

# **SMALL BUSINESS GUIDE TO ELECTRONIC BUSINESS REGULATORY REQUIREMENTS**

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## **INTRODUCTION**

Read this guide if you are a small business that:

- ✓ Advertises goods or services online (i.e. via the Internet)
- ✓ Sells goods or services to businesses or consumers online
- ✓ Transmits or stores electronic content or provides access to a communications networks.

This guide will navigate you through the various legislative processes and e-commerce facilities that you may well need to take account of when doing business online.

### **Legal Issues**

Small businesses face a whole range of legal issues in connection with the use of computers, the Internet and e-business. Although only a specialist lawyer will have the expertise to understand these issues in detail, a basic understanding of the topics will allow you to know what practical steps can be taken to help minimise any risk.

The EU Commission has set up an “e-Business Legal Portal”, which is a 12 languages on-line information service. It covers legal aspects of e-business and was launched by the EU Commission in cooperation with the Euro-Info Centres. ELEAS (E-commerce Legislation Easily Accessible to SMEs) aims to facilitate cross-border electronic transactions particularly among small and medium sized businesses, to enable them to make the most of the EU single market. The portal can be found under <http://www.ebusinesslex.net/index.asp>.

### **What is E-Business?**

E-business is a way of doing business using electronic media such as the Internet. It is a more generic term than E-Commerce. E-business is a broad concept that includes virtual browsing of goods on sale, selection of goods to buy and payment methods (i.e. e-commerce), as well as restructuring of business processes to make the most of digital technologies.

E-business uses electronic networks and technologies designed to exchange information (such as orders, enquiries or e-mail), to access information (such as shared databases or electronic bulletin boards), and to capture data (through the use of bar coding and magnetic or optical character readers).

### **What are the UK’s Government aims on E-Business**

The UK Government has set a target that the UK should be the best place to do e-business in by 2005. This will be achieved partly through legislative changes and setting targets to both central and local government departments ensuring that they have an electronic route for all transactions with their customers.

## SELLING/ADVERTISING ONLINE

### **The Electronic Commerce (EC Directive) Regulations 2002**

Under the Electronic Commerce Regulations 2002, when your business engages in online contracting, you must provide the following information in a clear, easy to understand manner **before** an order is placed:

- ✓ the different technical steps to be followed to conclude the contract;
- ✓ whether or not the completed contract will be filed and whether it will be accessible;
- ✓ the technical means by which the customer can identify and correct any errors which they might have made before placing the order;
- ✓ which language is to be used for the conclusion of the contract;
- ✓ whether you or your the business are subject to any relevant codes of conduct and if so how the customer can access these electronically;

Other non-online contracting information that businesses need to ensure is made available on their websites are:

- ✓ general information about their business, including business name, geographic address, e-mail address, VAT registration number (if applicable) and details of any relevant professional body that they belong to must be clearly available on their websites;
- ✓ if you make commercial communications by electronic means you must ensure that these communications are clearly identifiable as commercial communications. The identity of the sender of the information must be given;
- ✓ any promotional offers contained in commercial communications made electronically must be clearly identified as such and the conditions of the offer must be easily accessible and clearly presented;
- ✓ unsolicited commercial e-mails must be identifiable as such when they are received (for example by including the letters 'ADV' for advertisement in the title line) so that the addressee can delete or filter them out if they do not want to read them; and
- ✓ where prices are referred to, these shall be indicated clearly and unambiguously and, in particular, shall indicate whether they are inclusive of tax and delivery costs.

These requirements do not apply where for example, initial contact is made via a website but for reasons relating to the complexity of the contract is actually completed off-line or by an individual exchange of e-mail. Businesses must also ensure that terms and conditions must be available in a form, which can be stored by customers (for example, by downloading onto their own computer or printing them off).

