



PERSONAL DATA
PROTECTION COMMISSION
S I N G A P O R E

**PUBLIC CONSULTATION ISSUED BY THE PERSONAL DATA PROTECTION
COMMISSION**

PROPOSED BUSINESS OPERATION OF THE DO NOT CALL REGISTRY

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PART I: INTRODUCTION AND OVERVIEW

1 Introduction

- 1.1 The Personal Data Protection Act 2012 (the “**PDPA**”) establishes a new general data protection law in Singapore which governs the collection, use and disclosure of individuals’ personal data by organisations. The Personal Data Protection Commission (the “**Commission**”) is established under the PDPA with the key functions, amongst others, of promoting awareness of data protection in Singapore and administering and enforcing the PDPA.
- 1.2 The Commission has launched this public consultation on the business operation rules of the Do Not Call (“**DNC**”) registry for individuals and organisations to solicit views and comments on the proposed business operations for the DNC registry.
- 1.3 Under the PDPA, Regulations may be made with respect to matters relating to the Do Not Call register. Where relevant, the proposed business operation rules in this consultation paper may be reflected in such Regulations.

2 Overview of the PDPA: Data Protection Provisions and Do Not Call Provisions

- 2.1 The PDPA governs the collection, use and disclosure of individuals’ personal data by organisations in a manner that recognises both the right of individuals to protect their personal data and the need for organisations to collect, use and disclose personal data for purposes that a reasonable person would consider appropriate in the circumstances. The PDPA contains two main sets of provisions, covering data protection and the DNC registry, which organisations are required to comply with.
- 2.2 The PDPA’s data protection obligations are set out in Parts III to VI of the PDPA (the “**Data Protection Provisions**”). In brief, the Data Protection Provisions deal with the following matters:
 - a) Having reasonable purposes, notifying purposes and obtaining consent for collection, use or disclosure of personal data;
 - b) Allowing individuals to access and correct their personal data;
 - c) Taking care of personal data, which relates to ensuring accuracy, protecting personal data (including protection in the case of transfers) and not retaining personal data if no longer needed; and
 - d) Having policies and practices to comply with the PDPA.

Do Not Call Provisions

- 2.3 The PDPA's DNC registry provisions are set out in Part IX of the PDPA (the "**Do Not Call Provisions**"). These deal with the establishment of Singapore's national DNC registry and the obligations of organisations relating to the sending of certain marketing messages ("**specified messages**") to Singapore telephone numbers.
- 2.4 As stipulated under section 39 of the PDPA, the DNC registry will comprise 3 separate registers (the "**Do Not Call registers**"), which cover telephone calls, text messages and faxes. The registers will be kept and maintained by the Commission. Users and subscribers will be able to register a Singapore telephone number on one or more DNC registers depending on what their preferences are in relation to receiving unsolicited telemarketing.
- 2.5 Organisations are required to perform the following obligations (the specific sections of the PDPA under which these obligations arise are noted for reference):
- a) Duty to check the Do Not Call register – before sending a specified message to a Singapore telephone number, the organisation must check with the Do Not Call registry established by the Commission under the PDPA to confirm that the number is not listed on a Do Not Call Register established by the Commission as part of the Do Not Call Registry, unless it has obtained the consent of the user or subscriber of the number¹ (section 43 of the PDPA);
 - b) Duty to identify the sender of a message – when sending a specified message to a Singapore telephone number, the organisation must:
 - (i) Include information identifying the sender and how the individual can contact the sender (section 44 of the PDPA); and
 - (ii) Not conceal or withhold from the recipient the sender's calling line identity² (section 45 of the PDPA).

Meaning of specified message

- 2.6 Section 37 of the PDPA defines what constitutes a "specified message" for the purposes of the Do Not Call Provisions. Under section 37(1), a message is a specified message if the purpose of the message, or one of its purposes, is to obtain or provide, advertise, promote, or offer to supply or provide:
- a) goods or services;³

¹ The term "subscriber" is defined in section 36(1) as the subscriber of the telecommunications service to which the Singapore telephone number in question is allocated.

² The term "calling line identity" is defined in section 36(1) as the telephone number or information identifying the sender.

- b) land or an interest in land;
- c) a business opportunity or an investment opportunity;
- d) to advertise or promote a supplier/provider (or a prospective supplier/provider) of the items listed points (a) to (c);
- e) information⁴ related to any other prescribed purpose

2.7 In most instances, a marketing message of a commercial nature would be a specified message within the meaning of the PDPA. Section 37(1) is subject to certain exceptions as provided for under the PDPA and as noted in paragraphs 2.8, 2.9, and 2.10 below.

2.8 Messages sent for a purpose which is not specified in paragraph 2.6 (a) to (c) above would not be a specified message for the purposes of the PDPA. For example, a message sent solely to promote an employment opportunity or to solicit donations for a charitable cause would not be regarded as a specified message.

