

EDAA Self-Certification  
Form for companies  
participating in the OBA  
Self-Regulatory Programme

## Table of contents

<b>1. Company information</b>	<b>4</b>
1.1. Identification data	4
1.2. Company VAT Number:	4
1.3. Contact person:	4
1.4. Role in the market place	4
<b>2. Specific criteria and best-practice recommendations for self-certification of compliance</b>	<b>5</b>
2.1. Criteria for self-certification of compliance – Third Parties	5
2.1.1. Data security	5
2.1.2. Sensitive Segmentation	6
2.1.3. Education	6
2.1.4. Complaints Handling	7
2.1.5. Third Party Privacy Notice	7
2.1.6. Third Party Enhanced Notice	8
2.1.7. User Choice	8
2.1.8. Explicit consent	8
2.2. Best-practice recommendations for self-certification of compliance	9
2.2.1. Best practice recommendation – Advertisers	9
2.2.2. Best practice recommendation – Agencies	9
2.2.3. Best practice recommendation – Publishers	9

## Introduction

The “European Principles Documents”, consist of the IAB Europe OBA Framework, EASA Best Practice Recommendation on OBA, Technical Specifications for use of the OBA Icon across Europe, and a set of Self-Certification Criteria. Together, these documents apply consumer friendly standards to Online Behavioural Advertising.

The “Self-certification criteria for companies participating in the European Self-Regulatory Programme on OBA”, provide a comprehensive set of criteria for self-certification of compliance. Self-certification of compliance shall be limited to those requirements applicable to each signatory’s business model; however, should a signatory be subject to multiple obligations, self-certification must cover all such applicable provisions. In other words, if a signatory fulfils more than one role in the advertising eco-system, then it should comply with the requirements applicable to each of these roles.

Self-certification of compliance under this document and the OBA Self-Regulatory Programme does not exempt Companies from fulfilling their obligations under applicable national laws.

This form represents the technical means for companies to submit their Self-Certification of compliance to EDAA. The data collected via this form will only be used by EDAA and by approved Independent Certification Providers, and only for the specific purpose of ensuring compliance with the OBA Self-Regulatory Programme.

This PDF version is aimed at facilitating the gathering of information internally (between IT, legal, commercial teams) in order to ensure that the self-certification is completed in a fully comprehensive and accurate manner. The final submission must be made via the online form - or by sending us a signed copy at [info@edaa.eu](mailto:info@edaa.eu) - **within six months** of licensing. Please, retain a copy for you own records.

N.B. All companies acting as Third Parties within the Programme, following their self-certification, must complete the final compliance step by undergoing an independent verification of compliance through one of multiple approved Certification Providers. Further information on this final step, along with contact details of providers, can be found [here](#).

# 1. Company information

## 1.1. Identification data

- Company name:
- Company registered address:
  - Building/number:
  - Street Address:
  - City:
  - Post code:
  - Country:
- Company correspondence address (if different from registered address):
  - Building/number:
  - Street Address:
  - City:
  - Post code:
  - Country:

## 1.2. Company VAT Number:

## 1.3. Contact person:

- Name:
- Email address:
- Phone number:

## 1.4. Role in the market place

Check all that apply:

Company is involved in OBA.

If Company is involved in OBA, please tick the applicable boxes below:

Company acts as a Web Site Operator, Advertiser of Agency:

Company acts **solely** as a Web Site Operator<sup>1</sup>

Company acts as a Web Site Operator **and** also sells advertising inventory on web sites under Common Control<sup>2</sup> via a Sales House or similar subsidiary

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<sup>1</sup> As defined in the IAB Europe OBA Framework

<sup>2</sup> As defined in the European Principles documents

Company acts as a Third Party<sup>3</sup>

Ad Network

Ad Server

OBA Provider

Ad Exchange

Demand Side Platform

Supply Side Platform

Other Third-Party role, please describe:

## 2. Specific criteria and best-practice recommendations for self-certification of compliance

Under the terms of the *IAB Europe OBA Framework* and *EASA Best Practice Recommendation on Online Behavioural Advertising*, a number of provisions apply differently to participating companies, according to their role in the online advertising value chain. A participant can simultaneously play several roles; in such circumstances, self-certification must cover all applicable provisions.

