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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Privacy and Electronic Communications (EC Directive) Regulations 2003 (“the 2003 Regulations”) so as to require that persons making or instigating calls for direct marketing purposes do not prevent presentation of the identity of the calling line on the called line.

Regulation 2(2) amends regulation 19 of the 2003 Regulations to provide that a person may neither transmit, nor instigate the transmission of, communications comprising recorded matter for direct marketing purposes by means of an automated calling or communication system where that person prevents presentation of the identity of the calling line on the called line.

Regulation 2(3) amends regulation 21 of the 2003 Regulations to provide that a person may neither use, nor instigate the use of, a public electronic communications service for the purposes of making calls (whether solicited or unsolicited) for direct marketing purposes where that person prevents presentation of the identity of the calling line on the called line.

A full impact assessment has not been produced for this instrument as no impact, or no significant impact, on the private, voluntary or public sector is foreseen.