2.9 In order to determine whether the purpose (or one of the purposes) of a message falls within the meaning of a specified message, the PDPA specifies that the following would be taken into consideration:

- a) the content and presentation of the message; and
- b) the content that may be obtained through the message, that is, by using the numbers, URLs or contact information (if any) included in the message or by calling the telephone number from which the message was sent.

³ The terms “goods” and “services” are defined in section 36(1) of the PDPA, as follows:

“goods” means any personal property, whether tangible or intangible, and shall be deemed to include (a) chattels that are attached or intended to be attached to real property on or after delivery; (b) financial products and credit, including credit extended solely on the security of land; (c) any residential property; or (d) a voucher;

“services” includes (a) a service offered or provided that involves the addition to or maintenance, repair or alteration of goods or any residential property; (b) a membership in any club or organisation if the club or organisation is a business formed to make a profit for its owners; (c) the right to use time share accommodation under a time share contract (as defined in section 36(1) of the PDPA); and (d) financial services (as defined in section 2 of the Consumer Protection (Fair Trading) Act (Cap. 52A).

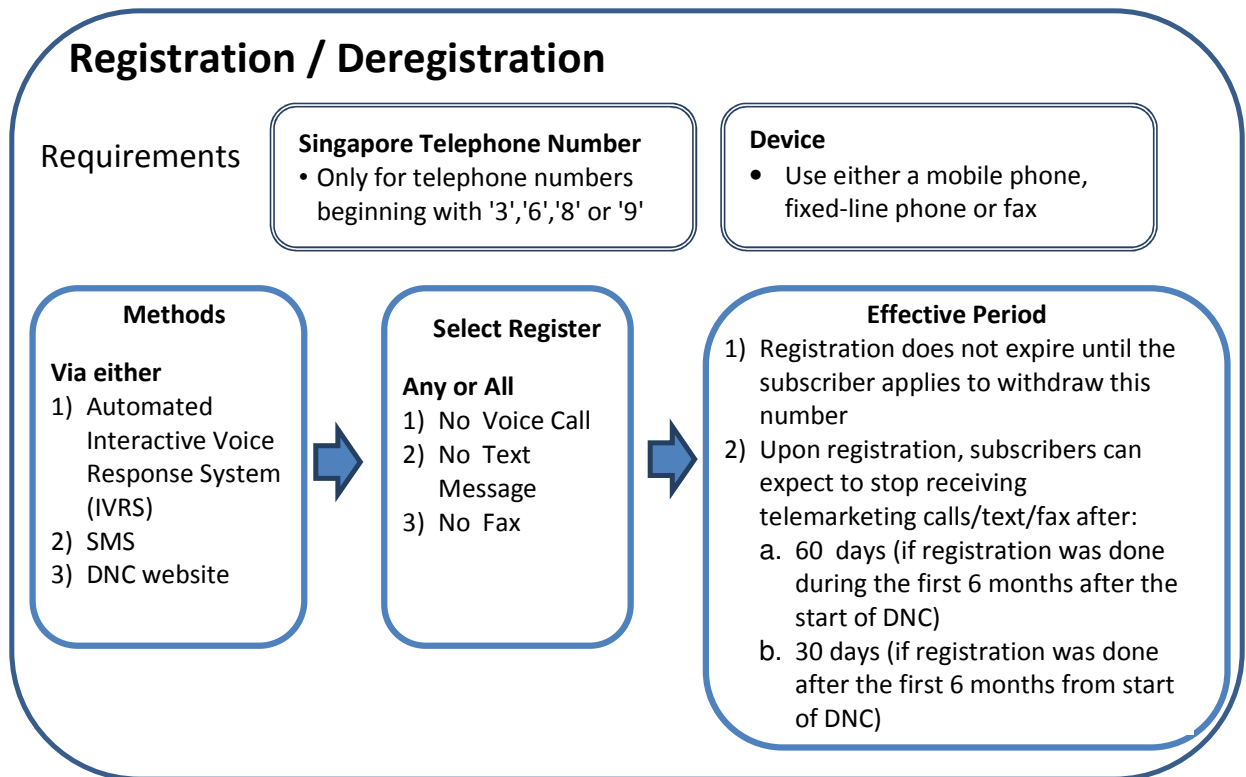
⁴ There are presently no such other prescribed purposes.

