



Dell Computer Corporation Submission to the Electronic Commerce (EC Directive) Regulations 2002 Draft Legislation Consultation

Dell* is pleased to take this opportunity to respond to the Government's draft bill implementing the EC Electronic Commerce Directive (00/31/EC), and also to the Government's wider e-commerce and e-government initiatives. Dell welcomes the publication of the draft bill for comment and review before it is brought before Parliament.

Summary

Dell broadly welcomes the draft Bill implementing the EC Electronic Commerce Directive as another step towards reinforcing the continued growth of e-commerce within the United Kingdom and within Europe as a whole.

Dell wholeheartedly supports the Government's goal of making the UK the best place in the world for e-commerce. The Electronic Communications Act 2002, to which Dell contributed in the consultation phases, created a 'light regulatory touch' that set the groundwork for much of the progress in the last two years. Now, with an effective implementation of the EC Electronic Commerce Directive, the UK will be able to secure its leading place in the burgeoning European e-commerce market.

While supportive of all the regulations put forward by the UK government for governance of e-commerce, we would like to express specific support for regulations 17, 18 and 19, each of which transposes faithfully the wording from the EU Directive. These regulations are fair and balanced, and while placing an onus on the service provider to act responsibly, are not proscriptive or burdensome. This is entirely consistent with the general worldwide consensus on the responsibilities of online service providers.

Additionally, Dell wishes to emphasise the importance of the country of origin principle to the growth of e-commerce in the UK and Europe. The principle of mutual recognition dictates that, if a company complies with the law of the EU country in which it is established, the other Member States of the EU should accept this law notwithstanding that it may differ from other states' domestic law. This has allowed and will continue to allow the effective and rapid development of a European e-economy. Any move away from this would be harmful to both EU and UK commitments to promote e-commerce and a more general e-society. Dell therefore calls on the Government to ensure that the country of origin is clearly reaffirmed within the Electronic Commerce (EC Directive) Regulations 2002.

*Dell Computer Corporation (Nasdaq: DELL), the world's most preferred computer systems company, is a premier provider of products and services required for customers worldwide to build their information-technology and Internet infrastructures. The company's revenue for the past four quarters totalled \$31.2 billion. Dell, through its direct business model, designs, manufactures and customizes products and services to customer requirements, and offers an extensive selection of software and peripherals. Information on Dell and its products can be obtained at <http://www.dell.com>.

Conclusion

Dell has accrued substantial experience in e-commerce in the 18 years since the launch of dell.com in 1984, and currently generates approximately half of its revenue online. It is supportive of implementation of these regulations, which will provide the required protection for both consumers and business, enabling e-commerce to flourish in the UK.