



Digital Advertising  
Alliance of Canada

# Application of Self-Regulatory Principles to the Mobile Environment



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## Overview

This guidance explains how the existing Digital Advertising Alliance of Canada (“DAAC”) Self-Regulatory Principles for Online Behavioural Advertising (“OBA Principles”) apply to certain types of data in the mobile Web site and application environment. This guidance acknowledges that both First Parties and Third Parties operate across a variety of channels including mobile. The OBA Principles apply consistently across these channels, although current implementation may vary based on the technological demands of different channels.

The existing OBA Principles and definitions remain in full force and effect. For clarity and ease of use, this guidance document restates certain of the standards and definitions from the OBA Principles. These definitions should be interpreted consistently across channels.

The OBA Principles apply to the mobile Web site environment. Due to the technical features of different types of devices and systems, the DAAC recognizes that it may not be feasible to comply with the OBA Principles on the mobile Web in the same manner as in a desktop computer environment. From time to time, the DAAC may provide guidance on implementation practices.

Sections II and III of this guidance explain how the OBA Principles apply to certain data practices that may occur on mobile or other devices. Section II sets forth how the OBA Principles apply to data collected from a particular device regarding application use over time and across applications. Section III explains the application of the OBA Principles to Precise Location Data – data obtained from a device about the physical location of the device that is sufficiently precise to locate a specific individual or device – as well as Personal Directory Data – calendar, address book, phone/text log, or photo/video data created by a consumer that is stored on or accessed through a device.



# Definitions

## A. Cross-App Data

Cross-App Data is data collected from a particular device regarding application use over time and across other applications for the purposes of delivering interest-based advertising in an application. Cross-App Data does not include Precise Location Data or Personal Directory Data.

## B. De-Identification Process

Data has been De-Identified when an entity has taken reasonable steps to (i) ensure that the data cannot reasonably be re-associated or connected to an individual or be connected to or associated with a particular computer or device; (ii) protect the non-identifiable nature of data if it is distributed to Third Parties and obtain satisfactory written assurance that such entities will not attempt to reconstruct the data in a way such that an individual may be re-identified and will use or disclose the de-identified data only for uses as specified by the entity, (iii) ensure that any entity that receives de-identified data will itself ensure that any further entities to which such data is disclosed agree to the foregoing restrictions and conditions.

## C. Delivery

Delivery is the delivery of online content, advertisements, or advertising-related services using Reporting data. Delivery does not include the collection and use of Reporting data when such data is used to deliver online advertisements or advertising-related services to a computer or device based on the preferences or interests inferred from information collected over time and across Third Party mobile Web sites because this type of collection and use is covered by the definition of Online Behavioural Advertising in the Self-Regulatory Principles for Online Behavioural Advertising.

## D. First Party

A First Party is the entity that is the owner of an application, or has control over the application, with which the consumer interacts.



## E. Market Research

Market Research means the analysis of: market segmentation or trends; consumer preferences and behaviours; research about consumers, products, or services; or the effectiveness of marketing or advertising. A key characteristic of market research is that the data is not re-identified to market directly back to, or otherwise re-contact a specific computer or device. Thus, the term “market research” does not include sales, promotional, or marketing activities directed at a specific computer or device.

## F. Personal Directory Data

Personal Directory Data is calendar, address book, phone/text log, or photo/video data created by a consumer that is stored on or accessed through a particular device and obtained for the purposes of delivering interest-based advertising in an application.

## G. Personal Information

Personal Information is information about an identifiable individual, as more particularly defined under applicable Canadian privacy legislation.

## H. Precise Location Data

Precise Location Data is data obtained from a device about the physical location of the device that is sufficiently precise to locate a specific individual or device for the purposes of delivering interest-based advertising in an application.

## I. Product Development

Product Development means the analysis of: (1) the characteristics of a market or group of consumers; or (2) the performance of a product, service or feature, in order to improve existing products or services or to develop new products or services. Like data used for Market Research, data used for Product Development is not re-identified to market directly back to, or otherwise re-contact a specific computer or device.



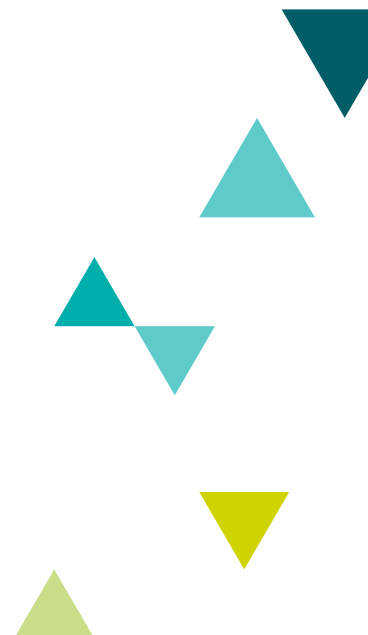
## J. Reporting

Reporting is the logging of Cross-App Data, Precise Location Data, or Personal Directory Data on an application or the collection or use of other information about an application, operating system, date and time of viewing of the application or advertisement, or impression information for:

- Statistical reporting in connection with the activity on an application;
- Analytics;
- Optimization of location of ad and media placement;
- Reach and frequency metrics (e.g., frequency capping);
- Ad performance; and
- Logging the number and type of advertisements served on a particular application.