### 2.1. Criteria for self-certification of compliance – Third Parties

#### 2.1.1. Data security

##### **Safeguards**

Companies should maintain appropriate physical, electronic, and administrative safeguards to protect the data collected and used for OBA purposes, including any backups.

1. Yes/No Does the company implement appropriate physical safeguards? Please describe:

2. Yes/No Does the company implement appropriate electronic safeguards? Please describe:

3. Yes/No Does the company implement appropriate administrative safeguards? Please describe:

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<sup>3</sup> As defined in the European Principles Documents

**Data Storage**

Companies should retain data that is collected and used for OBA only for as long as necessary to fulfil a legitimate business need, or as required by law.

Yes/No Does the company have clear policies regarding retention of data collected for OBA purposes? Please describe:

**2.1.2. Sensitive Segmentation**

**Children's segmentation**

The company DOES NOT create segments for OBA purposes that are specifically designed to target children (age 12 and under).

**Other sensitive segments**

1. Yes/No Does the company seek to create or use OBA segments relying on use of sensitive personal data, as defined under Article 8.1 of Directive 95/46/EC (racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership, health, sex-life)?
2. Yes/No If you have selected the box above, does the company obtain web users' Explicit Consent, prior to engaging in OBA using that information?

**2.1.3. Education**

To the extent that the company engages in OBA, please describe how you provide information to inform individuals and businesses about OBA, including easily accessible information about how data for OBA purposes is obtained, how it is used and how web user choice may be exercised:

**2.1.4. Complaints Handling**

Web users may make complaints about incidents of suspected non-compliance with the European Principles. While web users will have available a number of ways to make complaints, Companies must ensure that, regardless of what means the user uses to submit the complaint (whether directly to the Company or through an industry or self-regulatory body), proper processes are in place to ensure a timely and satisfactory response and resolution of the issue, if necessary.

1. Does the company implement internal complaint handling mechanisms?  
Please describe:

2. What is the time interval to respond to user complaints and address the substance of the complaint?

3. Describe the mechanism for complaints to be filed directly with the company:

4. If applicable, describe the process in place for responding to enquiries made by national self-regulatory organisations on OBA-related issues and formal unresolved OBA complaints:

### 2.1.5. Third Party Privacy Notice

Third Parties should give clear and comprehensible notice on their websites describing their OBA data collection and use practices.

1.  The company provides a Third Party Privacy Notice.
2.  The Third Party Privacy Notice is written in simple, layman's language.
3.  The link to the Third Party Privacy Notice is easily accessible for users. Please describe how a user can reach this Third Party Privacy Notice on the Company's website:

4. The Third Party Privacy Notice is distinct from the "Terms and Conditions" section of the website. Please provide the URL of this notice:

The Third Party Privacy Notice includes the following information (check all that apply):

1.  Third party's identity and contact details.
2.  The types of data collected and used for the purpose of providing OBA, including an indication as to whether any data collected is "personal data" or "sensitive personal data" as defined by the relevant national implementation of Directive 95/46/EC.
3.  The purpose or purposes for which OBA data is processed and the recipients or categories of recipients not under Common Control to whom such data might be disclosed.
4.  A link to the OBA User Choice Site.
5.  An easy-to-use mechanism for allowing Internet users to exercise choice with regard to the collection and use of data for OBA purposes and to the transfer of such data to Third Parties for OBA; this mechanism should be a link to the opt-out page of the OBA User Choice Site and, if desired, an alternative User Preference Management tool implemented by the Third Party on its own web page.

6.  A statement to the effect that the Company adheres to the IAB Europe OBA Framework
7.  Other relevant information (please describe):

### 2.1.6. Third Party Enhanced Notice

Third Parties should provide “enhanced notice” of the collection and use of data for OBA purposes via the Ad Marker in or around the advertisement, in accordance with the provisions of the Technical Specifications.

The Company, displays OBA ads, and provides “enhanced notice” of data collection and use for OBA purposes via the Ad Marker, in accordance with the Technical Specifications. The Company holds (or has started the application process for) an OBA Icon licence.

The Company, acting as a Third Party, is involved in OBA but without displaying OBA ads. The Company has appropriate arrangements with partners along the ads delivery chain to provide the Third Party Enhanced Notice.

