
STATUTORY INSTRUMENTS

2003 No. 2426

**The Privacy and Electronic Communications
(EC Directive) Regulations 2003**

Use of automated calling systems

19.—(1) A person shall neither transmit, nor instigate the transmission of, communications comprising recorded matter for direct marketing purposes by means of an automated calling [^{F1}or communication] system except in the circumstances referred to in paragraph (2).

[^{F2}(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.]

(3) A subscriber shall not permit his line to be used in contravention of paragraph (1).

(4) For the purposes of this regulation, an automated calling system is a system which is capable of—

- (a) automatically initiating a sequence of calls to more than one destination in accordance with instructions stored in that system; and
- (b) transmitting sounds which are not live speech for reception by persons at some or all of the destinations so called.

F1 Words in reg. 19(1) inserted (26.5.2011) by [The Privacy and Electronic Communications \(EC Directive\) \(Amendment\) Regulations 2011 \(S.I. 2011/1208\)](#), regs. 1(1), **8**

F2 Reg. 19(2) substituted (16.5.2016) by [The Privacy and Electronic Communications \(EC Directive\) \(Amendment\) Regulations 2016 \(S.I. 2016/524\)](#), regs. 1, **2(2)**

Changes to legislation:

There are currently no known outstanding effects for the The Privacy and Electronic Communications (EC Directive) Regulations 2003, Section 19.