

Authority for  
Consumers & Markets



# Perspectives on online personalisation

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**Note: this presentation contains personal views, not necessarily  
those of the ACM.**

Markets that work well for people and businesses

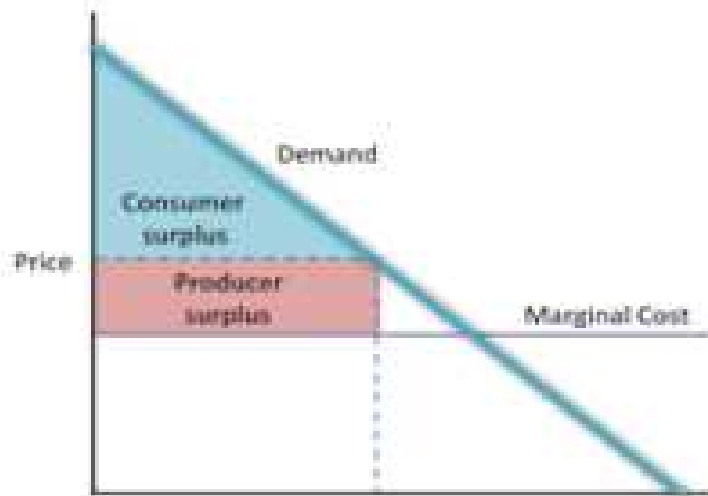


# Personalisation: what are we talking about?

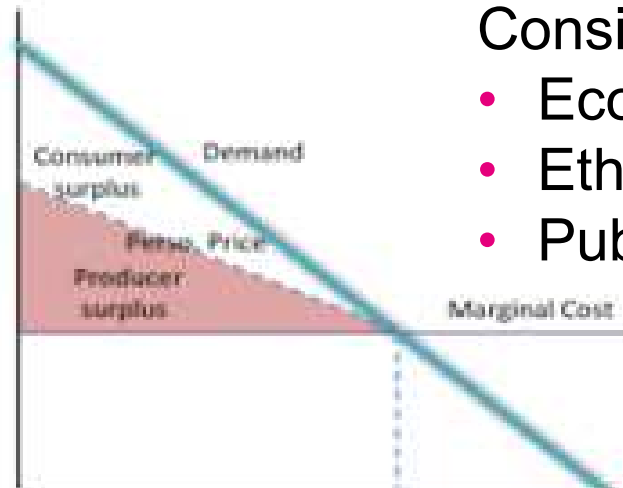


- Personalisation vs. segmentation
- (Partial) personalisation of prices (discounts), contract terms and marketing practices,
- Prevalence of personalisation in current business practice
- Powered by data collection and technology

# A debate on personalisation



Uniform Pricing



Personalised Pricing

Considerations:

- Economic
- Ethical and political
- Public opinion

Source: [pdf \(oecd.org\)](https://www.oecd.org)

# The effectiveness of online disclosures



- Providing information ≠ an well-informed consumer
- Providing info may conflict with business interests
- We forget the importance of design in law and practice
- Studies, testing and standardization are key to greater effectiveness
- Industry responsibility

# Personalised disclosures

- Driver: the desire for meaningful disclosures on personalization
- Disadvantages of or unclarity about personalized disclosures as a remedy
- My conclusion: let's start by improving current disclosures



## To summarize:

- It is important to define the scope of what should be regulated;
- We need a (European) debate on whether personalisation is desirable;
- How to best remedy its negative effects (what policy field, what instruments are most suitable and effective)?
- When choosing disclosures as a remedy, it is paramount to improve their effectiveness, through better design, standardization and testing. A reversed burden of proof could be useful;
- Requiring personalised disclosures might be a complicated remedy.

## Reference materials:

- [CCP/OECD study into disclosures for personalisation](#)
- [ACM studies into price and ranking disclosures](#)
- Article by Andreas Maaløe Jespersen from the Danish Competition Authority: [New opportunities and challenges for consumers in digital markets](#)
- [ACM Guidelines on the Protection of the Online Consumer](#)
- [ACM Response to the draft proposal Digital Services Act](#)
- [CMA Pricing algorithms research, collusion and personalised pricing](#)
- [BMJV Empirie zu personalisierten Preisen im E-Commerce](#)

# Thank you



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Markets that work for people and businesses, now and in the future