

FAQ: TCF v2.2 - Updated November 2023

In order to respond to the changes and needs of the market, while continuing to help players in the online ecosystem comply with certain requirements of the ePrivacy Directive and the General Data Protection Regulation (“GDPR”), the Transparency and Consent Framework (“TCF”, “Framework”) needs to be updated on a regular basis. In particular, constant evolutions in case law as well as in guidelines of Data Protection Authorities (DPAs) place ever higher demands on market participants in terms of data protection requirements. The TCF instances have therefore drawn inspiration from them to bring new iterations to the Framework. In addition, some changes are related to the Action Plan submitted to and validated by the Belgian Data Protection Authority (more information [here](#)).

IAB Europe, in partnership with IAB Tech Lab, is committed to continuous improvement and development of the Framework through industry collaboration to meet the needs of users and regulators. The iterations brought by the TCF v2.2 aim to bring further standardisation of the information and choices that should be provided to users over the processing of their personal data, and to how these choices should be captured, communicated and respected.

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GENERAL

What are the main differences between TCF 2.1 & 2.2?

The iterations brought by the TCF v2.2 aim to bring further standardisation of the information and choices that should be provided to users over the processing of their personal data, and to how these choices should be captured, communicated and respected. This include:

1. Removal of the legitimate interest legal basis for advertising & content personalisation: within the scope of the TCF, Vendors will only be able to select consent as an acceptable legal basis for purposes 3, 4, 5 and 6 at registration level;
2. Improvements to the information provided to end-users: the purposes and features' names and descriptions have changed. The legal text has been removed and replaced by user-friendly descriptions - supplemented by examples of real-use cases (illustrations);
3. Standardisation of additional information about Vendors: Vendors will be required to provide additional information about their data processing operations - so that this information can in turn be disclosed to end-users;

- Categories of data collected
 - Retention periods on a per-purpose basis
 - Legitimate interest(s) at stake - where applicable
 - Support for multiple languages URL declaration
4. Transparency over the number of Vendors: CMPs will be required to disclose the total number of Vendors seeking to establish a legal basis on the first layer of their UIs;
 5. Specific requirements to facilitate users' withdrawal of consent: Publishers and CMPs will need to ensure that users can resurface the CMP UIs and withdraw consent easily. Vendors need to ensure they retrieve the TC String in real-time, where applicable.

What is the deadline for implementation?

Vendors need to update their GVL registration with the new required information (as well as any other required information they failed to update previously) before 30 June 2023, and submit a TCF Vendor Compliance Form before 31 July 2023. Both new and existing TCF Vendors need to submit the Compliance Form.

CMPs must ensure they host their scripts on a domain other than consensu.org subdomains before 31st July 2023.

CMPs and Vendors are required to implement the new policies and specifications **before 20 November 2023**. Publishers are strongly encouraged to review, if necessary, their implementation of the TCF in line with the new policies.

Do Vendors need to register separately to TCF v2.2?

No, there is no need to register separately to TCF v.2.2. Vendors simply need to update their registrations by logging into the GVL registration portal [here](#) and provide the additional information required from them.

Do CMPs need to apply for re-validation?

No, however compliance with the new requirements will be verified as part of IAB Europe's regular monitoring of CMPs' live installations as of the implementation deadline. To support CMPs in their developments, IAB Europe has released a new CMP Validator Chrome Extension available [here](#) that includes all requirements of TCF v2.2.

Do legal bases need to be re-established with all users?

No, the new Policies do not require re-establish Legal Bases and therefore do not require CMPs to resurface the Framework UIs. TCF v2.2 brings further standardisation of the minimum information and choices that should be provided to users over the processing of their personal data. Publishers should review the information they provide in their CMPs UIs in addition to the minimum standard information required under TCF v2.1, and make a case-by-case

determination as to whether re-establishing Legal Bases is necessary in accordance with their local Data Protection Authority's requirements.

