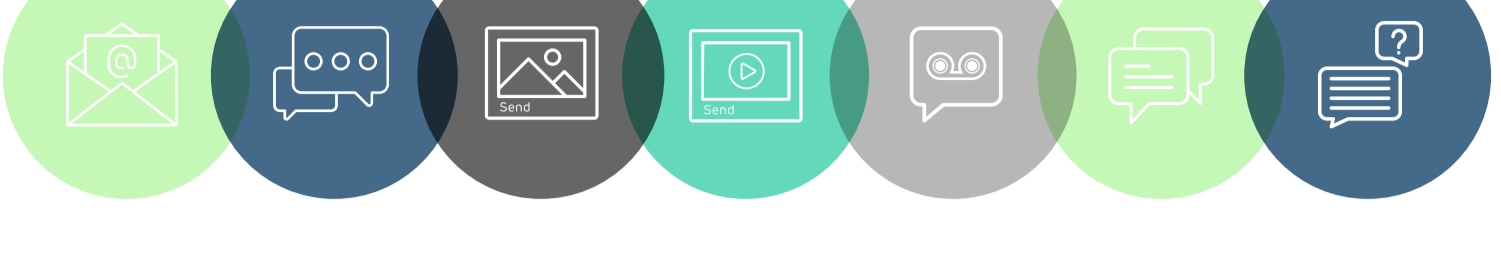


# B2C direct electronic marketing rules under the **GDPR & PECR**

These include:



- 01 Email
- 02 Text Messages
- 03 Picture Messages
- 04 Video Messages
- 05 Voicemail
- 06 Direct Messages Via Social Media
- 07 Other Electronic Messages

Does your processing activity comply with the data protection principles set out under the GDPR?

- 1 Lawfulness, Fairness and Transparency
- 2 Purpose Limitation
- 3 Data Minimisation
- 4 Accuracy
- 5 Storage Limitation
- 6 Integrity & Confidentiality
- 7 Accountability



**YES** ✓

**NO** ✗

Do not process

Is your data part of a 'bought in list'?

**NO** ✗

**YES** ✓



Did the list broker validly obtain consent?

Was the consent gained reasonably recently?

Have you performed reasonable and rigorous due diligence to validate the 'indirect consent' under the PECR guidelines?



**YES** ✓

**NO** ✗

OK to process

Do not process

Have the data subjects specifically consented to receive electronic mail from you?

**NO** ✗

**YES** ✓

Was the consent gained lawfully under the GDPR?

**YES** ✓

**NO** ✗

OK to process

Do not process

Are the data subjects existing customers who bought (or negotiated to buy) a similar product or service from you in the past, and you gave them a simple way to opt out both when you first collected their details and in every message you have sent? This is known as 'soft opt-in'.

**NO** ✗

**YES** ✓

Are your promotions non-commercial (e.g. charity fundraising or political campaigning)?

**YES** ✓

**NO** ✗

Do not process

You do not appear to have the necessary combined basis for processing the personal data that you hold for the purposes of direct electronic marketing.

**WHAT NOW** ?

Consider a content marketing strategy that will attract interested parties who are willing to provide their consent to communications for the purposes of doing business with you.

**IMPORTANT:** Subject to the nature of your communications, you should check if there are additional industry codes of practice, e-privacy laws and other legal and industry standards governing your requirements for direct marketing by electronic means.

**Document:** B2C Direct Electronic Marketing Rules under the General Data Protection Regulation (GDPR) and the Privacy and Electronic Communications Regulations (PECR).

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