

News story: Tough new measures to end the blight of nuisance calls

Rogue companies making unsolicited calls related to personal injury claims could now be fined up to £500,000

New powers coming into force today will see consumers given the choice to 'opt-in' to receive these calls. People being harassed by nuisance calls will be given new powers to stop them from today.

Cold calls offering to help claim compensation for mis-sold sell payment protection insurance (PPI) will be banned if the claimant has not chosen to 'opt-in' to receive them.

Previously people had to 'opt-out' of receiving such calls by registering with the free Telephone Preference Service or withdraw their consent while on the call.

However, the new powers will force the caller to make the necessary checks to make sure they have the recipient's consent before calling.

Those offering unwanted claims management services could be fined as much as half a million pounds by the Information Commissioner's Office (ICO) if they breach the rules.

The Financial Conduct Authority [highlighted](#) that in the last 12 months, approximately 2.7 billion unsolicited calls, texts and emails were made to the UK's adult population offering to help them make a claim. This includes calls about recent accidents or mis-sold PPI. This is equivalent to approximately 50 calls, texts or emails being made to every member of the adult population.

Minister for Digital Margot James said:

Today we are one step closer to ending the menace of nuisance calls. Our new laws mean people will now have to give consent to receive calls and have the power to choose where they seek compensation for personal injury claims or mis sold payment protection insurance. This is a big boost for the Information Commissioner's Office and will help them crack down on the cold call sharks.

Individuals will be able to opt-in to receiving these calls by consenting to be contacted by claims companies when enquiring about settling a claim, or when seeking claims advice.

These new measures together with the strengthened Data Protection Act, will curb the number of nuisance calls received by consumers.

If they receive nuisance calls they can [report](#) it to the ICO who will investigate and take action against those responsible.

Andy Curry, Enforcement Group Manager at the Information Commissioner's Office, said:

Millions of nuisance calls, texts and emails are made every year in the UK and can cause real distress to people.

This amendment to the Privacy and Electronic Communications Regulations will increase our ability to take action against those companies who deliberately flout the law and cause real upset and harm.

The government has already made it easier for regulators to fine those breaching direct marketing rules, forced companies to display their number when calling customers and increased fines for wrongdoers.

On top of this the government has also: * Consulted on new measures to fine bosses of companies which plague people with unsolicited nuisance calls up to half a million pounds under new proposals to make them personally liable if their firm breaks the law;

- Introduced a measure in the Digital Economy Act 2017 to make it a requirement for the Information Commissioner to issue a statutory code of practice on direct marketing;
- Amended the Privacy and Electronic Communications Regulations (PECR) to require all direct marketing callers to provide Caller Line Identification;
- Lowered the legal threshold at which the ICO may impose a monetary penalty on organisations breaching PECR (a previous requirement to prove that the call caused alarm or distress was removed);
- Made it easier for the ICO to more effectively share information with Ofcom in relation to nuisance calls through an amendment to the Communications Act 2003;
- Given the ICO the power to issue monetary penalty notices up to £500,000 for serious breaches of PECR;
- Introduced a ban on cold calling in relation to claims management services through the Financial Claims and Guidance Act 2018, except where the receiver has consented to such calls being made to them. The 2018 Act also includes powers to ban cold calls from pension providers;

and

- Given £500,000 to Trading Standards to help install call blocking devices installed in the homes of vulnerable people.

Notes to editors

For more information call the Department for Digital, Culture, Media and Sport press office on 020 7211 2210.