

## Excluded Areas/Activities

*Electronic Commerce Act, CAP 426, art.4, fifth schedule*

- (a) the field of taxation;
- (b) matters in relation to information society services covered by any laws relating to data protection including the Data Protection Act, the Processing of Personal Data (Telecommunications) Regulations, 2003 and the Telecommunications (Personal Data and Protection of Privacy) Regulations, 2003;
- (c) questions in relation to agreements or practices governed by competition law;
- (d) the following activities of information society services:
  - (i) the activities of notaries or equivalent professions to the extent that they involve a direct and specific connection with the exercise of public authority,
  - (ii) the representation of a client and defence of his interests before the courts,
  - (iii) gambling activities which involve wagering a stake with monetary value in games of chance, including lotteries and betting transactions;
- (e) contracts that create or transfer rights over immovable property other than leasing rights;
- (f) contracts of suretyship granted and on collateral security furnished by persons acting for purposes outside their trade, business or profession;
- (g) the law governing the creation, execution, amendment, variation or revocation of:
  - (i) a will or any other testamentary instrument;
  - (ii) a trust; or
  - (iii) a power of attorney;
- (h) any law governing the making of an affidavit or a solemn declaration, or requiring or permitting the use of one for any purpose;
- (i) the rules, practices or procedures of a court or tribunal however so described;
- (j) any law relating to the giving of evidence in criminal proceedings;
- (k) any law relating to the protection of public health or consumer interests in so far as this protection does not restrict the freedom to provide information society services.