Electronic communications: processing of personal data, protection of privacy

2000/0189(COD) - 12/07/2000 - Legislative proposal

PURPOSE : to ensure that a high level of personal data and privacy will continue to be guaranteed for all electronic communications services regardless of the technology used. CONTENT : the proposed Directive is intended to replace Directive 97/66/EC concerning the processing of personal data and the protection of privacy in the telecommunications sector, which was adopted by the European Parliament and the Council on 15 December 1997 and had to be transposed by 24 October 1998 at the latest. The proposal is not intended to create major changes to the substance of the existing Directive, but merely adapts and updates the existing provisions to new and foreseeable developments in electronic communications services and technologies. The majority of provisions of the existing Directive are therefore carried over in the new proposal, subject to minor drafting changes. One of the regulatory principles as set out in the context of the 1999 Review of the regulatory framework for electronic communications services, is the aim to create rules which are technology neutral, this is not to impose, nor to discriminate in favour of, the use of a particular type of technology, but to ensure that the same service is regulated in an equivalent manner, irrespective of the means by which it is delivered. This also implies that consumers and users should get the same level of protection regardless of the technology by which a particular service is delivered. In the present proposal the existing definitions of telecommunications services and networks in Directive 97/66/EC will be replaced by definitions of electronic communications services and networks to align the terminology with the proposed Directive establishing a common framework for electronic communications services and networks. Moreover, four new definitions are added of calls, communications, traffic data and location data to strengthen the common understanding of these terms and thereby improve the harmonised implementation of the relevant articles throughout the Community. ?