Further detailed information on the E-Commerce (EU Directive) Regulations 2002, and other relevant information can be found on the DTI website at [www.dti.gov.uk/industries/ecomunications/electronic\\_commerce\\_directive\\_0031e.c.html](http://www.dti.gov.uk/industries/ecomunications/electronic_commerce_directive_0031e.c.html)

## DISTANCE SELLING

### **Consumer Protection (Distance Selling) Regulations 2000**

If you sell goods or services to consumers the Consumer Protection (Distance Selling) Regulations 2000 may apply to your business. **Before** making a purchase, the consumer must be given clear information about the goods or services offered. This information must include:

- ✓ the supplier's name, and if payment is required in advance the business address;
- ✓ an accurate description of the goods and services;
- ✓ any information about prices is clear and obvious and shows whether taxes and delivery/postage charges are included, as well as how long the price or offer remains valid;
- ✓ arrangements for payment and delivery of goods or performance of services (if no date is specified, within 30 days of order);
- ✓ the right to a 7 day cooling off period during which the consumer may cancel the order for any reason, unless the sale is covered by one of the exemptions, and who will be responsible for the cost of returning goods;
- ✓ if the consumer is to use a premium rate telephone number the cost of the call must be specified;
- ✓ inform the customer about the minimum duration of the contract in the case of a contract to supply goods or services continuously (e.g. mobile phone, cable or satellite television, gas or electricity) or recurrently (e.g. a monthly book club or CD club); and
- ✓ the consumer must be told in advance if the supplier wants to offer substitute goods or services if those ordered are no longer available and that the cost of returning substitute goods will be borne by the supplier.

**After** making a purchase the consumer must be sent written confirmation of the order details, and in addition receive information on:

- ✓ how to cancel an order and a geographical address where the supplier can be contacted;
- ✓ the business policy on returning goods and whether the consumer will be liable for the costs. Refunds must be made within 30 days of the date the notice of cancellation is given;
- ✓ how and when to end a contract for the provision of a service, if there is no specified finish date or if the service lasts longer than a year e.g. gas or electricity supply, Internet Service Providers; and
- ✓ details of any guarantees, warranties or after-sales services if applicable (as from 31 March 2003 suppliers are be required on request by the customer to supply full details in writing of any guarantee or warranty).

This information can be provided before or after, but should at the latest be provided in good time during the performance of the contract.

There are some exceptions to the Regulations, such as contracts relating to the supply of financial services, nor do they apply to business-to-business transactions. Further guidance on the Consumer Protection (Distance Selling) Regulations can be found on the DTI website at [www.dti.gov.uk/ccp/topics1/ecommm.htm](http://www.dti.gov.uk/ccp/topics1/ecommm.htm)

### **Overseas Sales**

UK based companies that provide services and/ or goods electronically need to ensure that they comply with UK laws even if they are selling those services/goods to customers in another Member State within the European Community (EC) and European Economic Area (EEA).

Services and/or goods supplied electronically within the EC and EEA are not classed as exports but as 'removals'.

### **Cross-Border Dispute Resolution**

The European Extra-Judicial Network (EEJ-Net) for cross border dispute resolution is a network of out-of-court redress mechanism operating in EU/EEA countries. This network is a communication and support structure available to all EU/EEA consumers that can be used to settle their commercial disputes with traders in any Member State. The aim of EEJ-Net is to facilitate access to legal information for consumers in particular for cross-border e-commerce disputes.

More information on the EEJ-Net facility can be accessed on the EEJ-Net website at <http://www.eejnet.org>. Queries should be e-mailed to [consumer.euro@citizensadvice.org.uk](mailto:consumer.euro@citizensadvice.org.uk) .

## **ENFORCEMENT**

### **Enterprise Act 2002**

Part 8 of the Enterprise Act 2002 provides that the Office of Fair Trading or other named consumer protection bodies may make applications to the courts for “stop now enforcement orders” to restrain persons from conduct infringing provisions of domestic and European consumer protection legislation. The courts will also be able to order businesses and service providers to publish corrective statements with a view to eliminating the continuing effects of past infringements. Failure to comply with an enforcement order is treated as breach of a court order, which may result in the imposition of a fine or, in serious cases, committal to prison for contempt of court.

You can find out more information about these enforcement rules and Office for Fair Trading role in general by visiting their website at [www.offt.gov.uk](http://www.offt.gov.uk).

