

E-privacy regulation set to take many small business and sole traders offline

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- SIINDA calls for urgent review of E-privacy regulation Article 15 –

SIINDA (<https://www.siinda.com>), the Search and Information Industry Association has called for an urgent review of the E-privacy regulation which threatens to jeopardise the livelihoods of small businesses and sole traders across Europe and which will see a shift in the applicable rules for subscribers' inclusion in business directories as they will now have to get users' consent to be listed and this would apply for every search function. With no clear distinction between private individuals and those acting in a business capacity SME's run the risk of being delisted by default and kicked out of any online listings.

SIINDA and its members are raising awareness among all EU institutional and national representatives to mitigate this risk and secure the long-term future of directories which are useful for the whole of society, and especially for SMBs and sole traders, so that they can go on playing their role and are not threatened leaving only non-EU players with the management of contact information.

"While the draft E-privacy regulation tackles some very important privacy protection issues in the electronic communications sector and ensure it's better equipped for the online world it's ill-advised when it comes to article 15,}" says Kimberli Lewis, General Manager at SIINDA. "No provision has been made for the millions of self-employed freelancers in directories who often don't have a trackable internet site and use directory listings as a way of being found by users in search engines. Similarly, an independent working plumber should have the same rights as a 'plumber limited' who is registered as a legal person."

SIINDA believes that when it comes to managing users' inclusion in directory services this should be the responsibility of electronic communication networks and services rather than directory providers who have no contact with subscribers or end-users because data protection rules make it almost impossible.

"Most recent EU figures show that in 2015, SMEs generated €3.9 trillion in value added and employed 90 million people and accounted for two thirds of EU 28 employment – they are the backbone of the economy. Article 15 is in fact jeopardising these businesses rather than helping them," explains Stéphanie VERILHAC, EU Affairs Manager at SIINDA. "The communication and directory services markets across Europe are not only separate and distinct but there are great numbers of them making it a very competitive sector. Under the new ruling Article 15 requires each of these to obtain data for all end-users and subscribers for its own service effectively creating the impossible situation that requires those end users and subscribers to give their data to dozens of different directory services," she adds.

SIINDA also highlights the following further concerns and recommendations to Article 15:

- All users, who do not want to be found in directories should have an easy to use right to object a listing free of charge whenever they want. The users also should have the right to update, complete,

correct or delete their data.

- The proposal restricts and eliminates a fair and easy accessible competition in the directory market and prevents new business models and the market entrance for new players.
- All providers of electronic communication networks and services should have the obligation to make their users or subscribers data available for all directory providers in an immediate, non-discriminatory and fair manner and at a cost-oriented price.
- The proposal has given no consideration to existing legacy databases for which opt-out systems work without any user complaints.
- The proposal should neither apply to information that has already been made public and is re-used under PSI directive terms nor to the information that is directly provided by the end-users themselves.

For further information on SIINDA and to better understand the risk that the Article 15 poses to European SME's and sole traders please visit <https://www.siinda.com> or for SIINDA membership information visit <https://www.siinda.com/about-siinda/how-can-i-become-a-member/>

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About SIINDA

SIINDA is the Search and Information Industry Association, based in Europe with members from across the world. SIINDA is one of the leading non-profit associations in both the print and digital advertising space. SIINDA provides informative conferences on new technology, advertising and media, data protection and EU legislative directives and much more. SIINDA provides consulting services for companies in the realm of digital transitions, product innovation, market entry into the EU and USA and much more. For SIINDA membership please contact info@siinda.com.

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