

From: Jim Barratt [JimB@asa.org.uk]  
Sent: 01 May 2002 16:13  
To: 'ecom@dti.gsi.gov.uk'  
Subject: Draft Electronic Commerce (EC Directive) Regulations 2002

I am writing in response to the DTI consultation on the draft Electronic Commerce (EC Directive) Regulations 2002. The Authority has no further substantive comments to add to our previous submission of 24 October 2001. However, two points are worth restating:

- 1.. We would like to impress upon the Government the importance of ensuring the transposition of the country of origin principle at the heart of the Directive. As noted in our previous submission, the Authority is a member of the European Advertising Standards Alliance, which has operated a successful cross border complaints system founded on the principle of country of origin for nearly a decade. Our concern is that this system may be undermined if the Regulations do not adequately transpose the Directive.
- 2.. The ASA is in a position to assist in the enforcement of the information requirements for electronic advertising. The Directive (Article 16) contains the traditional reference to the desirability of implementation of the Directive by means of codes of conduct. The guidance for business drawn up by the DTI should also make reference to the desirability of self-regulation (particularly given the lack of proposed sanctions for breach of the information requirements).

Yours sincerely

Dr Jim Barratt  
Head of Policy

Advertising Standards Authority  
2 Torrington Place  
London  
WC1E 7HW  
tel: 020 7291 3062