### **Premium Rate Services**

The Independent Committee for the Supervision of Standards for Telephone Information Services (ICSTIS) is an independent organisation responsible for regulating the content and promotion of premium rate services within the UK.

All providers of Internet-based premium rate services must comply with specific requirements of the ICSTIS code of practice. ICSTIS will investigate breaches of this code, and can impose sanctions where necessary for non-compliance.

More information on the above and the role of ICSTIS can be obtained from their website at <http://www.icstis.org.uk>.

### **Advertising Standards Authority**

The Advertising Standards Authority (ASA) has been dealing with complaints about advertisements in non-broadcast electronic media since 1995. The ASA has a code of practice, which incorporates advertisements using electronic media. This code applies to advertisements in pre-paid space; advertising content in commercial e-mails and advertisement in unsolicited commercial e-mails (spam).

The ASA applies the country of origin principle when taken on a complaint (i.e. they only taken on UK originated advertisements). If the advertisement originates from outside the UK, they may be able to refer the complaint to an equivalent body in the relevant country.

For further information on the ASA code of practice and their role in general, can be found on the ASA website at [www.asa.org.uk](http://www.asa.org.uk) .

## IT INFORMATION

### **Information Security**

It is important for business to adopt a culture of information security to ensure, for example, that any communication sent gets to its target destination unchanged. Keeping business and customer information safe and secure whether it is in paper or electronic form is a business advantage, as well as satisfying certain legal requirements (such as data protection). Being able to verify the origin of information or a communication, keep its content secret, or have confidence in its accuracy is just as important to a business as it is to individuals. How a business ensures the security of its information is up to it, but is likely to involve a business process as well as technology. The UK-on-line-for-business website [www.ukonlineforbusiness.gov.uk/informationsecurity](http://www.ukonlineforbusiness.gov.uk/informationsecurity) provides advice and guidance to small and medium businesses on all aspects of information security in jargon free language. Further information on security matters can be found on the DTI website [www.dti.gov.uk/industries/ecomunications/security.html](http://www.dti.gov.uk/industries/ecomunications/security.html).

### **Other Information sources on security**

The DTI's consumer gateway website [www.consumer.gov.uk](http://www.consumer.gov.uk) and the following consumer-focused websites provide practical advice on buying online [www.tradingstandards.gov.uk](http://www.tradingstandards.gov.uk) or the Office of Fair Trading [www.oft.gov.uk](http://www.oft.gov.uk). [www.ukonlineforbusiness.gov.uk](http://www.ukonlineforbusiness.gov.uk) website provides advice on security and business related issues to the business community.

### **Electronic Signatures**

The EC Electronic Signatures Directive (1999/93/EC) harmonises the legal acceptance of e-signatures throughout the EU. The Electronic Communications Act 2000 and the subsequent Electronic Signatures Regulations 2002, implement the Directive.

The main purpose of the Electronic Communications Act 2000 (ECA) is to build confidence in electronic communications. The Act help's to create a legal framework for electronic commerce, both in the private and public sectors. The aim is to:

- ✓ Clarify the legal status of electronic signatures;
- ✓ Give the Government powers to modernise outdated legislation so that electronic communication and storage can be offered as an alternative to paper; and
- ✓ Provide for a regulatory scheme that will ensure the quality of electronic signature and other cryptography support services.

The tScheme is the independent industry-led self regulatory scheme set-up to create assessment criteria and approve trust services against those criteria. This supports e-business by providing a known level of assurance to individuals and businesses. The t-Scheme addresses the e-Signatures Directive accreditation requirements. The

tScheme's website is at [www.tscheme.org](http://www.tscheme.org) or they can be contacted via e-mail at [info@tscheme.org](mailto:info@tscheme.org).

Further information on electronic signatures, the Electronic Communications Act 2000, and the Electronic Signatures Regulations 2002 can be found on the DTI's website [www.dti.gov.uk/industries/information\\_security/](http://www.dti.gov.uk/industries/information_security/) .

