

UK Data Protection Authority Issues Record Fine

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The UK Information Commissioner's Office (ICO) recently issued two large fines for unauthorized calls, including a record-high fine of £200,000 (\$302,775) against Home Energy & Lifestyle Management Ltd. The fine was the result of allegations by the ICO that the company made over 6 million unauthorized calls and unsolicited text messages in violation of the Privacy and Electronic Communications (EC Directive) Regulations 2003, which prohibits automated calls to consumers using recorded messages without consent.

The ICO investigated the company after receiving hundreds of consumer complaints in the fall of 2014. The company stated that it was unaware the provisions of the EC Directive applied to automated marketing calls, which the ICO took as an opportunity to remind other companies that they have a responsibility to learn the law before undertaking call and text message campaigns. In addition, the ICO recently issued another fine of £75,000 (\$113,786) against Cold Call Elimination Ltd. for making unsolicited marketing calls to, ironically, sell cold call blocking devices.

TIP: As in the United States, many countries have stringent laws regarding the use of calls and text messages to consumers. U.S. businesses conducting telephone and text message campaigns in the UK and other countries must be mindful of local laws that may impose consent requirements and other restrictions on companies conducting such campaigns.

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