

Privacy Law and Cookie Tools Global Survival Guide: A Review of Must-Know Cookie Laws Around the World

Cookie laws vary significantly from jurisdiction to jurisdiction. Some are more stringent than others, and implementing a blanket cookie consent strategy is not always the best option for your organization's digital marketing strategy.

Inadequate compliance with privacy laws may cause your organization to make potentially harmful decisions that affect both your data and your bottom line. It's always a concern for digital marketers when necessary marketing cookies are not permitted to be deployed and Google Analytics data is restricted.

To assist clients with better understanding the laws and allow them to make informed decisions about how and when to use cookie consent tools, we've prepared an easy-to-read summary that covers the foundations for legislation such as COPPA, GDPR, and CCPA.

We understand it can be especially challenging if you don't have a legal team or if your team is unfamiliar with cookie laws. Fret not! HawkSEM's savvy strategists are committed to offering the deepest insight possible.

Enlightening our clients while simultaneously increasing their revenue through ROI-driven digital marketing solutions is just one of the many ways we go the extra mile to put a smile on your face.

Session-Management and Web Browsing Personalization: A Cookie Crash-Course

Dreamed up by Netscape in 1995, HTTP cookies, also known as internet cookies, are tiny text files generated mainly for internet web browsers to detect, personalize, and log information about each user's session. A "session" is simply your visit to a site.

Apart from being useful for content personalization, such as viewing only relevant advertisements, cookies also make smooth session management and multi-tab browsing possible.

Remember, cookies are plain-text data files that cannot contain any executable code and pose no inherent security risk. They don't divulge personal data because the cookie data originates from you and the site's server in the first place.

Key Insights

Let's dive right into the world of cookie legislation with a few essential acronyms used to describe the world's largest online privacy regulations:

- **COPPA:** Children's Online Privacy Protection Act
- **CCPA:** California Consumer Privacy Act
- **GDPR:** General Data Protection Regulation
- **POPI:** Protection of Personal Information Act
- **LGPD:** Lei Geral de Proteção de Dados Pessoais, which is Portuguese for General Personal Data Protection Law

Understanding how privacy legislation varies from region to region can significantly impact your day-to-day marketing operations, depending on where your organization conducts business in the world.

COPPA

In summary, The Children's Online Privacy Protection Act (COPPA) provides parents control over what websites can do with their children's private information.

Commercial websites or online services that are either directed at children under 13 or have actual knowledge that children 13 are providing information online are subject to COPPA requirements.

This law applies to US-based businesses but may also apply to foreign companies that collect private data from children under 13 who reside in the USA.

All websites and apps must provide a privacy policy outlining what information they collect, use, and disclose from children to comply with COPPA. This privacy statement should be simple to find and understand.

CCPA

Online consumers now have more control over the personal information companies collect about them, thanks to the California Consumer Privacy Act (CCPA). By law, businesses are required to give consumers certain notices explaining their privacy practices.

Data brokers, in particular, must be up to date on CCPA rules or face legal ramifications.

With a few exceptions, key takeaways from this landmark legislation include the right to know what personal information a company collects, uses, and shares, the right to have collected personal data deleted, the right to withdraw consent of the sale of their

personal information, and the right to non-discrimination for exercising their CCPA rights.

The CCPA does not require a California address. The CCPA could apply to your business if it is located outside of California yet conducts business with Californians for financial gain.

GDPR

Legal standards for gathering and using personal information from European Union (EU) citizens are managed by the General Data Protection Regulation (GDPR).

Specifically, the GDPR establishes seven fundamental principles for the lawful handling of personal data, which deal with the process of collecting, organizing, structuring, storing, altering, consulting, using, communicating, combining, restricting, erasing, or destroying personal data.

Even if a corporation does not have a business presence in the EU, it must comply with the GDPR if it maintains or processes personal information about EU residents within EU nations. With over 99 lengthy articles, the full manuscript of the GDPR is quite the behemoth among privacy law regulations.

LGPD

The LGPD, commonly known as the Brazilian GDPR, is a legal guideline that governs how personal data is used and processed in Brazil, regardless of where the data processor is located.

According to the Federative Republic of Brazil, its principal goal is to combine 40 different Brazilian laws that oversee the handling of personal data under one legal document.

While there are many similarities between the LGPD and the GDPR, there are several areas in which the LGPD goes further than the European legislation, such as the legal justifications for data processing and the requirement to notify authorities of privacy breaches in certain circumstances.

Another look reveals that under the LGPD, companies can properly protect cross-border exchanges. For practical purposes, this means that the transfer is permitted if it is determined that the laws in the country in question are sufficient.

POPIA

South Africa's POPIA, sometimes known as the SA GDPR, is the world's most recent substantial amended data privacy law, primarily patterned on the EU's GDPR.

It defines eight minimal conditions for data processing (e.g., the mandatory requirement of user consent for data processing), essentially arming citizens with enforceable rights over their personal information.

HawkSEM Digital Marketing Agency

Let's work together to ensure that your organization's website complies with internet privacy and regulatory requirements. Consult with one of our friendly experts today to learn more about how HawkSEM can serve you. When it comes to your digital marketing needs, we've got you covered.