## DATA PROTECTION

### **Data Protection Act 1998**

Those whose businesses process information about identifiable individuals must be included on the Information Commissioner's register of data controllers unless an exemption applies. To register as a data controller visit the Office of the Information Commissioner's website at [www.dpr.gov.uk](http://www.dpr.gov.uk). Failure to notify when you are not exempt is a criminal offence punishable by a fine. Data controllers must follow 8 data protection principles by ensuring that data are:

- ✓ Fairly and lawfully processed;
- ✓ Processed for limited purposes;
- ✓ Adequate, relevant and not excessive;
- ✓ Accurate and up-to-date;
- ✓ Not kept for longer than is necessary;
- ✓ Processed in line with the data subject's rights;
- ✓ Secure; and
- ✓ Not transferred to a country outside the European Economic Area (EEA), unless that country ensures the protection of the rights of the individual to whom the data relate.

Further information on Data Protection Act 1998 is available at [www.dataprotection.gov.uk](http://www.dataprotection.gov.uk) or by contacting the Compliance Department, Office of the Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, tel: 01625 545 700, fax: 01625 524 510 or e-mail [data@dataprotection.gov.uk](mailto:data@dataprotection.gov.uk).

The British Standard on Information Security Management BS 7799 helps you to meet security requirements of the Data Protection Act 1998. It helps organisations to implement best practice in information security management.

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

Businesses that make cold calls should ensure that all employees state the business name and the nature of the call at the beginning of a conversation with potential customers. Phone and fax marketing are currently regulated under the Telecommunications (Data Protection and Privacy) Regulations 1999, which sets requirements for consent and list cleansing against the Telephone and Fax Preference Services in some cases.

These Regulations will be revoked and replaced, with effect from the 11 December 2003, by the Privacy and Electronic Communications (EC Directive) Regulations 2003 (see below).

### **The Directive on Privacy and Electronic Communications Directive 2002/58/EC**

This Directive will be implemented by the Privacy and Electronic Communications (EC Directive) Regulations 2003, which come into force on 11 December 2003.

Key requirements include:

- opt-in consent rules for e-mail marketing to individual subscribers; and
- requirements to provide information and an opportunity to refuse cookies and similar Internet tracking devices, if these are used on websites.

Further information on the Regulations is available at  
[www.dti.gov.uk/industries/ecomunications/directive\\_on\\_privacy\\_electronic\\_communications\\_200258ec.html](http://www.dti.gov.uk/industries/ecomunications/directive_on_privacy_electronic_communications_200258ec.html)

## **COPYRIGHT/ INTELLECTUAL PROPERTY RIGHTS**

### **Copyright, Designs and Patents Act 1988**

Copyright is a property right, which protects original “literary, musical, artistic and dramatic works”, as well as sounding recordings, films, and broadcasts regardless of the medium in which they exist, including the Internet. The Act defines a “literary work” broadly. For example, it includes computer programs and databases. Owners of copyright have the right to do, or authorise others to do, various acts, and take action against those who carry out the acts without authorisation, i.e. infringe copyright. These restricted acts include copying; issuing copies to the public; renting or lending to the public; performing, showing or playing in public; and communication to the public by electronic transmission. Certain limited uses of copyright works are however, permitted without infringing copyright. Further information about these exceptions to copyright can be found in the information sources below.

Copyright arises automatically without the need for any registration. You do not need to mark your work with a formal copyright notice. However, a notice in the correct form (i.e. ©John Smith 2001) may help you if you find yourself involved in a copyright dispute. A notice does not, however, make you the owner of the copyright in the material concerned, so keeping evidence to show that you created the material and the date you created it could also be helpful. This could be done, for example, by posting a copy of the work to yourself by special delivery and leaving the envelope closed when you receive it. When placing copyright material on the Internet the copyright notice should be placed in a prominent position, like your homepage, where it can be clearly seen without scrolling downwards (otherwise people might claim they had not seen it because they did not scroll down). Any detailed information about permitted uses and licensing could, however, be on a page linked from a short copyright notice. You should also put the notice on other pages unless they can be reached only via a page that does display the copyright notice.

