

A.L. 522 ta' l-2004

**ATT DWAR IL-PROTEZZJONI U L-PRIVATEZZA
TAD-DATA
(KAP. 440)**

**Regolamenti ta' l-2004 li jemendaw ir-Regolamenti dwar
l-Ipproċessar ta' *Data* Personali fis-Settur
tat-Telekomunikazzjonijiet**

BIS-SAHHA tas-setghat moghtija bl-artikolu 54 ta' l-Att dwar il-Protezzjoni u l-Privatezza tad-*Data*, il-Ministru għall-Investiment, Industrija u Teknoloġija ta' l-Informazzjoni, wara konsultazzjoni mal-Kummissarju għall-Protezzjoni tad-*Data*, għamel dawn ir-regolamenti li ġejjin:-

1. It-titolu ta' dawn ir-regolamenti hu r-Regolamenti ta' l-2004 li jemendaw ir-Regolamenti dwar l-Ipproċessar ta' *Data* Personali fis-Settur tat-Telekomunikazzjonijiet, u għandhom jinqraw u jiftiehm u haġa wahda mar-Regolamenti ta' l-2003 dwar l-Ipproċessar ta' *Data* Personali fis-Settur tat-Telekomunikazzjonijiet, hawn iżjed 'il quddiem imsejha "ir-regolamenti prinċipali". Titolu.
A.L. 16 ta' l-2003.
2. Fir-regolament 1 tar-regolamenti prinċipali minflok il-kliem "Regolamenti ta' l-2003 dwar l-Ipproċessar ta' *Data* Personali fis-Settur tat-Telekomunikazzjonijiet" għandhom jidhlu l-kliem "Regolamenti ta' l-2003 dwar l-Ipproċessar ta' *Data* Personali fis-Settur tal-Komunikazzjonijiet Elettronici". Jemenda
r-regolament 1
tar-regolamenti
prinċipali.
3. Fis-subregolament (2) tar-regolament 3 tar-regolamenti prinċipali, it-tifsiriet ta' "*data* personali", "provvidur ta' servizz", "provvidur ta' sistema" u "sistema pubblika ta' telekomunikazzjonijiet" għandhom jithassru. Jemenda
r-regolament 3
tar-regolamenti
prinċipali.
4. Ir-regolamenti prinċipali għandhom jiġu emendati kif ġej: Jemenda diversi
regolamenti tar-
regolamenti
prinċipali.
 - (a) fir-regolament 3 minflok il-kliem "fl-Att biex jirregola t-Telekomunikazzjoni" għandhom jidhlu f'kull każ il-kliem "fl-Att biex jirregola l-Komunikazzjonijiet Elettronici";

(b) fir-regolamenti 3, 4, 7 u 10 minflok il-kliem “servizz ta’ telekomunikazzjonijiet” u “servizzi ta’ telekomunikazzjonijiet” ghandhom jidhlu f’kull każ il-kliem “servizz ta’ komunikazzjonijiet elettronici” u “servizzi ta’ komunikazzjonijiet elettronici”;

(c) fir-regolamenti 3, 4 u 8 minflok il-kliem “sistema pubblika ta’ telekomunikazzjonijiet” u “sistemi pubbliċi ta’ telekomunikazzjonijiet” ghandhom jidhlu f’kull każ il-kliem “*network* pubbliku ta’ komunikazzjonijiet” u “*networks* pubbliċi ta’ komunikazzjonijiet”;

(d) fir-regolamenti 3 u 6 minflok il-kliem “sistema ta’ telekomunikazzjonijiet” u “sistemi ta’ telekomunikazzjonijiet” ghandhom jidhlu f’kull każ il-kliem “*network* ta’ komunikazzjonijiet elettronici” u “*networks* ta’ komunikazzjonijiet elettronici”;

(e) fir-regolamenti 3 u 8 minflok il-kliem “sistema” u “sistemi” ghandhom jidhlu f’kull każ il-kliem “*network*” u “*networks*”;

(f) minflok il-kliem “provditur ta’ servizz” u “provdituri ta’ servizzi” kull fejn jinsabu fir-regolamenti prinċipali ghandhom jidhlu f’kull każ il-kliem “impriza li tipprovdi servizz ta’ komunikazzjonijiet elettronici disponibbli pubblikament” u “imprizi li jipprovdu servizz ta’ komunikazzjonijiet elettronici disponibbli pubblikament”; u

(g) minflok il-kliem “provditur ta’ sistema” u “provdituri ta’ sistemi” kull fejn jinsabu fir-regolamenti prinċipali ghandhom jidhlu f’kull każ il-kliem “impriza li tipprovdi *network* ta’ komunikazzjonijiet pubbliċi” u “imprizi li jipprovdu *network* ta’ komunikazzjonijiet pubbliċi”.