- 2.10 Section 37(1) of the PDPA does not refer to other matters relating to the goods, services or other items specified in that section. Hence, matters such as the quality of the goods, the terms and conditions under which the items would be supplied or whether the items are offered to the recipient at an attractive price or free of charge would not affect whether a message is a specified message.
- 2.11 Under the PDPA, it is immaterial whether the goods, services, land, interest or opportunity exist, or if it's lawful to acquire the goods, services, land or interest or take up the opportunity. Hence an organisation cannot cite as a defence the fact that, for example, the goods if had offered in a specified message were actually not available for purchase.
- 2.12 An organisation is not required to check with the Do Not Call Registry before sending a specified message to a Singapore telephone number if they have obtained a clear and unambiguous consent of the subscriber or user of the number for the sending of the message to that number.
- 2.13 Where a subscriber or user of a number has given clear and unambiguous consent to the sending of specified messages to a telephone number, such consent may be withdrawn by giving notice to the organisation. Under Section 47(3) of the PDPA, the organisation shall cease (and cause its agent to cease) sending any specified message to that Singapore telephone number after the expiry of a prescribed period which is proposed to be 30 days after receipt of the notice. For more details on the Do Not Call Provisions, please refer to the "Advisory Guidelines on Key Concepts in the PDPA" available on the PDPC website.
- 2.14 For simplicity of reference and ease of understanding, "telemarketing messages" will be used in lieu of "specified messages". The Commission will use the definition specified in the Act during enforcement.

PART II: DNC OPERATION FOR INDIVIDUALS

3 Individual's registration with the DNC registry

- 3.1 Section 40 of the PDPA provides that the Commission may prescribe the form and manner in which a subscriber of Singapore telephone number may apply to add or remove his Singapore telephone number to or from a DNC register.
- 3.2 The Commission is proposing the following methods for **individuals** to register and deregister their Singapore telephone numbers with the DNC registry in this section. This diagram provides an overview of how an individual may register his telephone number with the DNC registry.



- 3.3 Singapore telephone numbers may register with the DNC registry using mobile or fixed-line telephone or fax machine (herein known as "**Device**"). Singapore telephone numbers refer to telephone numbers with 8 digits and beginning with the digit "3", "6", "8" or "9", that is in accordance with the National Numbering Plan referred to in regulation 12A of the Telecommunications (Class Licences) Regulations (Cap. 323 Rg 3) (herein known as "**Telephone Numbers**"). Numbers that do not start with the digit "3", "6", "8" or "9" will not be accepted for registration. The DNC registry contains three separate Do Not Call Registers. They are:

- a) No Voice Call
Telephone Numbers registered in this register do not want to receive unsolicited specified messages (herein known as "telemarketing messages") through phone calls.

- b) No Text Message
Telephone Numbers registered in this register do not want to receive unsolicited telemarketing text messages.
- c) No Fax
Telephone Numbers registered in this register do not want to receive unsolicited telemarketing fax messages.

3.4 An individual can register his Telephone Numbers on one or more registers depending on whether he would like to receive unsolicited telemarketing messages at all or his preferences on how he would like to receive unsolicited telemarketing messages.

3.5 For example, if an individual registers his Telephone Numbers in the No Voice Call register **only**, organisations are prohibited from sending unsolicited telemarketing messages through voice calls without his consent. If the individual registers his Telephone Numbers in all three registers, organisations are prohibited from sending any unsolicited telemarketing messages through voice calls, text messages or faxes.

How can an individual register with the DNC registry⁵?

3.6 In relation to how an individual can register with the DNC registry, it is proposed that an individual may use any of the following 3 methods:

- a) Call a toll-free number connected to a fully automated Interactive Voice Response System (“IVRS”)
An individual may use his Device to call a toll-free number which will be connected to a fully automated IVRS. Registration is conducted by following the instructions read out by the IVRS and respond using the Device.
- b) Send a text message to a designated number (“SMS”)
An individual may only use his mobile telephone and send a text message to a designated number. Registration will be conducted by following a simple exchange of text instructions and responses sent and received over text messages.
- c) Register online through the DNC registry website (“DNC website”)
A DNC website will be set up and will offer a simple registration service. An individual keys in his Telephone Number into the website and based on the type of Telephone Number submitted for registration, 2 different types of responses will be generated to confirm registration (refer to **Annex A part (I)** for the flowchart).

⁵ The registration methods described are the same for de-registration of an individual Telephone Number from the DNC registry.

- i. If a Telephone Number beginning with digit “8” or “9” is submitted, the DNC website will automatically detect that it is a mobile telephone number and a One-Time-Password (“**OTP**”) will be sent to the submitted number. The individual must enter the OTP received on the mobile telephone into the DNC website to complete the registration. The OTP will be valid for 5 minutes and if it is not entered into the DNC website by the time the OTP expires, the registration will be aborted. The individual will need to restart the process of registration.
- ii. If a Telephone Number beginning with digit “3” or “6” is submitted, the DNC website will automatically detect that it is a fixed-line telephone number and will prompt if it can do a call-back to the submitted number. At this point, the individual will be asked to indicate if the number is a fax or fixed-line number.

If the individual has indicated that it is a fixed-line number

- a. The IVRS will make a call-back to the fixed-line number and he must pick up the call, follow the instructions read out by the IVRS and submits the response using the fixed-line telephone. The call-back will be re-tried for 2 more times if it is not answered. The registration will be aborted if there is no answer by the third and final try. The individual will need to restart the process of registration.

