

UK ICO Issues Fines for Spam

SEPTEMBER 23, 2016

The UK's Information Commissioner's Office (ICO) recently imposed a total of £100,000 in fines on two companies who made unsolicited calls/sent spam to UK consumers. These messages, according to the ICO, violate Regulation 21 and 22 of the Privacy and Electronic Communications (EC Directive) Regulations 2003 (PECR), which prohibits:

1. making unsolicited direct marketing calls (if the person has opted out or is on the national do not call list (OFCOM list)); and
2. sending unsolicited direct marketing emails or texts.

In the first case, the ICO investigated Omega Marketing Services Ltd, a UK company that markets solar panels and green energy equipment, as a result of a large number of complaints about unsolicited marketing calls made by the company. As a result of its investigation, the ICO found that Omega had purchased a series of telephone numbers contained on OFCOM's list of restricted numbers from a company that had already been sanctioned by the ICO. Omega then went on to make 1.6 million nuisance calls during a six-month period. In its enforcement decision, the ICO found that Omega acted in serious contravention of Regulation 21 of the PECR and imposed a fine of £60,000 on the company.

In the second, the ICO investigated Vincent Bond's direct marketing activities after complaints about the company sending unsolicited direct marketing texts. Based on its investigation, the ICO discovered that between 11 May and 14 December 2015, 142 complaints were made about the receipt of unsolicited direct marketing text messages sent by Vincent Bond. In its enforcement decision, the ICO found that Vincent Bond acted in serious contravention of Regulation 22 of the PECR and imposed a fine of £40,000 on the company.

TIP: These fines show that the UK's ICO is actively investigating and enforcing allegations of direct marketing violations.

1 Min Read

Related Locations

London

Related Topics

Europe Privacy

Communications Privacy

Related Capabilities

Privacy & Data Security

Related Regions

Europe

This entry has been created for information and planning purposes. It is not intended to be, nor should it be substituted for, legal advice, which turns on specific facts.