empanel
ONLINE

Commitment to Privacy

Compliance Brief

Is EMpanel Online Compliant? YES

EMpanel Online Inc., a leader in market research, endeavors to conform to the CASRO Code of Standards and Ethics for Survey Research and **ALL** relevant international regulations regarding privacy, including, without limitation, the General Data Protection Regulation (GDPR) and California Consumer Privacy Act with California Privacy Rights Act amendments ("CCPA/CPRA").

We understand the need to have a formal privacy policy and are committed to protecting the privacy of our clients, panelists and visitors. We have therefore developed the following Privacy Policy which applies to EMpanel Online (www.empanelonline.com), Bizpinion (www.bizpinion.com), SurValidate (www.survalidate.com), and any current or future sites created or developed by EMpanel Online (collectively, "EOL", "we", or "us"). This Privacy Policy is further governed by our User Agreements specific to each product or service.

EMpanel Online Inc. assists brands and corporate entities in making better decisions through the use of information. We invite website visitors to join Research Communities of Opinion Leaders who are able and willing to express opinions on various topics.

We do not share, sell, rent or trade personally identifiable information with third parties for promotional or marketing purposes.

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What Is the GDPR?

The General Data Protection Regulation 2016/679 (GDPR) is a comprehensive update to the existing Data Protection Directive 95/46/EC under European Union law that was approved by the European Parliament and of the Council of 27 April 2016, which goes into effect on May 25, 2018. The GDPR was designed to harmonize data privacy laws across Europe, to protect and empower all EU resident's data privacy and to reshape the way organizations across the region approach data privacy.

The driving force behind GDPR is to unify the laws and standards of data privacy across Europe and to empower data subjects to take control over their personal data.

Which Data Elements Fall Under the GDPR?

The GDPR applies to information that directly or indirectly could identify an individual. This includes information, such as **names, addresses, phone numbers, date of birth, as well as IP addresses, cookie identifiers, device information, advertising identifiers, financial information, geo-location information, social media information, consumer preferences**, etc. To read more about the personal information that EMpanel Online captures, please review our Privacy Notice.

Who does the GDPR apply to?

The GDPR applies not only to organizations who process data in the EU, but also any organization that offers goods or services to, or monitors the behavior of people inside the EU. GDPR applies even if the processing takes place outside of the EU.

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Key Principles of GDPR

Common & Uniform Terminology

Standardized terminology will allow for legislation to be enforced under a single set of rules

Responsibility and Accountability

Each company involved in the processing of specific data is equally accountable for its security and protection.

Consent

Panelist consent and the purposes data is used for must be explicit for data collected, must be able to prove "consent" (opt-in) and consent may be withdrawn.

Right of Access

Panelists have the right to access their personal data and information about how this personal data is being processed.

Right to Erasure

Panelists have the right to opt-out and have their profile erased completely and permanently.

Data Minimization

Limiting the collection of personal information to that which is directly relevant and necessary to accomplish a specified purpose.

Data Portability

A person is to be able to transfer personal data from one electronic processing system to and into another.

Risk Limitation

Privacy and security settings must be set at an elevated level by default, and technical and procedural measures should be taken to make sure that the processing, throughout the whole processing lifecycle, complies with the regulation.

Breach Transparency

In the event that personal data is compromised, the responsible party must notify all other parties affected.

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What Is the CCPA?

The California Consumer Privacy Act (CCPA) is one of the most comprehensive data privacy laws in the United States. The CCPA primarily focuses on consumer rights regarding the collection and use of personal or private data. Under CCPA, all Californian residents can now exercise the right to ask for all the private data a company has stored. Additionally, the consumers could also demand the full list of all third parties with whom the company shares their personal data. The most subsequent change is the authority to sue the organization if the consumers find that the organization is violating the privacy guidelines put forth by the Californian government, even though there is no data breach.

Who Needs to Comply with CCPA?

The law applies to all for-profit entities collecting and processing personal information of California residents and are doing business within the State of California. The companies meeting three conditions defined under the 1798.145., need to comply with the CCPA. These conditions are

- A business generating annual gross revenue over and above $25 million
- A business sharing or receiving personal information of more than 50,000 California residents annually, or
- A company deriving at least 50% of their annual revenue by selling private information of California residents

Who is Protected under the CCPA?

The CCPA applies to all the “natural persons who are California residents”, further defined as
Any individual in California state for any purpose which is not transitory or temporary
Any individual domiciled in the state of California but is currently or occasionally out of the state for temporary or for an ephemeral reason (Cal. Civ. Code § 1798.140(g)).
All residents having California domicile, irrespective of where they are at present. Along with that, the law also states that it applies to both Businesses-to-Business (B2B) and Business-to-Consumers (B2C) companies.