If the individual has indicated that it is a fax number

- b. An OTP will be sent to the fax machine and verification process will be the same as (i) above.

- 3.7 Registration requires the individual have access to the Devices he intends to register with the DNC registry. To illustrate, it is not possible to register the individual’s home fixed-line telephone number through the DNC website when the individual is not at home to receive the call-back to prove access to the home phone.
- 3.8 **For registration methods (a) and (b) above**, if an individual has subscribed to block or to conceal the display of his mobile or fixed-line telephone numbers⁶, the individual will be informed over the telephone (if IVRS is used) or text message that his number cannot be detected and would be directed to use method (c) for registration, which is to register online through the DNC website.
- 3.9 The table below provides a summary of the various registration methods based on types of telephone numbers.

⁶ Through private number service for example

Registration Methods	If you want to register a ...		
	Mobile number	Fixed-line number	Fax number
IVRS	√	√	X
SMS	√	X	X
DNC Website	√	√	√

Does an individual need to pay to register or de-register his Telephone Number with the DNC registry?

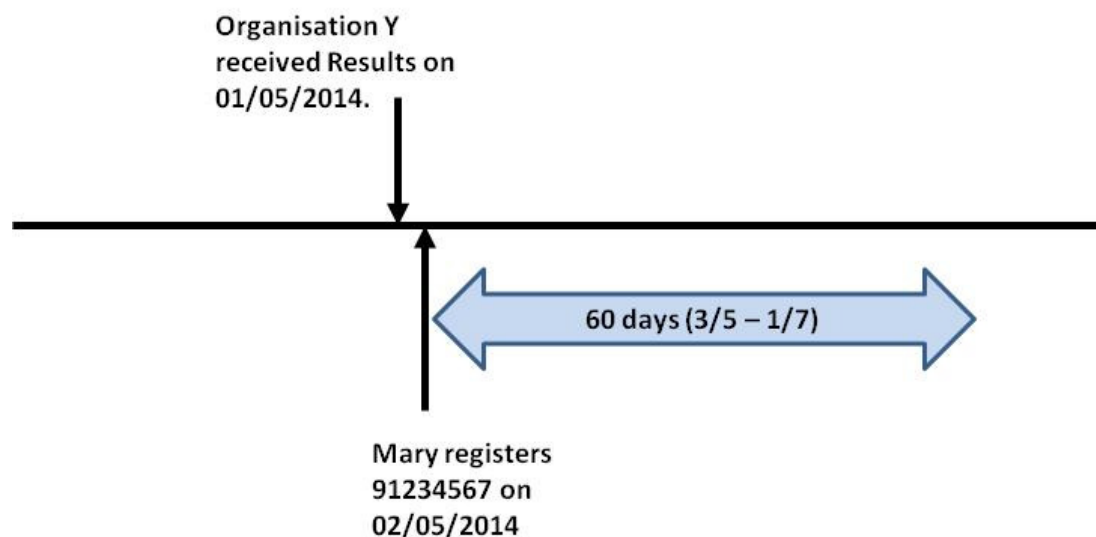
- 3.10 Registration and de-registration by an individual with the DNC registry is free.

How soon will an individual's Telephone Number be added to the registry after registration? When will it take effect?

- 3.11 The number submitted for registration by an individual will be added to the DNC registry soon after a confirmation of registration message is received by the individual from the method of registration used.
- 3.12 However, there will still be a lead-in period before the individual will fully stop receiving unsolicited telemarketing. For individuals who register their Telephone Number with the DNC registry within 6 month, the lead-in period will be 60 days. For individuals who register their Telephone Number in the DNC registry after the first six months, the lead-in period will be 30 days. An individual can expect to stop receiving unsolicited telemarketing messages from organisations after the relevant lead-in period expires.
- 3.13 Individuals who register in the 6th month of DNC operations should note that they may still receive specified messages for up to 60 days after registration, as their number may still be reflected as "Not Registered" on an organisation's filtered list that is still valid. (For example, if the organisation had checked the DNC register right before the number was registered.)

Example:

Mary registers her Telephone Number with DNC registry on 02/05/2014 (after Organisation Y has checked the list). Her Telephone Number will be reflected as Not Registered on the DNC register in the Results of Organisation Y and Organisation Y can still contact her within the next 60 days.



Please refer to **Annex A part (III)** for more examples.

3.14 If the individual has given consent to an organisation to provide telemarketing services to him prior to the prescribed date and this consent is clear and unambiguous, evidenced in written or other accessible form, the organisation can still contact the individual even if the individual has registered his Telephone Number with the DNC registry.

How soon will the individual's Telephone Number be removed from the registry if he de-registers? When will it take effect?

