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STATUTORY INSTRUMENTS

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**1999 No. 2093**

**The Telecommunications (Data  
Protection and Privacy) Regulations 1999**

**PART III**

**CALLING OR CONNECTED LINE IDENTIFICATION**

**Prevention of calling line identification—outgoing calls**

**11.**—(1) This regulation relates to outgoing calls on a line.

(2) The relevant telecommunications service provider shall ensure that a user originating a call has, subject to regulations 13 and 14, as respects that call, a simple means to prevent, without charge, presentation of the identity of the calling line on the connected line.

(3) The relevant telecommunications service provider shall ensure that a subscriber has, subject to regulations 13 and 14, as respects his line and all calls originating therefrom, a simple means to prevent, without charge, presentation of the identity of his line on any connected line.

**Prevention of calling or connected line identification—incoming calls**

**12.**—(1) This regulation relates to incoming calls on a line.

(2) Where presentation on the connected line of the identity of the calling line is available, the relevant telecommunications service provider shall ensure that the called subscriber has a simple means to prevent, without charge for reasonable use of the facility, presentation of the identity of a calling line on the connected line.

(3) Where presentation on the calling line of the identity of the connected line is available, the relevant telecommunications service provider shall ensure that a called subscriber has a simple means to prevent, without charge, presentation of the identity of the connected line on any calling line.

(4) Where presentation on the connected line of the identity of the calling line, before the establishment of a call, is available, the relevant telecommunications service provider shall ensure that the called subscriber has, as respects all or particular calls in the case of which such presentation has been prevented as mentioned in regulation 11(2) or (3), a simple means to reject the calls in question.

(5) In this regulation “called subscriber” means the subscriber whose line is the called line (whether or not it is also the connected line).

**999 or 112 calls**

**13.**—(1) This regulation relates to calls to the emergency services made using either the national emergency call number 999 or the single European emergency call number 112 (“999 or 112 calls”).

(2) In order to facilitate responses to such calls—

(a) all 999 or 112 calls shall be excluded from the calls referred to in regulation 11, and

- (b) in relation to 999 or 112 calls, no person shall be entitled to prevent the presentation on the connected line of the identity of the calling line.

#### **Tracing of malicious or nuisance calls**

**14.**—(1) This regulation shall apply where the relevant telecommunications service provider has been notified by a subscriber that he requests the tracing of malicious or nuisance calls received on his line.

(2) Until such time as action in pursuance of such a request has ceased, the relevant telecommunications service provider or the provider of a relevant telecommunications network, where the subscriber has made application in that behalf, may—

- (a) in relation to calls in relation to which the subscriber's line is the called line, and
- (b) so far as it appears to the provider in question necessary or expedient for the purposes of such action,

override anything done to prevent the presentation of the identity of the calling line.

(3) Any term of a contract for the provision of telecommunications services which relates to such prevention shall have effect subject to the provisions of paragraph (2).

(4) In relation to such calls as are mentioned in paragraph (2)(a), nothing in these Regulations shall preclude the relevant telecommunications service provider, or a provider of a relevant telecommunications network, from holding and making available to a person with a legitimate interest therein, data containing the identification of a calling subscriber which were obtained while paragraph (2) applied.

#### **Facilities for calling or connected line identification to be publicised**

**15.** A telecommunications service provider who offers facilities for calling or connected line identification shall take all reasonable steps to publicise that he does so and of the effect of this Part in relation thereto.

#### **Supplementary provisions**

**16.**—(1) Any other telecommunications service provider and any telecommunications network provider shall comply with any reasonable requests made by a relevant telecommunications service provider for the purposes of regulation 11, 12 or 14.

(2) Where a subscriber has two or more lines, regulations 11 and 12 shall, in his case, have effect separately as respects each line as if that line were his only line.