## K. Third Party

An entity is a Third Party to the extent that, for the purposes of delivering interest-based ads, it collects Cross-App Data or Precise Location Data from or through another application, or collects Personal Directory Data from a device.



# ii Transparency and Control for Cross-App Data

## A. Transparency

### 1. Third Party Notice

Third Parties should give clear, meaningful, and prominent notice of their Cross-App Data collection and use practices. Such notice should include clear descriptions of the following:

- (a) The types of data collected, including any Personal Information;
- (b) The uses of such data, including whether it will be disclosed to another entity;
- (c) An easy-to-use mechanism for exercising choice with respect to the collection, use or disclosure of such data for the purpose of delivering interest-based ads in an application; and
- (d) The fact that the entity adheres to these Principles.

Third Parties should provide such notice on their own Web sites or such notice should be accessible from any application from or through which they collect Cross-App Data.

### 2. Third Party Enhanced Notice on Cross-App Data

In addition to providing notice as described in Section II.A.1, Third Parties should provide enhanced notice of their Cross-App Data collection and use practices. Such enhanced notice should be provided as set forth below in (a) or (b):

- (a) **Application Notice:** Third Parties should provide notice through a clear, meaningful, and prominent link to a disclosure described in Section II.A.1 that is presented within the application as follows:
  - (i) In or around an advertisement delivered using Cross-App Data; or
  - (ii) If there is an arrangement with the First Party for the provision of such notice,



1. Before the application is installed, as part of the process of downloading an application to a device, at the time that the application is opened for the first time, or at the time Cross-App Data is collected, and
2. In the application's settings or any privacy policy.

**(b) Participation in Choice Mechanism(s) or Setting(s):**

Third Parties should be individually listed either:

- (i) On a mechanism or setting that meets Digital Advertising Alliance of Canada specifications and is linked from the disclosure described in Section II.A.3 or
- (ii) If agreed to by the First Party, in the disclosure described in Section II.A.3.

**3. First Party Enhanced Notice**

When a Third Party collects and uses Cross-App Data from a First Party application, the First Party should provide a clear, meaningful, and prominent link to a disclosure that either points to a choice mechanism or setting that meets Digital Advertising Alliance of Canada specifications or individually lists such Third Parties. Such link should be provided:

- (a)** Before the application is installed, as part of the process of downloading an application to a device, at the time that the application is opened for the first time, or at the time Cross-App Data is collected, and
- (b)** In the application's settings or any privacy policy.

A First Party should indicate adherence to these Principles in such disclosure. A First Party does not need to provide a link to such disclosure in instances where the Third Party provides notice as described in Section II.A.2(a) above.





## B. Consumer Control

### 1. Third Party Choice

Third Parties should provide consumers with the ability to exercise choice regarding their collection and use of Cross-App Data for purposes of delivering interest-based ads in an application or the disclosure of such data to another entity for such purpose. Such choice should apply to the Third Party's collection and use of Cross-App Data from the device from which or for which the choice is exercised. Such choice should be described in the enhanced notice described in Section II.A.2(a) or should be available from the choice mechanism described in Section II.A.2(b)(i) or from the Third Party's individual listing in a First Party disclosure as set forth in Section II.A.3.

### 2. Notice and Choice for Cross-App Data Collection from All or Substantially All Applications

Entities should provide consumers with notice and an ability to exercise choice with respect to the collection and use of Cross-App Data from all or substantially all applications on a device for the purpose of delivering interest-based ads in an application or the disclosure of such data to another entity for such purposes. The notice and choice should apply to the device from which or for which it is provided.



# Transparency and Control for Precise Location Data and Personal Directory Data

## A. Transparency

### 1. First Party Notice

First Parties should give clear, meaningful, and prominent notice of disclosures of Precise Location Data or Personal Directory Data to Third Parties, or Third Parties' collection and use of Precise Location Data or Personal Directory Data from or through a First Party's application. Such notice should include clear descriptions of the following:

- (a) The fact that Precise Location Data or Personal Directory Data is disclosed to or collected by any Third Party;
- (b) Instructions for accessing and using a tool for providing or withdrawing consent under Section III.B with respect to the First Party's disclosure of Precise Location Data or Personal Directory Data to Third Parties and to the collection, use, and disclosure of such data by any Third Party to collect Precise Location Data or Personal Directory Data from or through the First Party's application; and
- (c) The fact that the First Party adheres to these Principles.

