STATUTORY INSTRUMENTS

2016 No. 524

ELECTRONIC COMMUNICATIONS

The Privacy and Electronic Communications (EC Directive) (Amendment) Regulations 2016

Made - - - -	*21st April 2016*
Laid before Parliament	*25th April 2016*
Coming into force - -	*16th May 2016*

The Secretary of State, being a Minister designated(**1**) for the purposes of section 2(2) of the European Communities Act 1972(**2**) in respect of matters relating to electronic communications, in exercise of the powers conferred by that section makes the following Regulations.

Citation and commencement

1. These Regulations may be cited as the Privacy and Electronic Communications (EC Directive) (Amendment) Regulations 2016 and shall come into force on 16th May 2016.

Amendment of the Privacy and Electronic Communications (EC Directive) Regulations 2003

2.—(1) The Privacy and Electronic Communications (EC Directive) Regulations 2003(**3**) are amended as follows.

(2) In regulation 19, for paragraph (2) substitute—

"(2) Those circumstances are where—

(a) the called line is that of a subscriber who has previously notified the caller that for the time being he consents to such communications being sent by, or at the instigation of, the caller on that line; and

(b) the person transmitting, or instigating the transmission of, such communications —

(i) does not prevent presentation of the identity of the calling line on the called line; or

(ii) presents the identity of a line on which he can be contacted."

(**1**) S.I. 2001/3495. This has been amended, but the amendments are not relevant for the purposes of these Regulations.
(**2**) 1972 c. 68. Section 2(2) was amended by section 27 of the Legislative and Regulatory Reform Act 2006 (c. 51) and section 3 of, and Part 1 of the Schedule to, the European Union (Amendment) Act 2008 (c. 7).
(**3**) S.I. 2003/2426, as amended by S.I. 2004/1039, S.I. 2010/22, S.I. 2011/1208 and S.I. 2015/355.