Processing of personnal data and protection of privacy in the telecommunications sector, ISDN

1990/0288(COD) - 12/09/1996 - Council position

The Council adopted its common position on the proposal for a Directive concerning the processing of personal data and the protection of privacy in the telecommunications sector, in particular in the integrated services digital networks (ISDN) and in the public digital mobile networks. The adoption of various new legislative acts over the past two years necessitated an alignment of the proposal for a Directive on the general Directive on the protection of personal data (Directive 95/46/EC) and influenced the incorporation of the amendments adopted by Parliament: - the scope of the Directive is reduced and only covers public telecommunications services; - the definitions have been amended so as to be better adapted to the new realities of the market, in which concepts such as 'telecommunications organizations' and 'exclusive and special rights' are no longer current; - certain requirements of the Directive have been amended so that their implementation should not depend on a specific technology, in order to achieve the maximum scope; - the Article on directories of subscribers has been retained and supplemented by two new options. Also, the right to be omitted from the directory may now be departed from. Whilst dealing with the fundamental rights of natural persons, and in particular their right to privacy, the common position also aims at protecting the legitimate interests of legal persons. Its provisions include: - security of services and networks; - confidentiality of communications; - traffic and billing data (revised to take account of the general Directive); - the right to receive non-itemized bills; - presentation and restriction of calling and connected line identification; - automatic call-forwarding; - personal data contained in directories of subscribers; - unsolicited calls for purposes of direct marketing. The time limit for transposition of the Directive would be the same as for the general Directive on the protection of personal data, i.e. 24 October 1998.