

Meeting: TCF Governance Board

Date and Time: Monday 12 December 2022 at 15:00 (CET)

Venue: Virtual

Present: Christer Ljones (Schibsted Marketing Services) (Chair)

Karsten Rieke (Criteo)
Jochem Schlosser (Adform)
Romain Gauthier (Didomi)
Robert Blanck (Axel Springer)

Ben Humphry (Huawei)
Gareth Burkhill-Howarth (WPP)
Arne Steinmetz (RTL Group/AdAlliance)
Jean-Marc Vidal (TF1)

Apologies:

Jaakko Kuivalainen (Sanoma)
Thomas Peruzzi (Virtual Minds)

Board Observer:

Christie Dennehy-Neil (IAB UK)
Katharina Rieke (BVDW)
Pasi Rassina (IAB Finland)
Leigh Freund (NAI)
Connor Murray (EGTA)

In attendance:

Townsend Feehan (CEO, IAB Europe, Managing Organisation)
Thomas Mendrina (Chair, TCF Steering Group)
Ninon Vagner (Director Privacy & Compliance, IAB Europe, Managing Organisation)

Anne Goodman – Secretariat (IAB Europe)

Chair

The Chair opened the meeting welcoming the new Board member Jean-Marc Vidal (TF1) to the Board for the term 2022/24. The Chair reminded members of their responsibility as Board members of the TCF Governance Board for holding all TCF instances to account and ensuring that the correct process (s) are followed by the SG and MO, through independent oversight and constructive challenge (see principles of good governance [here](#)).

Action Items Q3 meeting

The following action items were noted and were added to the agenda for the meeting.

1. TCF 2023 Planning in the context of evolving European regulatory enforcement and policy guidance, global developments, and the emergence of new tools and solutions to support privacy compliance.
2. Analysis of the GVL - identify gaps in ecosystem representation

Steering Group (SG) update (PAPER 2 13-09-22) for noting – The Chair of SG Thomas Mendrina presented the update from the SG and its working groups (WGs) on recent TCF developments that the SG oversaw. The update circulated to the Board prior to the meeting had focused on the significant work of the TCF working groups: the DPA Outreach Group; Policy Working Group; and the Framework Signals Working Group (FSWG).

Policy Working Group - in addition to the detail reported in SG paper the members were advised by the MO that an outside expert was assisting with the review of the description of the TCF purposes and wording of the user-friendly text to ensure that users a better understanding. It was noted that this work could most likely cycle through several iterations. The MO also confirmed that reference the work stream that proposes that vendors complete a new field at registration that would enable them to provide a link to their Privacy Policy in multiple languages.

DPA Outreach Group – the meeting highlighted the assessment of the legality of cookie walls by the Garante and to facilitate understanding the Chair shared the link to the Garante’s assessment [here](#).

FSWG – attention was drawn to the opening of the public comment period for the IAB Tech Lab Accountability Platform in January.

Managing Organisation (MO) update (PAPER 3 13-09-22) for noting –The CEO of the Managing Organisation, Townsend Feehan, presented the update from the MO. The update had been circulated to the Board prior to the meeting.

The MO drew the Board’s attention to the submission of IAB Europe’s written observations on the questions referred to the European Court of Justice by the Belgian Market Court (deadline for submission = 6th January 2023). In addition to the parties (the APD and IAB Europe), the complainants, the Commission and certain Member States will submit written observations. The action that other DPAs could take was discussed by the Board, specifically if smaller DPAs could act before the final decision. The Board asked if the MO could convene a Town Hall in Q1 2023 to better inform the market. **Action MO**

In addition, the Board asked that a comprehensive update be presented to the SG meeting December 14. **Action MO**

The meeting asked the MO if it could give a brief update on IAB Europe’s DSA Ads Transparency Taskforce on standardising the collection, formatting and transport of the data that would be required to populate the user-facing information disclosures required by DSA Article 26 (previously article 24). The MO confirmed that good

progress had been made by the Taskforce and that IAB Europe was coordinating with the EDAA, who aim to develop a user-facing solution. The Board queried the MO on the relationship between the DSA ads transparency workstream and the TCF. The MO confirmed that the approach that the Taskforce was taking would enable CMPs to play a role in the provision of the user-facing disclosures and potentially of some degree of user choice about the parameters used to determine why a particular ad is delivered at a particular time.

The SG Chair asked if this discussion could be added to the next SG meeting. **Action MO**

The MO gave an update on TCF compliance enforcement, advising that Gosia Kowalska had joined the team alongside Colombe Michaud, who has returned from maternity leave. This will enable the MO to expand and deepen vendor compliance enforcement and update the CMP validator.

TCF 2023 – in response to the Board’s request to produce a paper for the Q4 Board meeting that would summarise the actions that could be taken to enhance the TCF alongside the “Action Plan” that was submitted to the APD, Ninon Vagner, Director Privacy and Compliance of the MO, presented a comprehensive update on the 2023 work plan for the TCF. The presentation was divided into two parts – an update on objectives and deliverables for the APD procedures (such as referral to the Court of Justice of the European Union) and a presentation of the workstreams that would enhance the development of the TCF and align it to evolving DPA guidance.

The meeting requested that the slide presented were shared with the Board members, members were asked to note the confidentiality of the slides. **Action MO**

Analysis of the GVL – In response to the Board’s request to analyse the membership of the GVL to better inform comprehensive targeting across the advertising ecosystem, the MO Secretariat presented an update. The update looked at geographic coverage, service provision and the environment in which vendors operated

The following points were highlighted:

- The analyse highlighted a geographic coverage of 47 countries. It was noted that this analysis is derived from completion at registration of the field *Full legal Entity Address* - the registering vendor is asked to list the address of the legal establishment within EU/EEA or address of establishment of EU representative in accordance with Art. 27 GDPR.
- Respecting the point above the number of players listed by market is, in some cases, surprisingly low. For example, the addressable market in Finland is represented by 5 players - 2 Ad servers, 2 DSPS and a head bidding service. In addition, there are just 5 Norwegian and 5 Belgian listings, only 3 each in Hungary and Bulgaria, plus a single player registered in Romania.
- Looking at TCF coverage of the ad value chain, the percentage coverage seemed a good match to industry activity with a slight lean towards ad delivery systems (collective of ad serving/SSP/header bidding).

The presentation highlighted the following opportunities for action and further investigation:

- There are a significant number of 'other' listed reference the service offering particularly indicated by the French and German vendors. MO to consider greater granularity.
- In addition, greater granularity regarding the operational models beyond web, mobile app and CTV with the potential to expand the options.
- Opportunity to co-ordinate with national IABs markets to ensure that the GVL better represented the different services in the ecosystem

Once again due to time constraints two agenda items were not covered during the meeting and will be discussed in the Q4 meeting:

Broadening stakeholder engagement in TCF: the advertiser case

- Previously the Board has brought attention to advertiser representation as a stakeholder that needs greater engagement, how can the board support the MO in this area? ALL
- Is the board supportive of direct engagement with consumers? If so in what way can the board sponsor such engagement? ALL

Observers (closed item)

- Consideration of the term of the observers
- Consideration of the parameters of attendance

AOB

There was no other business proposed by the Board members.

Next meeting

The next meeting of the Board will be Q1 2023 and will take place in the first 2 weeks of March and will take place in person. The MO invited any Board Member who would be willing to host the meeting to notify the Chair and TCF Governance Board Secretariate.

Close

The Chair thanked the board members for attending and their invaluable contributions to the discussion in the meeting.

The meeting closed at 17:00 CET