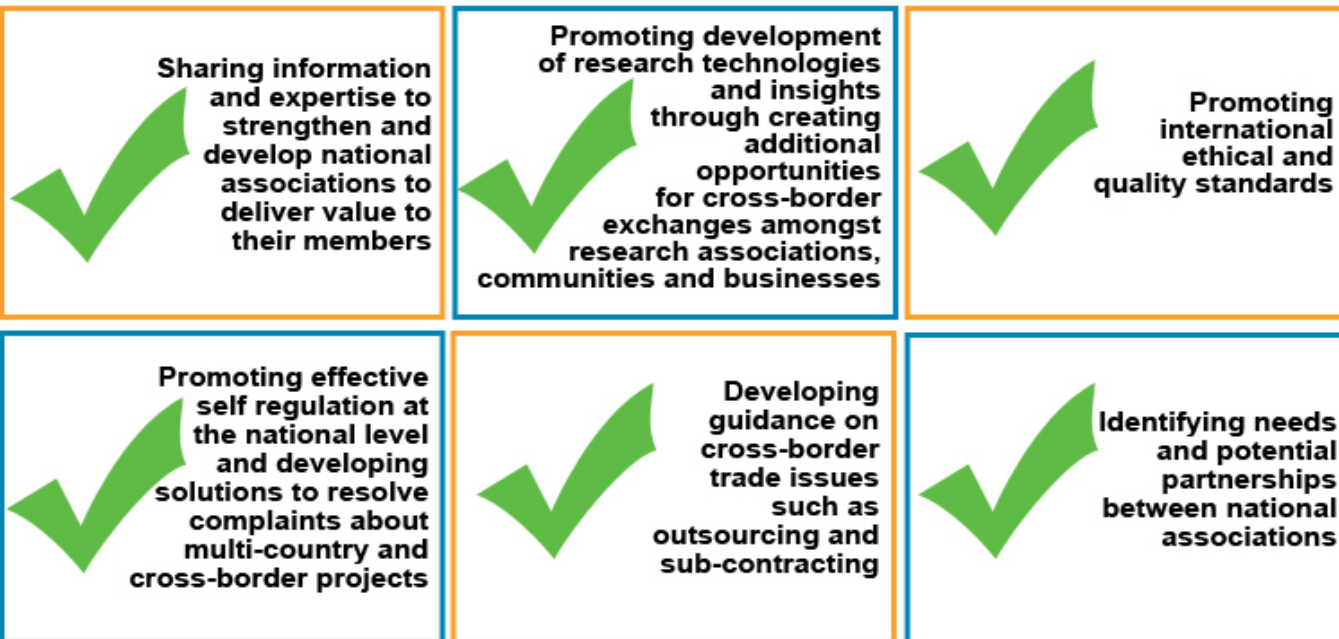
USD 24,900,000,000

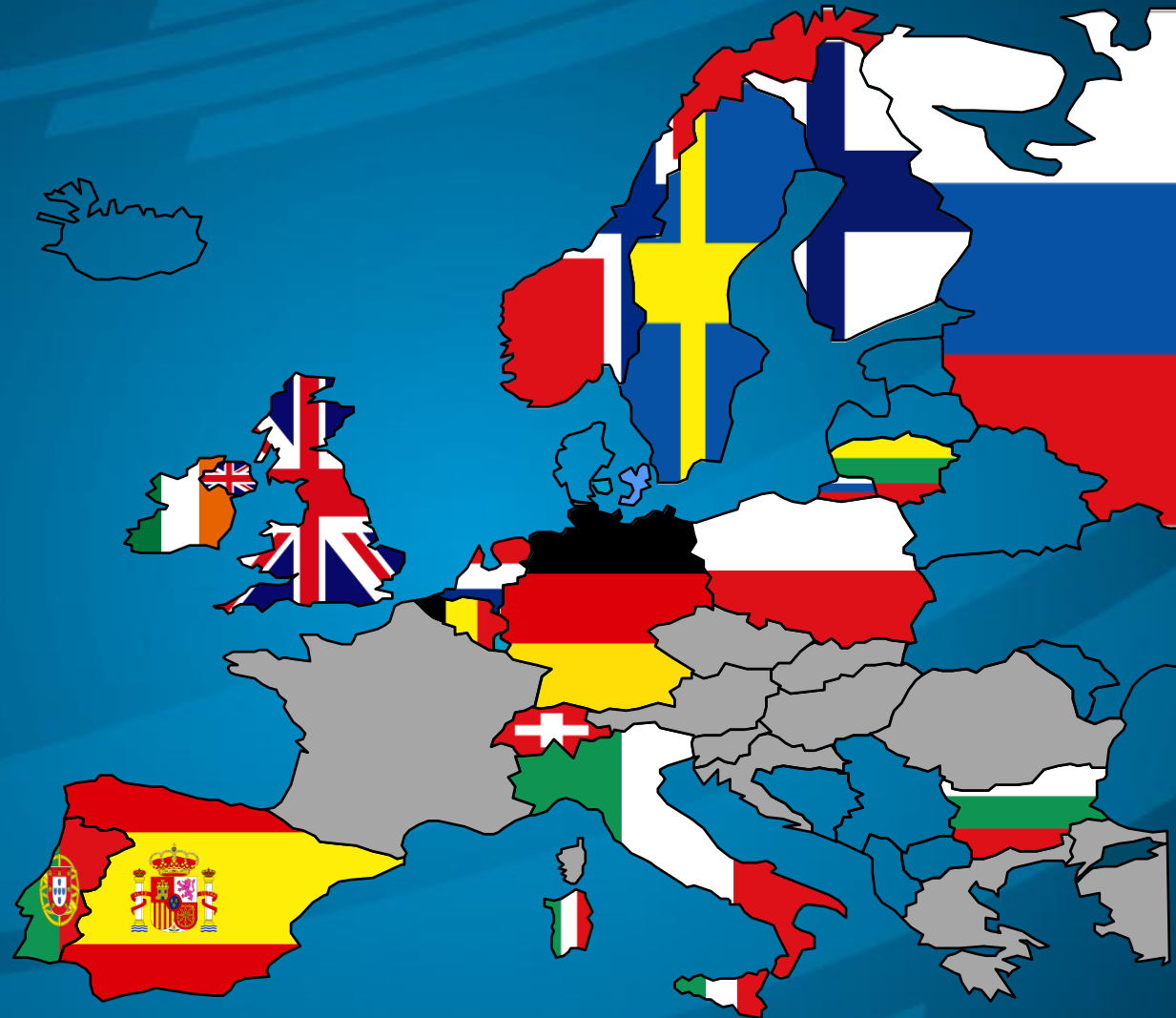
(€18.8 BILLION) IN ANNUAL RESEARCH REVENUES (TURNOVER) ARE REPRESENTED BY THESE BUSINESSES.

