



Don't Panic Over GDPR!



It Might Not Be the Death Knell of B2B Direct Marketing After All

Unless you've been living under a rock, you'll know that the [General Data Protection Regulation](#) (GDPR) will replace the UK's Data Protection Act from May 25th, 2018. The GDPR's aim is to deliver more harmonious data protection legislation across EU nations. Sounds simple, but for many B2B marketers the panic is rising.

Consider all proposed amendments. The original timetable dictated that the ePR should come into force alongside the GDPR with a 6-month grace period to follow. The [DMA](#) now believes the Regulation may not see the light of day until a year later, meaning organisations could have until 2019 – or may be even longer – to comply.

GDPR, ePrivacy and the B2B Panic Button

How will this delay affect B2B marketers?

Under GDPR, the use of personal data, quite rightly, becomes even more strictly governed to protect the consumer. Alongside the GDPR comes the new ePrivacy Regulation (ePR), designed to "better protect people's privacy in the digital age."

In the meantime, B2B marketing will continue to be governed by PECR. As a result, we can continue to market under PECR with the exemptions this provides to the B2B arena. In so doing you are acting within the UK (and Europe's) current data protection laws.

ePR replaces the Privacy and Electronic Communications Regulations (PECR) and will oversee B2B direct marketing. PECR currently sits alongside the Data Protection Act and provides people with specific privacy rights in relation to electronic communications. It is important to note that B2B emarketing does not require consent under PECR.

Will ePR Maintain PECR's B2B Exemptions?

Whilst ePR will replace PECR at the same time as GDPR comes into force, there is still much discussion and contention about the detail of the Regulation. This contention may delay its procession into law. The European Parliament and Council both need to review the draft and

The future of telemarketing and email marketing consent under ePR is uncertain. As it is currently worded, the ePR could require opt-in consent for all B2B marketing. Nevertheless, it appears there could be caveats that might allow for the continued use of existing customer data.

Article 16.5 leaves it up to member states to decide whether B2B marketing requires opt-in consent. Depending on the final text, the UK could introduce its own legislation stating that B2B marketing could be carried out under legitimate interest and without prior consent.



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As a marketing services agency which focuses on direct B2B marketing, our message to you is; don't panic!

But We Should be Doing Something, Right?!

Yes, it goes without saying that there are many requirements placed on organisations by GDPR. To achieve compliance these should not be overlooked. The DMA has recently issued [guidance](#) on the 10 things B2B marketers need to know about the GDPR. Notwithstanding PECR, you must still ensure you have your data ducks in a row in terms of gathering, storage, and processing data.

Keep Calm and Carry On!

We await more clarity, but at this stage our message to fellow B2B marketers is as follows:

- Ensure you are GDPR compliant in terms of data gathering, storage and processing
- Continue your B2B marketing activity as normal under PECR
- Keep watching out for guidance and updates from the DMA and ICO
- **Don't panic, but be prepared!**



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