
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force section 35 of the Financial Guidance and Claims Act 2018 (“the Act”).

Section 35 of the Act amends the Privacy and Electronic Communications (EC Directive) Regulations 2003 (“the 2003 Regulations”) by amending regulations 21 and 24 and inserting new regulation 21A.

The principal changes create a special class of unsolicited marketing calls relating specifically to claims management services (“cold claims calls”) and prohibit people from making such calls unless recipient subscribers have previously opted *in* to receiving them.

The consequential changes to regulation 24 ensure that people making cold claims calls remain under a duty to provide recipients with their name and, if requested, their address and a contact number that is free to call.

Regulation 4 of these Regulations contains a transitional measure which provides that the changes made to the 2003 Regulations by section 35 of the Act will not apply to calls already in progress on commencement of that section.