3.15 The number submitted for de-registration by an individual will be removed immediately from the DNC registry after a confirmation message of de-registration is received by the individual from the method of registration used. He can expect to start receiving unsolicited telemarketing messages from organisations after the lead-in period from the date of de-registration.

How long will a registered Telephone Number remain in the registry?

3.16 Telephone numbers registered with the DNC registry do not expire until the individual de-registers or when the individual terminates his service subscription with his relevant telecommunication service providers.

What if an individual registers his Telephone Number with the DNC registry but changes his telecommunication service providers subsequently and chooses to retain his Telephone Number?

- 3.17 In this “Number Porting” scenario, the individual’s Telephone Number remains effectively registered in the DNC registry. There is no need for the individual to register again.

What if an individual changes his Telephone Number?

- 3.18 If an individual does not wish to receive telemarketing messages, he needs to register his new Telephone Number with the DNC registry. He may wish to de-register his previous Telephone Number even though there is no need to do so.

What if an individual supplied a wrong number while registering on the DNC website?

- 3.19 Depending if it is a fixed-line or fax number, the call back or OTP will be sent to the wrong number that the individual had supplied and thus, he will not be able to register his Telephone Number. It is unlikely that a wrong number is registered through the IVRS or SMS method as these methods will automatically detect the calling number. Please refer to 3.8 above for more information.

How can an individual check if his Telephone Number is registered?

- 3.20 An individual can use the methods described in paragraph 3.6. If an individual has subscribed to block or to conceal the display of his mobile or fixed-line Telephone Numbers⁷, he would use method (c), through the DNC website.

Can an individual register or deregister on behalf of someone else (e.g. his parent, child or relative)?

- 3.21 Apart from the subscriber of a Telephone Number, any user (authorised or permitted to use the Telephone Number by the subscriber) of the Telephone Number may register or de-register the Telephone Number. However, if the individual did not intend to have his Telephone Number registered or deregistered but his Telephone Number was somehow registered on or deregistered from the DNC registry, the individual could make the necessary correction and over-write the error by de-registering or registering his Telephone Number.

⁷ Through private number service for example

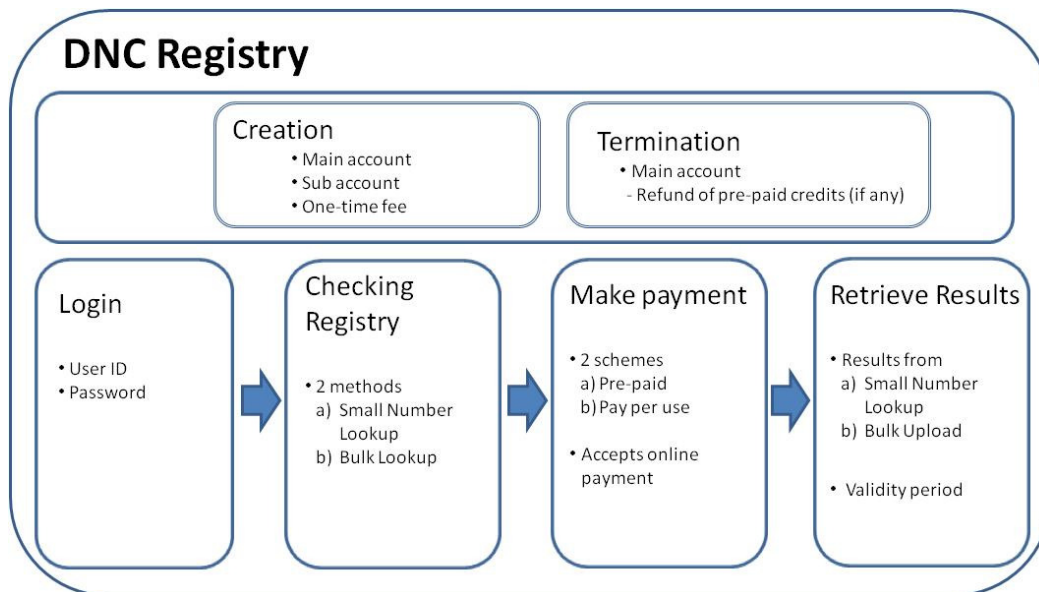
Questions in relation to the process of registration and deregistration of Telephone Numbers with DNC registry:

Question 1: With reference to paragraphs 3.6 to 3.9, do you have any views/comments on the proposed process of registration and deregistration? Is the process simple and straightforward?

PART III: DNC OPERATION FOR ORGANISATIONS

4 Organisation checking the DNC registry

- 4.1 Section 40(2) of the PDPA provides that the Commission may determine the form and manner in which a person may apply to confirm whether any Singapore Telephone Number is listed in a register.
- 4.2 Part III of the PDPA proposes the requirements, methods and applicable charges for organisations that apply to the Commission to check if a Telephone Number is registered in the DNC registry for purposes of conducting telemarketing activities to that Telephone Number.
- 4.3 This section explains how **an organisation** may register itself with the DNC registry for checking of Telephone Numbers. Under Part IX of the PDPA, organisations will need to check with the DNC registry before sending unsolicited telemarketing messages to their list of Telephone Numbers.
- 4.4 The diagram provides an overview on how an organisation may use the services of the DNC registry to filter its list of telemarketing numbers.



