Electronic communications: personal data protection rules and availability of traffic data for anti-terrorism purposes

2005/0182(COD) - 21/02/2006 - ${summary.subTitle}

The Council adopted a Directive of the European Parliament and of the Council on data retention,

amending Directive 2002/58/EC. The decision follows an agreement reached by the Council at its meeting on 1 and 2 December 2005.

The Irish and Slovak delegations voted against.

To recall, this Directive aims to harmonise Member States' provisions concerning the obligations of the providers of publicly available electronic communications services or of public communications networks with respect to the retention of certain data which are generated or processed by them, in order to ensure that the data are available for the purpose of the investigation, detection and prosecution of serious crime, as defined by each Member State in its national law.

This Directive shall apply to traffic and location data on both legal entities and natural persons and to the related data necessary to identify the subscriber or registered user. It shall not apply to the content of electronic communications, including information consulted using an electronic communications network.

Following entry into force of the Directive, Member States will have as a general rule 18 months in which to comply with its provisions.