Examples of some areas where issues of copyright might arise:

- Employment – copyright belongs to the employer unless agreed to the contrary;
- Commissioning – if the contract does not deal with who is to own copyright, it will belong to the creator/author;
- Web content provision – copyright belongs to the author unless they are an employee or an assignment transfer of copyright has been agreed;
- Breach of third party copyright – by using material without permission, including by using copyright software, you may be infringing copyright;
- Software development agreements – copyright belongs to the author unless agreed otherwise in the contract;
- Postings to websites and bulletin boards (for example if you have an ideas forum) – copyright probably remains with the author unless you have an ‘assignment of copyright’ clause in an associated contract; and
- You are likely to be in breach of copyright if your website contains a wide range of links to material on other sites, unless you have the other site’s explicit permission.

The Copyright in the Information Society Directive (Directive 2001/29/EC) has been implemented in the UK by the Copyright and Related Rights Regulations 2003 (SI 2003/2498), which come into force on the 31 October 2003.

For more information on these Regulations and other copyright issues visit the Patent Office website at [www.patent.gov.uk](http://www.patent.gov.uk) or the copyright FAQs on the Government IP portal at [www.intellectual-property.gov.uk](http://www.intellectual-property.gov.uk). If the information you need is not there, the Patent Office may be able to help, e-mail [copyright@patent.gov.uk](mailto:copyright@patent.gov.uk) for copyright enquiries and [enquiries@patent.gov.uk](mailto:enquiries@patent.gov.uk) for enquiries about other intellectual property rights issues.

## PATENTS

### **Patents Act 1977**

The patent system exists to encourage invention. A patent is an agreement between the Government and inventor i.e. inventor discloses idea/ invention and the Government gives them a monopoly in the invention for up to a maximum of 20 years.

Persons should not disclose the details of any idea/ invention to anyone (other than in confidence) until the patent application has been filed with either the UK Patent Office or the European Patent Office (if they do before, then they could lose their patent rights). The Patent Office will decide from their application whether they are entitled to a patent, do the necessary search and examination processes and decide whether their idea/ invention is new, inventive and industrially applicable to the greater prosperity of all. Once lodged with the Patent Office, they have a one-year period in which to decide on how they are going to proceed with their idea/ invention, this is known as the one year 'Priority' period. Within this period they should search via the Patent Offices to ensure that there is no other similar patent(s) has been lodged.

The end of the priority year marks the last point at which they can add or amend their patent application. It is also the point at which they must decide (at least provisionally) on what countries they wish to obtain patents in, (they can use the European Patent Office as a one-stop-shop for most EU countries). Patents can last up to 20 years, but need to be reviewed every year. You should note that a patent can be revoked at anytime, where it is applicable to do so.

More information on patents can be found on the Patent Office website at [www.patent.gov.uk](http://www.patent.gov.uk)

## TRADE MARKS & DOMAIN NAMES

### **Trade Marks Act 1994 (*Registered Trade Marks*)**

This Act gives the owner of a registered trade mark exclusive rights in that trade mark. Certain uses by another person of that trade mark without the owner's consent

will infringe his rights, and the Act spells out what type of acts amount to an infringement of a registered trade mark.

It is not necessary to identify a trade mark as registered, but one can use the ® symbol to show that the trade mark is registered. A ™ symbol placed next to a mark does not signify that it is a registered trade mark, only that it is being used in a trade mark sense. It is an offence under the Act to falsely represent that a mark is a registered trade mark. This means that the ® symbol should only be used with a registered trade mark.

The registration of a trade mark affords it the protections set out in the Act. There also exist unregistered trade marks. Where an unregistered trade mark is infringed, the owner must rely on the remedies afforded by the common law to seek redress – most commonly by bringing an action for passing-off.

Domain names in themselves have not been recognised in UK law as property rights, but they may still be registered. This type of registration is not a trade mark registration; it amounts to a contract with the registration authority, which controls the Top Level Domain (TLD) (e.g. ‘uk’ which is a country code TLD, or ‘com’, ‘org’, which are generic TLDs). This type of registration does not afford any exclusive rights, and has been likened to a company name registration in that it merely serves to identify the organisation using it.