**OUR MISSION IS TO PROMOTE AND ADVANCE THE BUSINESS OF RESEARCH
BY DEVELOPING AND SUPPORTING STRONG AUTONOMOUS NATIONAL
RESEARCH ASSOCIATIONS.**



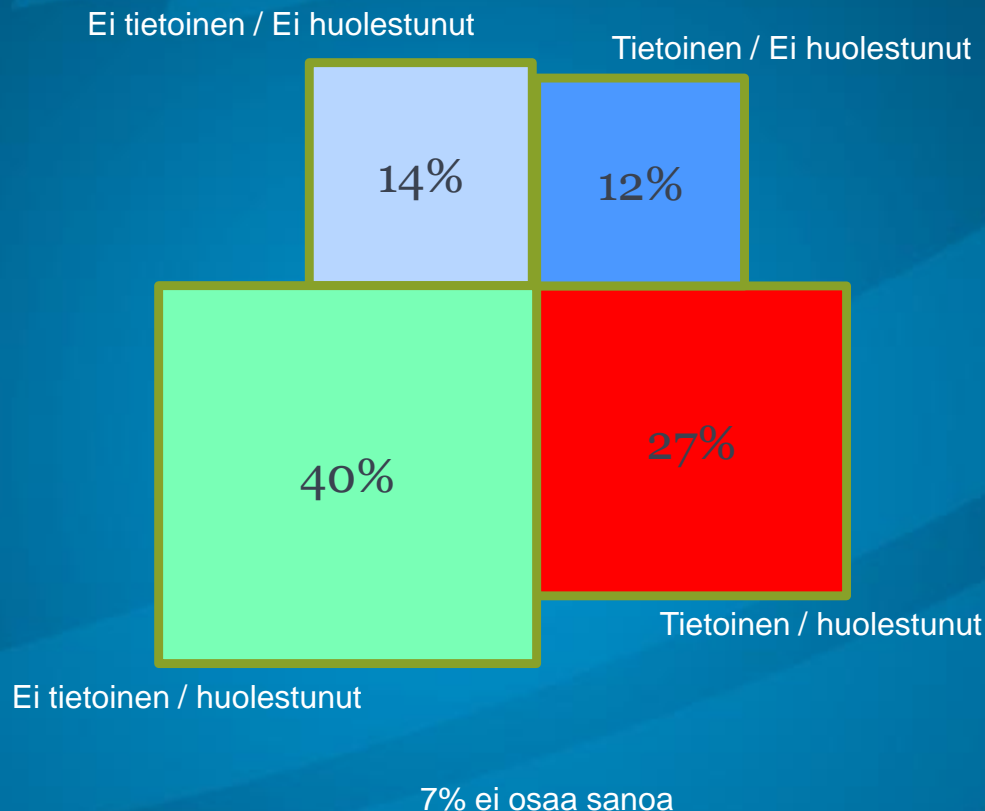
WE DO THIS BY:





