Bugs & Wish list

Cookie consent mechanism problematic, parts are non-compliant | Tiki Wiki CMS Groupware ::
Development
Cookie consent mechanism problematic, parts are non-compliant

Status
🟢 Open

Subject
Cookie consent mechanism problematic, parts are non-compliant

Version
18.x

Category
- Feature request
- Legislative Compliance

Feature
Cookie

Resolution status
New

Submitted by
hman

Lastmod by
hman

Rating
★★★★★ (0) ❓

Description
The cookie consent mechanism has this bold claim:

"Complies with EU Privacy and Electronic Communications Regulations."

First of all, let me express my thanks that someone has undertaken the task of creating a feature that at least tries to adhere to laws and regulations. Many IT systems do not even have that.

But the bold claim is only partially fulfilled. You *can* make cookie consent compliant with regulations, but it does not tell you how. And some defaults are *not* compliant.

To elaborate:
There is an option "Cookie consent disabled" with description
"Do not give the option to refuse cookies but still inform the user about cookie usage.". Enabling this would be a clear breach of regulations. In the European Union every user must be given the right to deny setting cookies. Luckily this one is default off.

This also implies that the setting "Cookie consent alert" with description "Sorry, cookie consent required" and hint "Alert displayed when user tries to access or use a feature requiring cookies." is non-compliant. The user has a right to refuse, and you cannot block his/her access upon that. It is okay if functionality is reduced (like remembering sessions), but you cannot block access.

There is a "Cookie consent question", "Specific question next to the checkbox for agreement. Leave empty to not display a checkbox." with this default text: "I accept cookies from this site.". That's not a question, that's an answer 😃

"Specific question next to the checkbox for agreement. Leave empty to not display a checkbox." Hm, no checkbox? Ask a clear question, one that users can answer binary "Yes" or "No".

The default label for consent is "Continue", which is not compliant. The label must clearly tell an medium level informed user what it does. Therefore it cannot be labelled "Continue". It can be changed, but this is the default.

Also, any kind of consent checkbox must not be preset!

So, I see the spirit of the devs to help admins be compliant, but this needs some brushing up to really enable admins to be on the right side of the law 😃

I see that for some areas outside the EU one might want to be less adherent to EU laws and therefore might want to force users to accept cookies. But a GUI of a function that claims compliance should not encourage that. So either claim this and offer only compliant options or display advice or even alerts when admins click on settings that would make them breach compliance... Or have one checkbox "compliant settings only" or something like that.

Also, inform admins that by law, site admins must inform their users about what kind of personal data is stored, where it is stored, and for how long. Commercial sites must also tell which persons are to be contacted if users want to get a copy of all that data, or who is to be contacted is someone wants that deleted.

Importance
    10 high
Easy to solve?
    4
Priority
    40
Demonstrate Bug (Tiki 19+)
    ## Please demonstrate your bug on show2.tiki.org

    Version: trunk ▼
Demonstrate Bug (older Tiki versions)
    ## Please demonstrate your bug on show.tikiwiki.org

    Version: 18.x ▼
Ticket ID
    7490
Created
    Friday 14 August, 2020 16:01:04 GMT-0000
    by hman
LastModif
    Friday 14 August, 2020 16:02:13 GMT-0000

Comments

Attachments

filename	**created**	**hits**	**comment**	**version**	**filetype**

No attachments for this item

The original document is available at
https://dev.tiki.org/item7490-Cookie-consent-mechanism-problematic-parts-are-non-compliant