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Consumer Rights under the CCPA

Right to know what personal information the company collected, disclosed and sold

Under this right, the consumer can ask any company what kind of personal information it collects, publishes, uses, and sells. The consumer has a right to know the source from where the company has collected their private information, how they used it, and a list of third parties with whom they are sharing or selling their personal data.

Right to request the deletion of personal information

Under CCPA guidelines, consumers will have all the rights to take ownership of their personal information. They can directly ask the company collecting and processing their personal data to remove it. Upon receiving such a request, an organization must take all necessary steps to erase all the personal data belonging to the consumer. Nevertheless, under specific circumstances, the organization can decide whether to wipe or keep the information. As if to fulfill the purpose for which the organization collected the data in the first place. Else, to abide by the contract between the data subject and the business.

Right to opt-out of the sale of personal information

All California residents can exercise the right to opt-out of selling their personal data. However, to practice this right, the concerned organization must provide a “Do not sell my personal information” link on the homepage of its website. This link acts as a medium allowing consumers to opt for selling their personal information.

As per CCPA guidelines, a business is not allowed to sell the personal information of a consumer if she/he is under 16 years of age. However, if the consumer is between 13 to 16 years or below 13 years of age, then their parents or guardians have the right to either authorize or opt-out sale of information.

Right to non-discrimination for exercising their consumer privacy rights

The CCPA has a broader perspective in prohibiting businesses from giving non-discriminatory treatment to all the consumers exercising their privacy rights. In addition to that, the law prohibits organizations from charging a different price or providing various goods or services to consumers using their CCPA rights. Apart from that, the divergence is moderately related to the value provided to you by your data.

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Is EMpanel Online Compliant? YES

EMpanel Online maintains compliance with **ALL DATA PRIVACY LAWS** in areas where respondents are recruited for research communities, including, but not limited to:

North America

Country/Region	Legislation	Effective
US – IN	Indiana Data Privacy Law (IDPL)	2026
US – DE	Delaware Personal Data Privacy Act (DPDPA)	2025
US – IA	Iowa Data Privacy Act (IDPA)	2025
US – TN	Tennessee Information Protection Act (TIPA)	2025
US – OR	Oregon Consumer Privacy Act (OCPA)	2025
US – MT	Montana Consumer Data Privacy Act (MTCDPA)	2024
US – TX	Texas Data Privacy and Security Act (TDPSA)	2024
US – UT	Utah Consumer Privacy Act (UCPA)	2023
US – CT	Connecticut Data Privacy Act (CTDPA)	2023
US – CO	Colorado Privacy Act (CPA)	2023
US – VA	Virginia Consumer Data Protection Act (VCDPA)	2023
US – CA	California Privacy Rights Act (CPRA)	2023
US – ME	Act to Protect the Privacy of Online Customer Information	2020
US – CA	California Consumer Privacy Act (CCPA)	2020
US – NV	Nevada Senate Bill 220	2019
US – CA	California Online Privacy Protection Act (CalOPPA)	2004/2013
CANADA	PIPEDA Act	2004
US	Children's Online Privacy Protection Rule (COPPA)	1998
US	Health Insurance Portability and Accountability Act (HIPAA)	1996
US	Privacy Act of 1974	1974

South America

BRAZIL	Brazilian Internet Act	2014
COLOMBIA	Regulatory Decree 1377	2013
MEXICO	Protection of Personal Data Held by Private Parties	2010
ARGENTINA	Argentina Personal Data Protection Act	2000
CHILE	Act on the Protection of Personal Data	1998

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Europe, Middle East, and Africa

EEA	General Data Protection Regulation (GDPR) 2016/679	2018
RUSSIA	Regulations on Securing Personal Data being Processed in Personal Data Systems, No. 781	2007
RUSSIA	Convention for the Protection of Individuals with Regard to Automatic Processing of Personal Data, No. 152-FZ	2006
SOUTH AFRICA	Electronic Communications and Transactions Act No. 25	2002
EU	Data Protection Directive	1998
ISRAEL	Privacy Protection Act	1981

Asia and Pacific

CHINA	Cybersecurity Law	2017
TAIWAN	Personal Data Protection Act	2015
AUSTRALIA	Privacy Principles (APP)	2014
HONG KONG	Personal Data Ordinance	2013
SINGAPORE	Personal Data Protection Act	2012
PHILPPINES	Data Privacy Act	2012
INDIA	Information Technology Rules	2011
RUSSIA	Regulations on Securing Personal Data being Processed in Personal Data Systems, No. 781	2007
RUSSIA	Convention for the Protection of Individuals with Regard to Automatic Processing of Personal Data, No. 152-FZ	2006
JAPAN	Protection of Personal Information, Act No. 57	2003
SOUTH KOREA	Act on Promotion of Information and Communication Network Utilization and Information Protection	2002
INDIA	Information Technology Act	2000
AUSTRALIA	Commonwealth Privacy Amendment Act	2000
NEW ZEALAND	Privacy Act of 1993	1993

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