Domain names can be registered quickly and cheaply, unlike trademarks. It is advisable to carry out a trademark search before you start using your new domain name to ensure that you are not infringing anyone else’s trademark.

Domain names may also be registered as trade marks. It is now possible for the owners of both registered and unregistered trade marks to bring an action against ‘domain name squatters’, i.e. those who register a domain name so as to sell it to the owner of the trade mark.

More information on both trade marks and domain names can be found on the Patent Office website at [www.patent.gov.uk](http://www.patent.gov.uk).

### **Aide-mémoire when doing e-Business**

1. Make sure that everything that you publish on the Internet complies firstly with UK law and EU Regulations. Secondly, that it complies with the laws of non-EU countries wherever you substantially market your products in. Lastly, the relevant European and US national laws. That is as much as you can reasonably do;
2. Be aware of changes to relevant legislation that might affect the marketing of your products, especially changes to UK law and introduction of EU Regulations;
3. Ensure that any personal data that you hold (if data controller) adheres to the 8 data protection principles set out in the Data Protection Act 1998;
4. Protect your intellectual property and your brand. Carry out trademark searches and make the correct registrations, including registering any domain names that you may want to use in the future;
5. Check the standard terms and conditions of all your suppliers (e.g. website designers, content providers, ISPs, hosting services, contractors, software suppliers and so on) to make sure that they are legally sound to protect you from unnecessary business risk;
6. Ensure that all contracts (including existing ones) are in a written permanent format.;
7. Hyper-linking into another persons website may cause that website a loss of revenue (i.e. deep-linking will bypass their homepage and any advertising on it). This act could also infringe their copyright, if you do not at first get their agreement to do so, and therefore could be liable for damages and/or injunction ruling made against you; and
8. When in doubt, get expert, informed advice from your solicitor, your accountant or a specialist (e.g. trade marks lawyer) depending on the issue.

## CONTACT INFORMATION

### **Issues surrounding setting up a commercial website:**

UK Online for Business Infoline  
Telephone: 0845 715 2000  
Website: [www.ukonlineforbusiness.gov.uk](http://www.ukonlineforbusiness.gov.uk)

### **E-Commerce Regulatory Issues:**

Department of Trade and Industry  
International Communications  
Bay 202  
151 Buckingham Palace Road  
London, SW1W 9SS  
Tel: 020 7215 1853  
Fax: 020 7215 4161  
E-mail: [ecom@dti.gsi.gov.uk](mailto:ecom@dti.gsi.gov.uk)  
Website:  
[www.dti.gov.uk/industries/ecomunications/electronic\\_commerce\\_directive\\_0031ec.html](http://www.dti.gov.uk/industries/ecomunications/electronic_commerce_directive_0031ec.html)

### **Distance Selling Regulatory Issues:**

Department of Trade and Industry  
Consumer and Competition Policy Directorate 5D  
Room 416  
1 Victoria Street  
London  
SW1H 0ET  
Tel: 020 7215 0420  
Fax: 020 7215 6198  
E-mail: [enquiries@dti.gov.uk](mailto:enquiries@dti.gov.uk)  
Website: [www.dti.gov.uk/ccp/](http://www.dti.gov.uk/ccp/)

### **Local Consumer Protection/ Enforcement Issues:**

Trading Standards Offices  
You will find the address and telephone number of your local Trading Standards Department in the telephone book under 'Local Authority' or by visiting their website: [www.tradingstandards.gov.uk](http://www.tradingstandards.gov.uk) and entering your postcode; or

Office of Fair Trading  
Fleetbank House  
2-6 Salisbury Square  
London, EC4Y 8JX  
Tel: 020 7211 8000  
Fax: 020 7211 8800  
E-mail: [enquiries@oft.gov.uk](mailto:enquiries@oft.gov.uk);