Are the slides and recordings from the webinars regarding the launch of the TCF v.2.2 available?

All the recordings of the webinars and slides that were presented can be found [here](#).

ABOUT THE TCF POLICIES

Has support for legitimate interest as a legal basis been removed?

No, it will still be possible for Vendors to declare reliance on legitimate interest legal basis for certain Purposes (2, 7, 8, 9, 10 and new purpose 11). In such a case, Vendors will be asked to provide a URL that directs to an explanation of their legitimate interest(s) at stake. The GDPR requires data controllers to provide information about the legitimate interests they pursue, and the new Policies aims to make this information more easily accessible by users. Such URL can direct to the Vendors' relevant section of its privacy policy, or to a dedicated webpage.

Can publishers still rely on Legitimate Interest for their own data processing purposes?

Yes, publishers can still rely on their Legitimate Interests for the data processing purposes they pursue as data controllers (e.g. personalisation of content) as this is not covered by the TCF Policies. The specifications for the Publisher TC segment, which is an optional segment in the TC String that can be used by Publishers to record legal bases for their own data processing purposes has not changed (see "Does the removal of legitimate interest for purposes 3 to 6 also apply to Publishers that use the Publisher TC segment?").

How should Publishers select the Vendors for which they establish legal bases? Is there a maximum number ?

Since March 2022, Vendors registering to the TCF are required to provide additional information that is not intended for user disclosures but can be used by Publishers for determining which Vendors they wish to establish transparency and consent for on their digital properties.

The additional information cover the following detail:

- Full legal entity address ;
- Business-to-business contact details ;
- Territorial scope - the EU/EEA/EFTA/UK jurisdictions where the vendor operates in the context of its TCF registration. Note that this is different from the place of establishment ;
- Environment – environment(s) where the vendor operates such as web, mobile apps, CTV apps ;
- Type of service – Vendor's type of service(s) such as SSP, DSP, DMP ;

- International transfer – indication if the vendor transfers data outside EU/EEA ; when applicable, indication if the data transfers are covered by an EU adequacy decision.

This additional information is available **here** and can be used by Publishers to, for example, avoid requesting user's consent for Vendors that operate in technical environments and jurisdictions that are not relevant to their online services, as well as generally better understand each TCF Vendor's scope of operations and whether it transfers data outside of the EEA.

Publishers can also work with their CMPs and Vendor-partners to better understand which Vendors are active on their digital properties (e.g. contribute to the selling of their ad inventories) to supplement their selection process.

The TCF Policies does not impose a maximum number of Vendors for which a Publisher establishes legal bases, as it depends on the nature of the services and content provided by the Publisher as well as its business model, and no objective criteria have been laid down by Data Protection Authorities in that respect.

How should the total number of Vendors be added to the CMP UI?

The Initial Layer of the Framework UI has to disclose the number of third party Vendors that are seeking consent or pursuing data processing purposes on the basis of their legitimate interest(s), in order to better inform users about the number of entities susceptible to processing their personal data.

This number should at a minimum represent the number of TCF Vendors for which the publisher establishes transparency & consent, but may include the number of non-TCF Vendors. It is up to the publishers to decide whether they want to include non-TCF Vendors when providing this number. Publishers should consider when making such a determination how to best manage user expectations regarding the number of data controllers for which it establishes legal bases.

The Secondary Layer of the Framework UI has to disclose the numbers of third party Vendors that are seeking consent or pursuing data processing purposes on the basis of their legitimate interest(s) for each purpose. These numbers may also include the number of non-TCF Vendors for which the publisher establishes transparency & consent using the TCF purposes nomenclatures.

Why did you change the TCF Purposes descriptions, and added “illustrations”?

The new user-friendly descriptions that replace the legal text aim to further improve end-users' understanding of each purpose. The “illustrations” are part of the TCF Policies and constitute indicative examples of operations covered by a given purpose, which can help end-users understand in practice how their data can be processed and why.