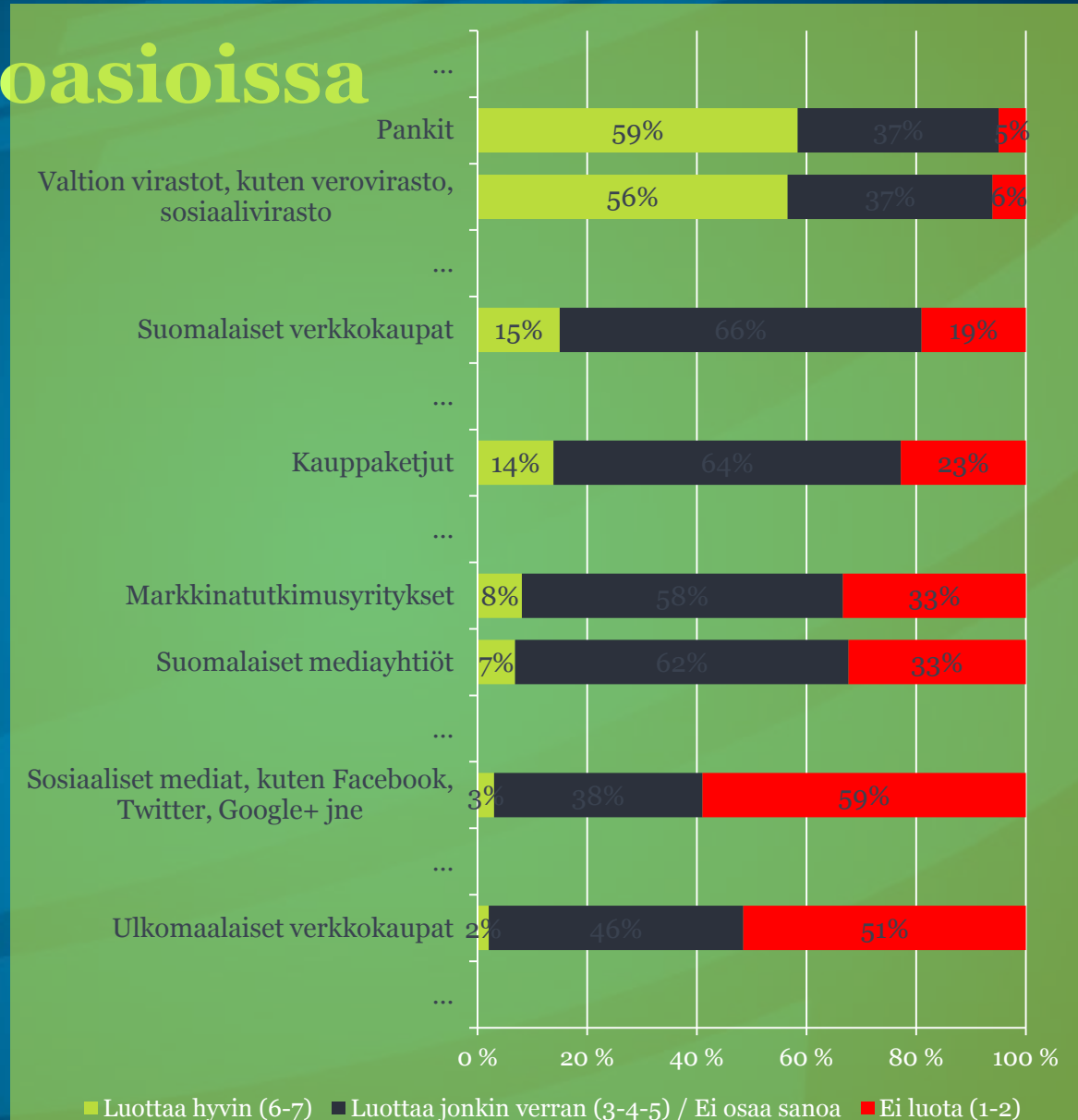
Miksi itsesääteily on tärkeää?