One-time Account Creation for Login

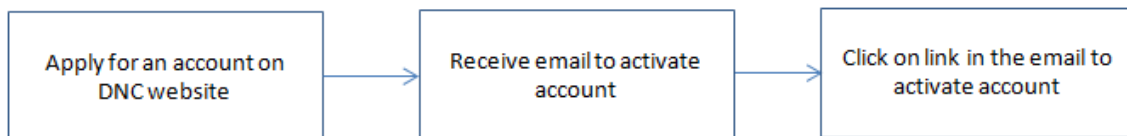
- 4.5 In order to access the DNC registry to perform a check against the DNC registers, organisations will be required to apply for an account through the DNC registry website.
- 4.6 Registration for an account to access the DNC registry is open to any organisation registered in Singapore that needs to conduct telemarketing activities through voice calls, sending text messages or sending faxes (refer to paragraph 2.5 for more details). Each organisation can only register for one account as the organisation’s Unique Entity Number (“**UEN**”) will be used as a unique identifier.
- 4.7 Recognising that the marketing function in an organisation may not be a consolidated function within a large organisation, sub-accounts linked to the main organisation account for concurrent access can be created to allow for distributed access to the DNC registry. Each main account is allowed to create up to **20** sub-accounts.
- 4.8 While each sub-account will bear a separate user ID and password, the actions under each sub-account will remain the responsibility and accountability of the main account holder.
- 4.9 There will be a one-time fee charged for every main and sub-account created.

Information Required For Main and Sub-Account Creation

- 4.10 The table below summarises the information required for account creation.

	Main Account	Sub-Account
Information required	1) Unique Entity Number 2) Organisation name and address 3) Singpass of person who requests for account 4) Data Protection Officer of the Organisation <ol style="list-style-type: none"> a. Name b. Contact number c. Email address 	Not applicable
	5) Contact person details including name, email and contact number. <ol style="list-style-type: none"> a. Results returned by the DNC registry will be sent to the email supplied 	
One-time Fee	\$30 for each main and sub-account Online Payment can be made via: <ol style="list-style-type: none"> a) Major credit cards including Visa and MasterCard or; b) Internet Direct Debit (“IDD”) Services –Internet Banking account with DBS, UOB and OCBC 	

- 4.11 Registration for the main account can be made on the DNC registry website. Before registration begins, Singpass will be required for authentication and to put on record the person who made the request for registration for an account on behalf of the organisation.
- 4.12 The DNC registry will verify that the UEN submitted has not been previously used for another account creation. It will reject the application if there is an existing main account link to the submitted UEN.
- 4.13 Thereafter, the registrant will be directed to make an online payment for the account creation. After the payment is accepted, the **main account** will be created for the organisation and a user ID and password will be sent to the contact person via email within 48 hours. There will be a link in the email for activating the account. The diagram below summarises the steps in account application. If the online payment cannot be accepted for any reason, account creation will be aborted.



- 4.14 The main account holder can apply and pay for the sub-account via the DNC registry website. The user ID and password for the **sub-account** will be sent to the main account holder within 24 hours of request.

Free Credits

- 4.15 To assist organisations, especially those that have only a small volume of telemarketing calls to make in a year, **350** free credits will be allocated to the main account annually. This means that an organisation can check up to 350 Telephone Numbers per year (i.e., 1 credit for 1 Telephone Number). The main account holder will be able to distribute the free credits to the sub-accounts for sub-account holders' utilisation. The free credits are valid for **1 year** with effect from the date the main account is activated and any unused free credits cannot be brought forward to the following year.

Rights and Functions of the Main and Sub-accounts

- 4.16 The main account is the overall administrator for all sub-accounts. As a measure to prevent abuse⁸, sub-account holders are not allowed to perform account administration tasks, which are only confined to main account holders. The table below summarises the rights and functions accorded to both types of accounts.

⁸ For example, an employee who left the organisation may "re-use" the sub-account if he can change the password without the knowledge of the main account holder.

Rights and Functions	Main account	Sub-account
Check DNC registry	Yes	Yes
Retrieve Results	Yes	Yes
View transactions records* of Sub-accounts	Yes	No
Account Administration 1) Create sub-account 2) Reset password for main and sub-accounts 3) Allocate and distribute credits among main and sub-accounts 4) Terminate sub-accounts 5) Update contact person details	Yes	No
Receive free credits annually	Yes	No
Purchase pre-paid credits	Yes	Yes
Pay-Per-Use Payment	Yes	Yes

Note: *records of the date/time and quantity of numbers submitted by sub-account

Account Renewal and Expiry

- 4.17 No annual fee will be charged for main or sub-accounts. All accounts do not expire unless the organisation submits a request to terminate the account, or when accounts are inactive and dormant (refer to paragraph 8.4).