**or for cross-border “Alternative Dispute Resolution” (ADR) issues:**

UK European Consumer Centre  
PO Box 3308  
Wolverhampton  
WV10 9ZS

**Premium Rate Services Issues**

ICSTIS  
4<sup>th</sup> Floor  
Clove Building  
4 Maguire Street  
London  
SE1 2NQ  
Tel: 020 7940 7474  
Fax: 020 7940 7456  
E-mail: [secretariat@icstis.org.uk](mailto:secretariat@icstis.org.uk)

**Commercial Advertisement Issues**

Advertising Standards Authority  
2 Torrington Place  
London  
WC1E 7HW  
Telephone: 020 7580 5555  
Fax: 020 7631 3051  
E-mail: [enquiries@asa.org.uk](mailto:enquiries@asa.org.uk)  
Website: [www.asa.org.uk](http://www.asa.org.uk)

**Data Protection Issues**

Office of the Information Commissioner  
Wycliffe House,  
Water Lane,  
Wilmslow,  
Cheshire,  
SK9 5AF  
Tel: 01625 545 700  
Fax: 01625 524510  
E-mail: [data@dataprotection.gov.uk](mailto:data@dataprotection.gov.uk)  
Website: [www.dataprotection.gov.uk](http://www.dataprotection.gov.uk)

For information on the British Standard Information Security Management BS 7799, contact:

British Standards Institution/ Technical Help for Exporters  
389 Chiswick High Road  
London, W4 4AL

Tel: 020 8996 7111  
Fax: 020 8996 7048

### **Privacy and Electronic Communications Directive Regulatory Issues**

Department of Trade and Industry  
International Communications  
Bay 203  
151 Buckingham Palace Road  
London  
SW1W 9SS  
Tel: 020 7215 1806  
Fax: 020 72154161  
E-mail: [cdpd@dti.gsi.gov.uk](mailto:cdpd@dti.gsi.gov.uk)  
Website:  
[www.dti.gov.uk/industries/ecomunications/directive\\_on\\_privacy\\_electronic\\_communications\\_200258ec.html](http://www.dti.gov.uk/industries/ecomunications/directive_on_privacy_electronic_communications_200258ec.html)

### **Information Security Issues**

Information Security Policy Team  
Business Relations Directorate  
Department of Trade and Industry  
Bay 226  
151 Buckingham Place Road  
London  
SW1W 9SS  
Tel: 020 7215 1962  
Fax: 020 7215 1966  
E-mail: [john.smith@dti.gsi.gov.uk](mailto:john.smith@dti.gsi.gov.uk)  
Website: [www.dti.gov.uk/industries/information\\_security/](http://www.dti.gov.uk/industries/information_security/)

### **Copyright/ Intellectual Property/ Patents/ Trade Mark & Domain Issues**

Central Enquiry Unit  
Patent Office  
Cardiff Road  
Newport  
South Wales  
NP10 8QQ  
Tel: 08459 9500505  
Fax: 01633 813600  
Website: [www.patent.gov.uk](http://www.patent.gov.uk); and  
[www.intellectual-property.gov.uk](http://www.intellectual-property.gov.uk) (for FAQs about all types of intellectual property, e.g. copyright, trade marks and patents).

### **DTI Publications**

DTI Publications Order Line  
Admail 528

London, SW1W 8YT  
Tel: 0870 150 2500  
Fax: 0870 150 2333  
Textphone: 0870 150 2100  
E-mail: [publications@dti.gsi.gov.uk](mailto:publications@dti.gsi.gov.uk)  
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To obtain copies of relevant Acts of Parliament and Statutory Instruments mentioned in this guide, you should contact HMSO at their website address: [www.hmso.gov.uk](http://www.hmso.gov.uk), or phone HMSO's Regulations Unit on 020 7276 5216.

**Disclaimer**

The information set out in this guide does not set out to replace the advice of an experienced lawyer. Always seek professional help if you are in any doubt. The Department of Trade and Industry will not accept any legal responsibility for the contents of this guide.

However, if you have any comments with regard to the contents of this guide you could either e-mail them to [ecom@dti.gsi.gov.uk](mailto:ecom@dti.gsi.gov.uk) or post them to:

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