How should CMPs disclose Vendors' retention periods and categories of data?

CMPs should disclose the new information on a per-Vendor basis, using the information published in the GVL.

The categories of data collected and processed by Vendors has been standardised through a dedicated taxonomy. CMPs should use the standard names provided by the TCF Policy and make available the corresponding user-friendly descriptions.

To facilitate users' understanding, CMPs may convert retention periods provided by Vendors in days into a different time unit (e.g. in months), the same way they may currently do so with Vendors' maximum device storage durations.

How should CMPs use the multiple URLs that Vendors may provide to access their privacy documentations in different languages?

TCF v2.2 enables Vendors to declare URLs to their privacy policies and legitimate interest(s) at stake explanation on a per-language basis. This enables CMPs to provide users with link(s) to Vendors' privacy documentations in the same language as the one used in their Framework UIs (which for example corresponds to the language of the publisher's digital property or the language of the user's browser).

Where Vendors have not declared URLs to their privacy documentations in the language used in the Framework UIs, CMPs may choose to provide links to the Vendors' documentation in a different language, or Publishers may choose not to work with Vendors that do not maintain privacy documentations in the language of their users.

What is the new purpose 11?

Purpose 11 (Use limited data to select content) is equivalent to the ad-related Purpose 2 (Use limited data to select advertising). This purpose is intended to cover processing activities such as the selection and delivery of non-advertising content based on real-time data (e.g. information about the page content or non-precise geolocation data), and controlling the frequency or order in which content is presented to a user. It does not cover the creation or use of profiles to select personalised content.

Does the new TCF Policies require a “reject all” button?

The new TCF Policies do not require that CMPs provide a call to action for users to refuse consent from the first layer of their UIs. As with any other requirements that are not covered by the TCF policies, publishers should ensure they are fully aware of their local Data Protection Authority's requirements and act accordingly.

What is the new requirement in relation to withdrawal of consent? Does it affect pay-or-consent installations?

Publishers and their CMPs will be required to ensure that users can re-access the CMP UI easily to manage their choices (e.g. from a floating icon or a footer link available on each webpage, from the top-level setting of the app etc.)

If the initial consent request presented to users contains a call to action that enables user to consent to all purposes and vendors in one click (such as “Consent to all”), an equivalent call to action should be provided when users resurface the CMP UI as to withdraw consent to all purposes and vendors in one click (such as “Withdraw consent to all”).

When the publisher implements a way for the user to access its content without consenting through other means, for example by offering paid access, users who previously provided consent should still be provided with the possibility to easily withdraw consent at any time and access the content through other means (for example the paid access). Although the TCF policies accommodate such implementations, publishers should ensure they are fully aware of their local Data Protection Authority’s requirements when leveraging pay-or-consent installations.

Why did you remove the requirement to remind users of their choices every 13 months?

Data Protection Authorities have issued different guidelines and recommendations on the appropriate duration - which varies between 6 months to 24 months. The TCF Policies take into account these discrepancies and require publishers to remind users of their choices according to the requirements laid down by publishers’ local regulator(s).

Why did you remove the requirements to maintain records of consent?

Records of consent were not defined in the Policies previously, due to Data Protection Authorities having issued different guidelines and recommendations on the various methods that can be employed by data controllers to demonstrate proof of consent. The new TCF Policies take into account these various methods and leave it up to participants to define how to comply with this GDPR requirement.

What is the Legitimate Interest Claim URL that Vendors need to provide at registration?

Vendors should provide a link to a webpage that describes the legitimate interests they pursue when they rely on such a legal basis for at least one purpose. This can be a part of their privacy policy, accessed through a bookmark on that webpage. User-facing information about Vendors’ legitimate interest at stake should not be confused with Vendors’ Legitimate Interest Assessments (LIAs) - whose record can be kept internally to demonstrate compliance if required.

