

What General Notices Are Required By The CCPA?



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The CCPA requires businesses to provide consumers with a Notice at Collection and a privacy policy. The CCPA regulations set forth the requirements for these notices, as well as additional notices that your business may have to provide depending on the type of personal information you collect and how it is used.

NOTICE AT COLLECTION

The Notice at Collection should provide consumers with timely notice, at or before the point your business starts collecting personal information about them.

The Notice at Collection must include:

- The categories of personal information, including sensitive personal information, that you collect.
- The purposes for which the personal information is collected or used.
- Whether the information is sold or shared.
- The length of time you intend to retain each category of personal information.
- If the business sells or shares personal information, the link to the Notice of Right to Opt-out of Sale/Sharing.
- The link to your privacy policy.

The Notice at Collection must be posted:

- Where consumers will see it at or before the collection of personal information.
- For example:
 - If personal information is collected online, it can be posted as a link on your webpage that is collecting the information.
 - If through cameras, it can be given through prominent signage.
 - If collected in person or over the phone, it can be given orally.

If more than one business controls the collection of personal information, then all businesses that control the collection must provide a Notice at Collection. If the business doesn't give this notice, it is not allowed to collect personal information from the consumer.

REQUIREMENTS FOR ALL NOTICES

- Easy to understand.
- Avoids legal and technical jargon.
- Must be readable (even on a smaller screen).
- Be available in the languages in which you provide other information, such as contracts or sales announcements.
- Be reasonably accessible to consumers with disabilities.

The California Privacy Protection Agency's mission is to protect consumer privacy, ensure that businesses and consumers are well-informed about their rights and obligations, and vigorously enforce the California Consumer Privacy Act.

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PRIVACY POLICY

The privacy policy should provide consumers with a comprehensive description of a business's online and offline information practices and inform consumers about the rights they have regarding their personal information, including how to exercise them.

Your business must post and maintain the privacy policy through a link with the word "privacy" in it, such as "Privacy Policy," or "California Privacy Policy."

The privacy policy must include:

- For all personal information collected, bought, obtained, and accessed:
 - The categories of personal information collected in the last 12 months.
 - The categories of sources from which that personal information was collected.
 - The specific purpose for collecting the personal information.
- If the business discloses, sell, or shares personal information:
 - The categories of personal information disclosed, sold, or shared within the last 12 months.
 - For each category of personal information, the category of third parties to whom the information was disclosed, sold, or shared.
 - The specific purpose for disclosing, selling, or sharing that information.
 - Whether the business has actual knowledge that it sells or shares the personal information of consumers under 16 years old.
- Information about consumers CCPA rights and how to exercise them, specifically:
 - An explanation of consumers' different CCPA rights.
 - Instructions on the different methods by which consumers can exercise their rights.
 - Links to an online request form or portal, if offered by the business.
 - A description of how the business verifies the consumer for requests to know, delete, and correct.
 - An explanation of how an opt-out preference signal will be processed and how the user can use one.
 - If a business processes opt-out preference signals in a frictionless manner, how consumers can use such an opt-out preference signal.
 - Instructions on how an authorized agent can make a request on behalf of the consumer.
 - If the business has actual knowledge that it sells or shares the personal information of consumers under 16 years of age, a description of that process.
- Reasons for which your business uses or discloses sensitive personal information, if they are different than those provided for in the CCPA. (See page 3.)
- A contact for questions or concerns about the privacy policies and information practices using a method reflecting the manner in which the business primarily interacts with the consumer.
- Date the privacy policy was last updated.

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OTHER OBLIGATIONS

There may be additional information that your business needs to disclose in its privacy policy. For example, if your business collects the personal information of **10,000,000 of more consumers** in a calendar year, you must disclose certain metrics about the number of CCPA requests it receives and responds to, among other things.

Additional notices may be required depending on what information your business collects and what it does with that information. For example, if you sell or share personal information, you must provide a Notice of Right to Opt-Out of Sale/Sharing. If you use or disclose sensitive personal information for purposes other than those provided for in the CCPA, you must provide a Notice of Right to Limit. If you offer consumers a financial incentive, you must provide consumers with a Notice of Financial Incentive.

Employees are covered by the CCPA. You may need to tailor your notices to address the unique situation of your employees.

Consult an attorney for legal advice about any rights or obligations you may have under the law.

CCPA PURPOSES FOR USING OR DISCLOSING SENSITIVE PERSONAL INFORMATION

A business that uses or discloses sensitive personal information for purposes other than those listed below has additional requirements under the law.

- To provide the services or goods requested by the consumer.
- To prevent, detect, and investigate security incidents.
- To resist malicious, deceptive, fraudulent, or illegal actions, such as a cyber-attack.
- To ensure the physical safety of natural persons.
- For short-term, transient use (e.g., non-personalized, contextualized advertising) that is not used to build a profile about the consumer.
- To perform services on behalf of the business, such as processing payments.
- To verify or maintain the quality or safety of a business' product, service, or device.
- To collect or process sensitive personal information where the collection or processing is not for the purpose of inferring characteristics about the consumer.

For more information

California Privacy Protection Agency
<https://cppa.ca.gov/faq>