Jemenda
r-regolament 4
tar-regolamenti
prinċipali.

5. Fir-regolament 4 tar-regolamenti prinċipali minflok il-kliem “mal-Ministru responsabbli ghat-telekomunikazzjonijiet” ghandhom jidhlu l-kliem “mal-Ministru responsabbli ghall-komunikazzjonijiet”.

Jemenda
r-regolament 8
tar-regolamenti
prinċipali.

6. Fis-subregolament (1) tar-regolament 8 tar-regolamenti prinċipali minflok il-kliem “li tkun tirrigwarda utenti jew abbonati ta’ sistema pubblika ta’ telekomunikazzjonijiet jew servizzi, tista’ tkun ipproċessata” ghandhom jidhlu f’kull każ il-kliem “li tkun tirrigwarda utenti jew abbonati ta’ *networks* pubbliċi ta’ komunikazzjonijiet jew ta’ servizzi ta’ komunikazzjonijiet elettronici disponibbli pubblikament, tista’ tkun ipproċessata”.

L.N. 522 of 2004

**DATA PROTECTION ACT
(CAP. 440)**

**Processing of Personal Data (Telecommunications Sector)
(Amendment) Regulations, 2004**

IN exercise of the powers conferred by article 54 of the Data Protection Act, the Minister for Investment, Industry and Information Technology, after consultation with the Data Protection Commissioner, has made the following regulations

1. The title of these regulations is the Processing of Personal Data (Telecommunications Sector) (Amendment) Regulations, 2004 and they shall be read and construed as one with the Processing of Personal Data (Telecommunications Sector) Regulations, 2003, hereinafter referred to as “the principal regulations”. Citation.
L.N. 16 of 2003.

2. In regulation 1 of the principal regulations, for the words “Processing of Personal Data (Telecommunications Sector) Regulations, 2003” there shall be substituted the words “Processing of Personal Data (Electronic Communications Sector) Regulations, 2003”. Amendment of regulation 1 of the principal regulations.

3. In sub-regulation (2) of regulation 3 of the principal regulations the definitions of “personal data”, “public telecommunications system”, “system provider” and “service provider” shall be deleted. Amends regulation 3 of the principal regulations.

4. The principal regulations shall be amended as follows: Amends several regulations of the principal regulations.
 - (a) in regulation 3 for the words “Telecommunications (Regulation) Act” there shall be substituted in each case the words “Electronic Communications (Regulation) Act”;

 - (b) in regulations 3, 4, 7 and 10 for the words “telecommunications service” and “telecommunications services” there shall be substituted in each case the words “electronic communications service” and “electronic communications services”;

 - (c) in regulations 3, 4 and 8 for the words “public telecommunications system” and “public telecommunications systems” there shall be substituted in each case the words “public communications network” and “public communications networks”;

(d) in regulations 3 and 6 for the words “telecommunications system” and “telecommunications systems” there shall be substituted in each case the words “electronic communications network” and “electronic communications networks”;

(e) in regulations 3 and 8 for the words “system” and “systems” there shall be substituted in each case the words “network” and “networks”;

(f) for the words “service provider” and “service providers” wherever they occur in the principal regulations there shall be substituted in each case the words “undertaking which provides publicly available electronic communications services” and “undertakings which provide publicly available electronic communications”; and

(g) for the words “system provider” and “systems providers” wherever they occur in the principal regulations there shall be substituted in each case the words “undertaking which provides a public communications network” and “undertakings which provide a public communications network”.

Amends regulation 4 of the principal regulations.

5. In regulation 4 of the principal regulations for the words “Minister responsible for telecommunications” there shall be substituted the words “Minister responsible for communications”.

Amends regulation 8 of the principal regulations.

6. In sub-regulation (1) of regulation 8 of the principal regulations for the words “relating to users or subscribers of public telecommunications systems or services can be processed” there shall be substituted the words “relating to users or subscribers of public communications networks or of publicly available electronic communications services can be processed”.