

Unsolicited Marketing Communications (Company Directors) Bill

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TO

Enable the Information Commissioner’s Office to take action against company directors for breaches of the Privacy and Electronic Communications (EC Directive) Regulations 2003 relating to unsolicited marketing communications made by a company; and for connected purposes.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

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

- (1) The Privacy and Electronic Communications (EC Directive) Regulations 2003 (S.I.2003/2426) are amended as follows.
- (2) In Regulation 31(1), between “sections 55A to 55E” and “of the Data Protection Act 1998” insert “and section 61”. 5
- (3) In Schedule 1, after paragraph 8B insert—
 - “8BA In subsections (1) and (3) of section 61—
 - (a) for “an offence under this Act” there shall be substituted “a contravention of the Privacy and Electronic Communications (EC Directive) Regulations 2003”; 10
 - (b) for “guilty of that offence” there shall be substituted “liable for that contravention”; and
 - (c) for “proceeded against and punished accordingly” there shall be substituted “served with a notice, proceeded against or punished accordingly”.” 15

2 Short title, commencement and extent

- (1) This Act may be cited as the Unsolicited Marketing Communications (Company Directors) Act 2017.
- (2) The provisions of this Act shall come into force on such day as the Secretary of State may appoint by order made by statutory instrument. 20

- (3) An order under subsection (2) may appoint different days for different purposes.
- (4) This Act extends to England, Wales, Scotland and Northern Ireland.

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*Ordered to be brought in by Patricia Gibson,
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Dr Lisa Cameron,
Roger Mullin,
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Anne McLaughlin,
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Alan Brown,
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*Ordered, by The House of Commons,
to be Printed, 13 September 2016.*

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