Can the application for an account be made without a UEN?

- 4.18 For a start, it is proposed that only organisations registered with the Accounting and Corporate Regulatory Authority (“**ACRA**”) in Singapore with valid UEN numbers are allowed to apply for an account to assess the DNC registry. Hence, foreign organisations not registered with ACRA and do not operate in Singapore are not allowed to directly apply for an account with the DNC registry. Further, the legal obligations and enforcement coverage of the PDPA are not directly applicable to foreign organisations. However, recognising that Singapore registered organisations may engaged the services of foreign organisations, in which case accessing the DNC registry may become necessary (e.g., to conduct telemarketing on their behalf), there are 2 proposed options to allow foreign organisations to access the DNC registry:
- (1) the Singapore registered organisation can perform the check with the DNC registry and pass the filtered list to the foreign organisation; or
 - (2) the Singapore registered organisation can create a sub-account for the foreign organisation to access the DNC registry to perform the check.

Questions in relation to the process of account creation:

Question 2: With reference to paragraphs 4.4 to 4.14, do you have any views/comments on the proposed requirements for an organisation to create a main or sub-account?

Question 3: In particular, are 20 sub-accounts sufficient for each main account and do you have any views/comments on the rights and functions of the main and sub-account holder?

Question 4: With reference to paragraph 4.18, do you have any views/comments for not allowing foreign organisation to register an account with the DNC registry?

Question 5: In particular, do you have any views/comments on the proposed methods to check the DNC registry for Singapore registered organisation that outsourced their telemarketing activities to a foreign organisation?

5 Organisation submitting their Telephone Numbers

5.1 To submit their Telephone Numbers for checking, organisations need to log on to the DNC website with their account credentials. It is proposed that the DNC website provides 2 methods to submit and check telephone numbers with the DNC registry and that there are no limits to the number of uses for either method. Each telephone number submitted via either method is chargeable. Rates and payment methods are explained at section 6: Making payment on the DNC registry.

a) Small Number Lookup

The organisation can submit up to 10 Telephone Numbers at a time on the DNC website with this method and the results will be immediately displayed, indicating if these submitted Telephone Numbers (up to 10) are registered and in which register have the registrations been made.

b) Bulk Upload

If there is a need to check a longer list of numbers, the organisation can submit a list of Telephone Numbers using a template provided on the DNC registry website. Organisations are required to use or follow the format in the template on how to format the list of Telephone Numbers. To submit the list of Telephone Numbers, organisations need to save the list in a “.csv” file format and upload the file to the DNC registry using the function provided (refer to **Annex A part (II)** for an example of the template).

Which register will the list be checked against?

5.2 The submitted Telephone Numbers via Small Number Lookup and Bulk Lookup will be checked against all three registers in the DNC registry. There is no need to submit separate lists of telephone numbers for each register. Organisations will receive the results indicating the register that the submitted Telephone Numbers are registered with. More information will be covered in section 7: Retrieving Filtered List from the DNC registry.

Questions in relation to the methods provided for checking the DNC registry:

Question 6: With reference to paragraph 5.1, do you have any views/comments on the proposed methods on how to check the DNC registry?

6 Making payment on the DNC registry

Payment Only on Valid Telephone Numbers

- 6.1 Telephone numbers submitted to the DNC registry will be checked for wrong format (herein known as “**Invalid Numbers**”) before they are processed and checked against the DNC registry.
- 6.2 Invalid Numbers will be excluded for processing and will not be charged. Telephone numbers that pass the format check will be deemed a “Valid Number” and will be charged, regardless of its accuracy or whether it is duplicated. **Hence, organisation has the responsibility to ensure that its submitted list of Telephone Numbers does not contain duplicates, is accurate and is in the correct format before submission.** For avoidance of doubt, the definition of a Valid Number is as follow:
- excludes the country code
 - telephone number that
 - contains exactly 8 digits
 - starts with either a ‘3’, ‘6’, ‘8’ or ‘9’

Payment Methods

- 6.3 **Each Valid Number checked is equivalent to 1 credit** and 2 methods to make payment will be presented. Organisation can choose the most suitable payment method depending on preference.
- a) Deduct from Pre-paid credit balance. The DNC registry will check if there is sufficient balance of credits and free credits will always be deducted first followed by pre-paid credits purchased (starting with the earliest date of purchase of the pre-paid credits, if there were more than 1 purchase). This ensures that free credits will always be exhausted first before pre-paid credits and within the pre-paid credits pool, the set with the earliest expiry date will be deducted first.
- b) Pay-per-use. The exact amount of Valid Numbers submitted will be counted and the total charges will be displayed for payment. Organisations need to make payment before the check can proceed.