First Parties should provide such notice on their own Web sites or such notice should be accessible from the application from or through which the Precise Location Data or Personal Directory Data is collected.

### 2. Third Party Notice

Third Parties should give clear, meaningful, and prominent notice of their Precise Location Data or Personal Directory Data collection and use practices. Such notice should include clear descriptions of the following:

- (a) The fact that Precise Location Data or Personal Directory Data is collected;
- (b) The uses of such data, including whether it will be disclosed to another entity;



- (c) Instructions for accessing and using the tool for providing or withdrawing consent under Section III.B with respect to the collection and use of such data or the disclosure of such data to another entity for purposes of delivering interest-based ads in an application; and
- (d) The fact that the entity adheres to these Principles.

Third Parties should provide such notice on their own Web sites or it should be accessible from any application from or through which they collect Precise Location Data or Personal Directory Data.

### 3. First Party Enhanced Notice

In addition to providing notice as described in Section III.A.1, First Parties should provide enhanced notice of Third Parties' collection and use of Precise Location Data or Personal Directory Data from or through a First Party's application, or a First Party's disclosure of such data to Third Parties; Such enhanced notice should be provided as set forth below in (a) and (b) or through another method or combination of methods that provides equivalently clear, meaningful, and prominent enhanced notice:

- (a) Notice of the Fact that Precise Location Data or Personal Directory Data Is Collected: First Parties should provide clear, meaningful, and prominent notice of the fact that the First Party discloses to any Third Party or authorizes any Third Party to collect Precise Location Data or Personal Directory Data from or through the application:
  - (i) For a downloadable application, as part of the process of downloading an application to a device;
  - (ii) At the time that the application is opened for the first time; or
  - (iii) At the time such data is collected.
- (b) Link to Disclosure: First Parties should provide notice through a clear, meaningful, and prominent link to the disclosure described in Section III.A.1 that is presented:
  - (i) As part of the process of downloading an application to a device and before the application is installed, at the time that the application is opened for the first time, or at the time Precise Location Data or Personal Directory Data is collected; and
  - (ii) In the application's settings or any privacy policy.



## B. Consumer Control

### 1. First Party Consent

- (a)** Consent: First Parties should obtain consent, as required and otherwise in accordance with applicable Canadian privacy legislation, to disclose Precise Location Data or Personal Directory Data to Third Parties, or for Third Parties to collect and use Precise Location Data or Personal Directory Data from or through the First Party's application or to disclose such data to another entity. The means by which consent is obtained should be easy to use and should apply to the application and device from which or for which the consent is provided. The means for providing such consent should be described in the disclosure described in Section III.A.1 above.
- (b)** Withdrawing Consent: First Parties should provide an easy-to-use process to withdraw such consent at any time, which should be described in the disclosure described in Section III.A.1 above.

A First Party does not need to obtain such consent in instances where the Third Party obtains consent prior to collecting or using Precise Location Data or Personal Directory Data.

A First Party satisfies this Principle where it uses an easy-to-use process or setting offered by an application platform to provide, in accordance with applicable Canadian privacy legislation, notice and obtain consent, and permit withdrawal of consent with respect to the collection and use of Precise Location Data or Personal Directory Data through the application.

### 2. Third Party Consent

Third Parties that collect and use Precise Location Data or Personal Directory Data, or disclose such data to another entity for such purposes, should obtain consent, as required and otherwise in accordance with applicable Canadian privacy legislation, or should obtain reasonable assurances that the First Party that provides the application obtains consent to the Third Party's data collection, use, and disclosure as set forth in Section III.B.1 above.



## **iv** Scope Inclusions

For clarity, these Principles do not apply to the collection, use or disclosure of Cross-App Data, Precise Location Data, and Personal Directory Data:

- (a)** For operations and system management purposes, including:
  - (i) intellectual property protection;
  - (ii) compliance, public purpose and consumer safety;
  - (iii) authentication, verification, fraud prevention and security;
  - (iv) billing or product or service fulfillment, including improving customer experience or ensuring a high quality of service; or
  - (v) Reporting or Delivery;
- (b)** For Market Research or Product Development; or
- (c)** Where the data has been rendered non-identifiable by way of a De-Identification Process.

## **v** Sensitive Data

A Third Party should not collect and use sensitive Personal Information for the purposes of delivering interest-based ads within an application, as required and otherwise in accordance with Canadian privacy legislation.



## **vi** Data Security

Entities should maintain appropriate physical, electronic, and administrative safeguards to protect Cross-App Data, Precise Location Data, and Personal Directory Data from loss or theft or unauthorized access, disclosure, copying, use or modification.

## **vii** Accountability

The limitations and restrictions on the collection or use of Cross-App Data, Precise Location Data, and Personal Directory Data are within the scope of the Digital Advertising Alliance of Canada accountability program.

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