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**2000 No. 157**

**TELECOMMUNICATIONS**

**The Telecommunications (Data Protection and Privacy)  
(Amendment) Regulations 2000**

*Made* - - - - - *25th January 2000*

*Laid before Parliament* *27th January 2000*

*Coming into force* - - *1st March 2000*

The Secretary of State, being a Minister designated<sup>(a)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(b)</sup> in relation to measures relating to telecommunications, in exercise of the powers conferred on him by the said section 2(2), hereby makes the following Regulations:

1.—(1) These Regulations may be cited as the Telecommunications (Data Protection and Privacy) (Amendment) Regulations 2000 and shall come into force on 1st March 2000.

(2) In these Regulations, “the principal Regulations” means the Telecommunications (Data Protection and Privacy) Regulations 1999<sup>(c)</sup>.

2. In regulation 2 of the principal Regulations—

- (a) the words “and except where the context otherwise requires” shall be omitted from paragraph (3); and
- (b) in paragraph (4), after the word “shall” where it first appears there shall be inserted the words “without prejudice to the effect of paragraph (3)”.

3. In regulation 32(8) of the principal Regulations—

- (a) the word “and” at the end of subparagraph (a) shall be omitted; and
- (b) after subparagraph (b) there shall be added the word “and” and the following subparagraph—
  - “(c) subsections (1), (2) and (5)(f) of section 67 of that Act shall apply in respect of rules relating to the functions of the Tribunal under this regulation and in respect of the making thereof.”

25th January 2000

*Patricia Hewitt,*  
Minister for Small Business and E-Commerce,  
Department of Trade and Industry.

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(a) S.I. 1996/266.  
(b) 1972 c. 68.  
(c) S.I. 1999/2093.

**EXPLANATORY NOTE**

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

These Regulations amend two provisions of the Telecommunications (Data Protection and Privacy) Regulations 1999, made in implementation of Directive 97/66/EC on personal data and privacy in the telecommunications sector (O.J. No. L24, 30.1.98, p.1).

In regulation 2 of the principal Regulations, which provides for their interpretation, the specific provision in paragraph (4) about the meaning of a telecommunications “line” is expressly subordinated to the general provision in paragraph (3) that expressions in the Regulations are to be interpreted in the same way as in the Directive.

Provision is inserted into regulation 32 of the principal Regulations for rules relating to the procedure of the Data Protection Tribunal in exercise of its functions under the principal Regulations to be made in the same way as rules for that Tribunal under the Data Protection Act 1998 (that is, by statutory instrument subject to annulment by resolution of either House of Parliament).

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