

Digital Single Market

Commission strengthens trust and gives a boost to the data economy



Stronger privacy rules for electronic communications

The Commission has proposed a Regulation on Privacy and Electronic Communications to update current rules to technical developments and to adapt them to the General Data Protection Regulation that will enter into application in May 2018. The objective is to reinforce trust and security in the Digital Single Market.

THE SERVICES MOST OFTEN USED

On a daily or almost daily basis



74% call or text on a mobile phone



60% browse the internet



46% send & receive emails



50% use the internet for instant messaging



41% make internet phone or video calls

UPDATE OF CURRENT RULES

More and more Europeans use services such as Skype, WhatsApp, Facebook Messenger, Gmail, iMessage, or Viber to send messages or call. However, the current ePrivacy rules only cover traditional telecoms providers. To ensure that Europeans' electronic communications are confidential regardless of the technology used, the proposed rules will also apply to internet-based voice and internet-messaging services. Privacy is guaranteed for content of communication as well as metadata (e.g. time of a call and location) which have a high privacy component and need to be anonymised or deleted if users did not give their consent, unless the data is needed for billing.

EUROPEANS CALL FOR STRONGER PRIVACY PROTECTION ONLINE



92% say it is important that personal information on their computer, smartphone or tablet can only be accessed with their permission.



92% say it is important that the confidentiality of their e-mails and online instant messaging is guaranteed.



82% say it is important that tools, such as browser cookies, which monitor their activities online, should only be allowed with their permission.

SIMPLER RULES ON COOKIES

Users must be in control of any privacy-sensitive information stored on their devices, without having to click on a banner asking for their consent on cookies each time they visit a website. Browser settings will offer an easy way to allow or refuse cookies. The proposal clarifies that no consent is needed for non-privacy intrusive cookies improving internet experience (e.g. to remember shopping cart history). Cookies set by a visited website counting the number of visitors to that website will no longer require consent.

EUROPEANS WANT MORE TRANSPARENCY ON DIRECT MARKETING



More than **61%** of Europeans say they receive too many unsolicited commercial calls.



59% would like commercial calls to be displayed with a special prefix.

STRONGER RULES ON MARKETING CALLS

People will have to agree before marketing messages are addressed to them by automated calling machines, SMS or e-mail. They will also have to agree to receive marketing calls, unless national law gives them the right to object to the reception of such calls, for example by registering their number on a do-not-call list. Marketing callers will need to display their phone number or use a special pre-fix that indicates a marketing call.

BENEFITS FOR CITIZENS AND BUSINESSES



Cookies and tracking for online advertisement remain lawful, but will be governed by clearer rules giving choices to users from the outset when setting their settings.



Traditional telecommunications services will have new opportunities to process metadata to provide additional services and to develop their businesses.



By replacing the current ePrivacy Directive by a directly applicable Regulation, citizens and businesses benefit from one single set of rules instead of 28 different ones. This creates more legal certainty and reinforces trust in the internal market.



ePrivacy rules will be enforced by independent supervisory authorities already competent to enforce the General Data Protection Regulation. This will ensure their uniform application across the EU.