Tietoisuus ja huolestuneisuus



"Kyselyn toteutti CBI Cannon Business Insight Oy Norstatin on-line -paneelissa. Kyselyyn osallistui 514 vastaajaa. Näyte painotettiin edustamaan 15-74 -vuotiasta väestöä lukuun ottamatta Ahvenanmaata. Vastaukset kerättiin 28.10 - 10.11.2013 välisenä aikana.

Kuinka paljon luottaa eri tahoihin henkilötietoasioissa



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Itsesäätely Säätely

Itsesäätelyn hyödyt

- Kansalaisille?
- Asiakkaille?
- Toimistoille?

Markkinointi

Markkinatutkimus

Suoramarkkinointia

Regulation issues around the globe

Issues in APRC region – Australia

- **1. Working towards better access to the IPND**
- RICA reports productive meetings in Canberra
- Research Industry Council of Australia (RICA).
 - a single, authoritative voice when representing the research profession and industry to government and other external stakeholders
 - Australian Communications and Media Authority's recent review of the Telemarketing and Research Calls Industry Standard
 - The Department of Broadband, Communications and the Digital Economy (DBCDE) is currently in the process of finalising a two-year review of the IPND
- **2. New privacy legislation to be introduced in Australia in March 2014**
- The reforms to the Australian Privacy Act are the most significant changes to Privacy in over 20 years. The new laws come into effect 12 March 2014.
 - AMSRO is currently working in conjunction with the Office of the Australian Information Commissioner (OAIC) regarding the incoming Australian Privacy Principles (APPs),
-

Issues in ARIA region – Latin America

- Privacy and confidentiality
 - E.g. in Mexico there is now a formal body of law for protecting personal data, and the AMAI (the NA) worked closely with the dedicated government agency to adopt a special protocol in research data.
-
- Regulation of political polling.
 - So far, the industry has been able to protect itself by creating and adopting codes of good conducts and practices, and respecting general regulations (for instance, on blackout periods to release results prior or after the elections)
-
- Other legislation.
 - treating interviewing as an occupation

Issues in ARIA region – USA

- **Patient Protection and Affordable Care Act (The Sunshine Act)**
- **Consumer Privacy Bill of Rights**

Issues in EFAMRO region – Europe

- **Data protection legislation**

Data Protection

- The story so far...(part 1)
 - May to December 2009 - Commission Consultation on need for changes
 - July 2010 – Consultation on issues for particular sectors
 - November 2010 – Communication on data protection strategy
 - June 2011 – Parliament adopts opinion on comprehensive approach to data protection

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Data Protection

- The story so far...(part 2)
 - January 2012 – Commission publishes proposal for a Regulation
 - January 2013 – Parliament's LIBE Committee publishes draft report
 - April 2013 – LIBE vote postponed
 - June 2013 – Council of Ministers published working draft of first half of Regulation

Data Protection

- Running out of time...
 - October 2013 – LIBE must vote on its Report
 - January 2014 – Greek Presidency of Council (data protection not expected to be a priority)
 - May 2014 – Parliament's term ends, new elections
 - June to October 2014 – selection and appointment of new Commission

What happens next?

- LIBE will publish compromise amendments in September ahead of October vote – **efamro** ready to lobby where proposals impact on research
- Lithuanian presidency to finish Council version of Regulation - national associations may need to lobby their governments
- **Triologue** – Parliament and Council (with Commission) reconcile texts before adoption.

Issues in EFAMRO region – Europe

- **Data protection legislation**
 - **Data transfer to non-Eu countries**
 - **Sanctions**
 - **Right to erasure**
 - **Explicit consent**
 - **Profiling**
 - **Compliance**
 - **Research exemptions**

Issues in EFAMRO region – Europe

- **Personal data**
- **Sensitive data**
- **Fair data**
- **Consent**
- **Profiling and tracking**

- **Sunshine act**

Guidelines

For example

- **Mobile guidelines**
- **Guidelines for interviewing children**
- **Guidelines for publising research findings and polls**
- ...

Guidelines for publishing research findings and polls

- 2. When public opinion survey findings are published in print media they must always be accompanied by a clear statement of:
 - (a) the **name of the research organisation** carrying out the survey;
 - (b) the **universe** effectively represented (i.e. who was interviewed);
 - (c) the **achieved sample size** and its geographical coverage;
 - (d) the **dates of fieldwork**;
 - (e) the **sampling method**;
 - (f) the **method by which the information was collected** (face-to-face, telephone interview, internet panel etc.);
 - (g) whether **weighting** was used to adjust the results and the universe used for the weights....
 - (h) the relevant **questions asked....**

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Thank you!

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