

Therefore, here is a summary of best practice, to help you to work within the law and retain good relationships with your e-mail recipients:

- all e-mail addresses (work or home) should be considered to be **personal** data;
- if e-mail addresses are to be used for marketing purposes, this should be stated at the **point** of collection (ie: write 'Advertising' in the subject box);
- once informed, the user should be able to **refuse** permission for their e-mail to be used for marketing purposes (ie opt-out);
- if e-mail is to be sent to those with whom a **customer relationship exists**, the content should be in reference to similar products and services, and there should still be an opt-out opportunity.
- if the e-mail addresses are to be **shared** with third parties, this should be stated at the point of collection;
- e-mail addresses should not be **harvested** and used for marketing purposes without the recipients' knowledge; and
- recipients should be able to refuse permission for further marketing messages to be sent to them at any time.

The Government's Response to Consultation sets out the changes from the draft Regulations, and is available on the DTI website at:

http://www.dti.gov.uk/industries/ecomunications/directive_on_privacy_electronic_communications_200258ec.html

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The new legislation includes a requirement for firms using cookies and similar internet tracking devices to "provide information" on their use and an opportunity for a user to refuse to accept cookies.

For a comprehensive range of factsheets, tools, advice and more about ebusiness for companies in Scotland, visit: <http://www.scottish-enterprise.com/ebusiness>

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