### 2.1.7. User Choice

Each Third Party should make available a mechanism for web users to exercise their choice with respect to the collection and use of data for OBA purposes and the transfer of such data to Third Parties for OBA.

1.  The Company displays the Third Party Enhanced Notice, and provides a clear link from the Ad Marker or from the interstitial page<sup>4</sup> to the OBA User Choice Site.
2.  The company acts as an OBA Provider or is using its own means to uniquely identify a browser (i.e. cookies or any other technical solutions); integration of the Third Party with the user choice mechanism hosted on the OBA User Choice Site is in place and works reliably over time.
3.  The company is not using technologies in order to circumvent the user’s express choices (for example by deliberately “re-spawning” deleted cookies).

### 2.1.8. Explicit consent

1. Yes/No Does the company collect data via specific technologies or practices that are intended to harvest data from all or substantially all URLs traversed by a particular computer or device across multiple web domains and use such data for OBA?
2. The company seeks to create or use OBA segments relying on use of sensitive personal data as defined under Article 8.1 of Directive 95/46/EC (see 2.1.2 above)?
3. Yes/No If you have selected the check box above, does the company obtain web user’s Explicit Consent, prior to engaging in OBA using that information?
4. Withdrawal of Explicit Consent:
  1.  Users are provided with an easy to use mechanism to withdraw their Explicit Consent to the collection and use of OBA data; please describe the mechanism:

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<sup>4</sup>As per the Technical Specifications



2.  There is a clear, dedicated link (i.e. not in the Terms and Conditions or a similar page) from the company's home page to the withdrawal mechanism; please provide the withdrawal mechanism URL:
3.  While the wording that should appear on the link is not prescribed, it must be easily understood by the users; please provide the wording:
4.  The withdrawal mechanism is simple and does not ask users for any additional data;
5.  Once the user has withdrawn the Explicit Consent, collection and use of OBA data stops.

## **2.2. Best-practice recommendations for self-certification of compliance**

Under the terms of the IAB Europe OBA Framework and EASA Best Practice Recommendation on Online Behavioural Advertising, a number of provisions apply differently to signatories, according to their role in the online advertising value chain. A signatory can simultaneously play several roles; in such circumstances, self-certification must cover all applicable provisions

### **2.2.1. Best practice recommendation – Advertisers**

The company acts as an Advertiser.

When the company, on its own site(s), permits data to be collected by Third Parties in order to be used on a web site not under Common Control<sup>5</sup> for OBA purposes, thus acting as a Web Site Operator<sup>6</sup>, the company provides adequate disclosure of this arrangement, as per the IAB Europe OBA framework and Technical Specifications.

### **2.2.2. Best practice recommendation – Agencies**

The company acts as an Agency.

When the company, on its own site(s), permits data to be collected by Third Parties in order to be used on a web site not under Common Control for OBA purposes, thus acting as a Web Site Operator, the company provides adequate disclosure of this arrangement, as per the IAB Europe OBA framework and Technical Specifications.

### **2.2.3. Best practice recommendation – Publishers**

The company acts as a Web Site Operator.

When the company, on its own site(s), permits data to be collected by Third Parties in order to be used on a web site not under Common Control for OBA purposes and the Ad Marker is not provided by these Third Parties, the company provides adequate disclosure of this arrangement via a link in the footer, having the following characteristics:

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<sup>5</sup> As defined in the IAB Europe OBA Framework

<sup>6</sup> As defined in the IAB Europe OBA Framework

- The link is placed in the footer of all pages, and is distinct from the “Terms and Conditions” link;
- Please provide the wording that you use in your footer link:
- Yes/No Do you use the OBA Icon to provide the adequate disclosure<sup>7</sup>?
  - Please provide the URL of the information page that opens when clicking on the footer link:
  - The information page contains:
    - A list of Third Parties who are active on the site and with which the user, wittingly or unwittingly, may be interacting;
    - Links to further information on OBA and online privacy, including the OBA User Choice Site;
    - Any other information that supports user understanding and the aims of the OBA Self-Regulatory Programme.

Date:

Signed by:

Signature:

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<sup>7</sup> Using the OBA Icon is not mandatory for Web Site Operators, as per the European Principles Documents