
STATUTORY INSTRUMENTS

2003 No. 2426

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

Further provisions relating to the processing of traffic data under regulation 7

8.—(1) Processing of traffic data in accordance with regulation 7(2) or (3) shall not be undertaken by a public communications provider unless the subscriber or user to whom the data relate has been provided with information regarding the types of traffic data which are to be processed and the duration of such processing and, in the case of processing in accordance with regulation 7(3), he has been provided with that information before his consent has been obtained.

(2) Processing of traffic data in accordance with regulation 7 shall be restricted to what is required for the purposes of one or more of the activities listed in paragraph (3) and shall be carried out only by the public communications provider or by a person acting under his authority.

(3) The activities referred to in paragraph (2) are activities relating to—

- (a) the management of billing or traffic;
- (b) customer enquiries;
- (c) the prevention or detection of fraud;
- (d) the marketing of electronic communications services; or
- (e) the provision of a value added service.

(4) Nothing in these Regulations shall prevent the furnishing of traffic data to a person who is a competent authority for the purposes of any provision relating to the settling of disputes (by way of legal proceedings or otherwise) which is contained in, or made by virtue of, any enactment.