RIKKA LAW GROUP

Privacy Policy Requirements (Virginia)

What Needs to Be In The Privacy Policy?

- ☐ **1. The following is required to be included in a privacy notice** (59.1-578)(C):
  - ☐ The categories of personal data processed by the controller;
  - ☐ The purposes for processing personal data;
  - ☐ How consumers may exercise their consumer rights pursuant to the statute, including how a consumer may appeal a controller's decision with regard to the consumer's request;
  - ☐ The categories of personal data that the controller shares with third parties, if any;
  - ☐ The categories of third parties, if any, with whom the controller shares personal data;
- ☐ **2. If a controller sells personal data to one or more third parties or engages in targeted advertising** (59.1-578)(D)**:**
  - ☐ The controller shall clearly and conspicuously disclose such processing as well as the manner in which a consumer may exercise the right to opt out of such processing.
- ☐ **3. A controller shall** (59.1-578)(E)**:**
  - ☐ Establish and describe in a privacy notice, one or more secure and reliable means for consumers to submit a request to exercise their consumer rights under this statute. Such means take into

account:

- ☐ The ways in which consumers normally interact with the controller;
- ☐ The need for secure and reliable communication of such requests; and
- ☐ The ability of the controller to authenticate the identity of the consumer.

  Note that the controller cannot require the consumer to create a new account in order to exercise consumer rights pursuant to the statute, but may require the consumer to use an existing account.

How Does The Privacy Policy Need To Be Provided? (59.1-578)(C):

- ☐ In a reasonably accessible, clear and meaningful manner.