

**THE CMO'S
GUIDE TO
THE 7 DATA
GOVERNANCE
ESSENTIALS
YOU NEED TO
KNOW RIGHT
NOW**



Marketing compliance (which includes data privacy) used to be a backroom conversation - now it's front and centre. Every boardroom table conversation is now including this area of compliance and for good reason.

We've all seen the headlines, and that no business is immune to being caught-out for non-compliance.

When it comes to regulation, there's no place for rebels and rule-breakers in the world of data-driven marketing.

All businesses are now under the microscope when it comes to data governance and regulatory compliance, no matter how big or small.

From how you manage your customer data, to the right way to run a competition or avoid accidentally spamming your audience or misleading your consumers, there's plenty to consider.

The CMO role in compliance


As a CMO, you need to know how to answer the strategic questions coming at you from the board, while also understanding the reality of what data governance and regulations mean to the day-to-day tactics and strategies being rolled out by your team.


You're the marketing leader that's sits as a bridge to each conversation, and being armed with the essential information will give the confidence to answer questions from above, while understanding the lay of the land your team is operating in.

Not only are the current data, marketing and advertising regulations complex to navigate, but on top of that, more disruptions are on the way with the Privacy Act review currently underway and the proposed changes will likely lead to a change in approach to privacy from all the platforms too.

So, how can you get clarity on what's important, and future-proof your data and regulatory compliance so you're ready for the changes ahead?

If you were to ask our members, they would say data compliance and regulation is our greatest expertise as Australia's peak association for data-driven marketing.

 **Here are seven regulatory essentials you need to know.**





1. Careful competitions

Trade promotions legislation dictates what is and isn't allowed when operating competitions, and laws change from state to state. **Are you across what you need to do to be compliant? Is your team?**

There are different considerations - is it a game of skill or a game of chance? Do you have the right permits? Are the terms and conditions easy to understand and access? Are you collecting private information and aware of the implications? **It's essential to be clear on the right process to follow so that you're not in breach.**



2. Are you within Consumer law?

Australian Consumer Law is industry agnostic, national law that covers general standards of business conduct, prohibits unfair trading practices, regulates specific types of business-to-consumer transactions, provides basic consumer guarantees for goods and services, and regulates the safety of consumer products and product-related services.

For marketing leaders, this means understanding what kind of content you can share around your product/ service/ brand while still being within the law. Consider this statement:

"It is illegal for a business to, in trade or commerce, engage in conduct that misleads or deceives or is likely to mislead or deceive consumers or other businesses."

What does your creative content need to look like? What can and can't you say? Are you being unintentionally misleading or deceptive?



3. Think before you call

Telecommunications industry standards and the Do Not Call register impact tele-marketing and what's allowed when it comes to using telecommunications as part of your marketing outreach.

This covers things like when you're allowed to call, who you're allowed to call, and the information you need to provide when calling.

Are you and your team compliant?



4. Consumer Data Right is not just for banking

The Consumer Data Right (CDR) is part of the Federal Government's Open Banking regime, which aims to facilitate competition in the banking industry. It gives consumers the right to transfer their data between providers, and operates within a government-operated framework.

Why is this relevant if you're not in the banking industry?

Because it's soon to be rolled out across other industries, including energy and telecommunications, so **preparing now will get you ready for the inevitable change.**



5. No spam please!

Spam laws have been updated, and they continue to evolve. So what's worked in the past, may need to be reviewed to ensure compliance now.

Spam is not just about email - it also applies to text messages and chat apps. **If you don't have consent, you're spamming.** If people can't easily unsubscribe, you're spamming. The list goes on - **are you confident you're doing the right thing?**

Is your eDM marketing compliant or are you in danger of being in breach?



6. It's Private

Australian Privacy Law is designed to protect consumers - even if you're aware of the fundamentals right now, be aware that **the Attorney General's department is currently undergoing the biggest overhaul of the Australian privacy laws since its inception.** The Government recently announced that they are committed to this Review and that change is coming.

The platforms and channels we use for our marketing are impacted by international privacy laws and regulator scrutiny in other regions therefore marketers need to be aware of what is happening elsewhere in the world and how our day to day operations and domestic compliance will be impacted.

It's more than just protecting personal information. Digital fingerprinting, facial recognition and dark patterns are all considerations when it comes to protecting privacy. **Our increasingly complex online environment is impacting how we protect consumer privacy online.**



7. Not so delicious cookies

Are you prepared for a cookie-less world? Cookie deprecation may have been delayed yet again, but it is coming, and it is a huge development in the digital media and marketing landscape, which will have an impact on all industries.

Google has announced the end of third party cookies, forcing a radical change in apprehending customers' data and data-driven marketing.

Are you keeping abreast of the changes? What's happening internationally? What are platforms doing to prepare? This change is in the mainstream news right now, so you need to be prepared to answer questions from your board, stakeholders and partners.



We have been ADMA members since 2009 and have leveraged a wide range of ADMA learning activities over the years.

ADMA has been instrumental in helping us keep our team up to date with the most current regulatory information impacting our Marketing Team.

Thank you to Peter, Melinda and Sarla who are an absolute delight to work with and make learning and development engaging and fun."

**Bianca D'Abico,
Senior Consultant
- Marketing Planning
& Operations, NAB**

Let ADMA shortcut the process for you

Are you considering compliance at a holistic level? Is your team equipped to make sure you're not breaching rules and regulations right now, and are they prepared for future changes?

You need to have the answers, but you don't have to do it alone.

At ADMA, we cut through the noise and make it clear in terms of what you need to know - making it simple for teams to understand and implement data-driven marketing compliance and to stay within the law.

SCHEDULE A CALL

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GOT A QUESTION?

Call us between
9am - 5pm AEST on

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Or email us at

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