ABOUT THE TCF v2.2 PRACTICAL IMPLEMENTATION

Where and when can I find the GVL for TCF v2.2?

The GVL for TCF v2.2 is the [GVL version 3 that can be found at https://vendor-list.consensu.org/v3/vendor-list.json](https://vendor-list.consensu.org/v3/vendor-list.json). It will start being published weekly as Vendors update their registrations, in order for CMPs to test the new format and build the new user-facing disclosures required by TCF v2.2.

The format of the TCF v2.2 GVL is detailed in the [technical specifications](#), with an example of the JSON Object integrating all new updates.

Where and when can I find the TCF translations?

The TCF official translations have been published at <https://register.consensu.org/Translation>. IAB Europe is now in the process of updating them progressively according to local market feedback. If you have any feedback on a translation, you can provide suggestions at framework@iabeurope.eu.

Will Vendors be added automatically to the new version of the GVL for TCF v2.2?

No, only Vendors that submit all new required information (as well as any other required information they failed to update previously) will be published in the GVL for TCF v2.2. Vendors updating their registration for TCF v2.2 will also continue to be published in the current version of the GVL (v2) that will continue to run until the end of the implementation period.

Vendors can update their registrations by logging-in to the GVL registration portal [here](#) that has been updated accordingly. (If you don't see your existing data in the portal, clear your cache or log-in using a different browser). Vendors must update their registration before 30 June 2023.

New Vendors registering to TCF for the first time will be required to submit all new information to be assigned an ID. Pending the transition period, new Vendors will be published in the current version of the GVL (v2) for TCF 2.2 as well as the new version of the GVL (v3) for TCF 2.1.

Is there a change to the CMP API specifications?

Yes, the CMP command `getTCData` has been deprecated. CMPs no longer need to support this command, and only three commands remain mandatory: 'ping', 'addEventListener' and 'removeEventListener'.

Why do Vendors need to use eventListeners?

The TCF Technical Specifications will now mandate rather than recommend Vendors to use event listeners, to ensure that any changes to TC Strings are proactively communicated to them and other Vendors.

In the web environment, Vendors with access to Javascript will be required to register an event listener function (`addEventListener`) instead of using the `getTCData` command of the TCF API. This reduces the number of calls that the vendor would need to make to the API in order to obtain the latest TC String using `getTCData`.

In the app environment, Vendors must listen to `IABTCF_*` key updates to retrieve TC Strings from `NSUserDefaults` (iOS) or `SharedPreferences` (Android).

Is there a change to the TC String format?

No, the only thing that changes is the usability of the `nonStandardStack` field, which has been renamed `nonStandardText`. This flag was initially intended to signal when a Publisher is using non-standard stacks. It will now be used to signal that a Publisher is either using non-standard stacks and/or non-standard illustrations, in accordance with the permissions provided by the Policies under Chapter IV (21) (6) & (7).

What is the StdRetention field in the GVL for TCF 2.2?

The `StdRetention` field in the GVL is added and computed when a Vendor has declared the same retention period for several purposes and/or special purposes for optimisation of the GVL length. As a result the entry for purposes and/or special purposes with that most common retention period, i.e. the period which is declared for the most purposes and/or special purposes, will be omitted from the `purposes` and `specialPurposes` fields in the `dataRetention` object.

For example, if a Vendor has declared the following retention periods:

- Purpose 2: 30
- Purpose 3: 30
- Purpose 4: 30
- Purpose 7: 180
- Special Purpose 2: 360

The corresponding `dataRetention` object in the Vendors' entry in the GVL will be:

```
"dataRetention": {
  "stdRetention": 30,
  "purposes": {
    "7": 180,
  },
  "specialPurposes": {
```

```
"2": 360
}
}
```

How to know which GVL version should be used when reading a TC String?

The Policy version should be used to understand which GVL must be used. If the Policy version is equal or inferior to 3 (TCF v2.1), the GVL for TCF 2.1 should be used (all archives can be found at <https://vendor-list.consensu.org/v2/archives/vendor-list-v{vendor-list-version}.json>). If the Policy version is 4 (TCF v2.2), the GVL for TCF 2.2 should be used (all archives will be made available at <https://vendor-list.consensu.org/v3/archives/vendor-list-v{vendor-list-version}.json>).

Can the GVL for TCF v2.1 be used when reading a TC String created under 2.2 during the transition period?

Pending the transition period to enable Vendors to update progressively their technologies, Vendors can continue to rely on the GVL for TCF 2.1 when decoding TC String created under TCF 2.2.

Vendors should use the weekly version published concomitantly to the GVL for TCF 2.2 to ensure reliance on consistent Vendors' declarations about their purposes and legal bases. For example if the TC String was created under 2.2 with version 8 of the GVL for TCF 2.2 (<https://vendor-list.consensu.org/v3/archives/vendor-list-v8.json>), the version 205 of the GVL for TCF 2.1 should be used (<https://vendor-list.consensu.org/v2/archives/vendor-list-v205.json>).

Vendors who declared the new purpose 11 as part of their registration update to TCF 2.2 must implement the necessary logic to verify by way of the appropriate signal that they have established a legal basis for this purpose prior to processing personal data in pursuit of purpose 11.

Will TC Strings created under TCF v2.1 be considered invalid after 20 November 2023?

No, because there is no requirement to re-establish Legal Bases (see **Do legal bases need to be re-established with all users?**).

- TC Strings created before 20 November 2023 under TCF 2.1 (with policy version 3 or inferior) remain valid after 20 November 2023.
- TC Strings created after 20 November 2023 under TCF v2.1 will be considered invalid.

CMPs must not re-encode/convert TC String v2.1 under v2.2 without re-surfacing their UIs. Post 20 November 2023, when a CMP UI is resurfaced and users' are given the possibility to renew and/or change the choices they previously made (either by users themselves or when reminding them of their choices), the CMP will create a TC String v2.2 corresponding to these new

choices. After 20 November 2023, the GVL for TCF v2.1 will no longer be published, but the archives will remain available for participants to read previously created TC String v2.1.

Does the removal of legitimate interest for purposes 3 to 6 also apply to Publishers that use the Publisher TC segment?

No, the Publisher TC segment is an optional segment in the TC String that can be used by Publishers to record legal bases for their own data processing purposes (using the nomenclatures of the TCF purposes, or using custom nomenclatures) or for Vendors that do not participate in the TCF. The use of this optional segment is not governed by the TCF Policies.

Will the code libraries and TC String encoder/decoder be updated?

IAB Tech Lab and its members are working on updating the code libraries and the [Javascript library](#) has been updated as a priority. The TC String decoder/encoder will not be updated and instead the GPP decoder/encoder [here](#) will be updated in the upcoming weeks to support the encoding and decoding of standalone TC Strings. The GPP decoder/encoder will allow participants to create sample v2.2 strings for testing - although there is no change to the TC String format (see “Is there a change to the TC String format?”).

How can Vendors self-check their live installations?

In order to self-check their live installations Vendors can use the Controls Catalogue available [here](#). The Controls Catalog maps requirements of the Policies to auditable elements to help participants in assessing and reviewing the compliance of their practical implementations. It includes the audit checks IAB Europe performs when auditing TCF participants - and corresponding enforcement procedure for each.

Why do Vendors need to provide a list of digital properties where they operate?

When completing their Vendor Compliance Form, Vendors should provide a non-exhaustive lists of digital properties where their technologies are susceptible to be deployed (e.g. websites where their tags or pixels are present, mobile or CTV apps where their SDK is integrated - depending on the environment(s) they support). This is to facilitate the auditing by IAB Europe of Vendors' live installations deployed on publishers' properties.