Insufficient Credits – If Pre-paid Credit Payment Method is Selected

- 6.4 If the Pre-paid credit payment method is selected to make payment, the DNC registry will check if the account (used to access the DNC registry to submit the Telephone Numbers) has sufficient credits remaining in the account based on the quantity of Valid Numbers submitted. If there are sufficient credits, the appropriate number of credits will be deducted from the account.

- 6.5 If there are not enough credits to proceed with the transaction, the organisation can choose to do either of the following 2 ways:
- Perform a credit top-up by buying pre-paid credits to allow the deduction of credits to proceed; or
 - Pay the short-fall of credits (1 credit is equivalent to 1 Valid Number) using the rate per number in the Pay-Per-Use option.

Rates for the 2 Payment Methods

6.6 Different rates apply for Pre-paid credit and Pay-per-use. For practical accounting purposes, all charges will be rounded up to the nearest cent.

a) Pre-paid credits

Depending on requirement, an organisation can choose the subscription type that is most suitable to them. Both the main and sub-account can purchase pre-paid credits. Purchased credits have a validity of **3 years** from the date of purchase. Unused credits that have passed the validity will be forfeited and no refunds will be made.

Proposed Pre-paid Rates

Subscription Type	No. of credits	Fee (S\$)
A	5,000	100
B	10,000	150
C	25,000	350
D	100,000	1,200
E	250,000	2,700
F	1,000,000	10,000

b) Pay-Per-Use

Organisations can also choose to pay the exact amount each time they submit the telephone numbers for checking. Please refer to the different charges calculated for each telephone number. The minimum charge for each pay-per-use transaction is S\$10.

Proposed Pay-Per-Use Rates

The table below shows the proposed per number rate payable based on the quantity of Valid Numbers submitted.

Quantity of Valid Numbers Submitted	Fee per Valid Number(S\$)
1 - 300	0.033
301 - 5,000	0.030
5001 - 10,000	0.026
10,001 - 25,000	0.024
25,001 - 100,000	0.019
100,001 - 250,000	0.015
250,001 - 1,000,000	0.012

Example:

The example below illustrates the amount payable based on Pay-Per-Use rates.

Quantity of Valid Numbers	Fee per Valid Number(S\$)	Amount payable (S\$)
3	0.033	10 (minimum charge)
300	0.033	10 (minimum charge)
500	0.030	15
15,251	0.024	366.03. Rounded up to the nearest cent

As mentioned in paragraph 5.2, each Valid Number submitted will be checked against the 3 registers and the results will show which register (No Voice Call, No Text Message or No Fax) the Valid Number is registered with.

The following examples illustrate how credits are deducted.

Example 1:

Organisation X purchased 5,000 pre-paid credits on 01/04/2014 and with the allocated 350 free credits, it now has 5,350 credits in balance. It accesses the DNC registry and submits 5,500 Telephone Numbers on 02/04/2014. Since it has insufficient credits, the DNC registry will alert the account holder that he is short of 150 credits and the check cannot proceed unless he chooses any of the following 2 options to pay and proceed:

- a) to do a credit top-up by buying pre-paid credits or;
- b) to pay the short-fall of credits using the rate per number from the pay-per-use option.

Option 1: Buy pre-paid credits

If he chooses to top up his account with pre-paid credits, he will select the subscription type and make online payment to proceed.

Date	Transaction	Free Credits	Pre-paid credits	Balance of pre-paid credits	Amt paid (S\$)
15/03/2014	Free credits allocated	350		350	30 (for account creation)
01/04/2014	Purchase pre-credits		5,000	5,350	100
02/04/2014	Submit 5,500 Valid Numbers	(350)	(5000)	(150) Short fall. Check will not proceed	
02/04/2014	Purchase pre-credits top-up		10,000	9,850	150

Option 2 : Pay only for the shortfall

If he chooses to pay only for the shortfall of 150, he needs to pay \$10 (minimum charge).

Date	Transaction	Free Credits	Pre-paid credits	Pay per Use	Balance of pre-paid credits	Amt paid (\$)
15/03/2014	Free credits allocated	350			350	30 (for account creation)
01/04/2014	Purchase pre-credits		5,000		5,350	100
02/04/2014	Submit 5,500 Valid Numbers	(350)	(5000)		(150) Short fall. Check will not proceed	
02/04/2014	Pay Short fall of credits using pay-per-use rate per number			150	0	10. Minimum charge levied as the short-fall number is below 300.

Example 2:

Organisation Y purchased 25,000 pre-paid credits on 01/04/2014 and another 25,000 pre-paid credits on 02/04/2014. Following which, it accesses the DNC registry and submits 20,000 and 1,000 Telephone Numbers for checking on 11/04/2014 and 15/05/2014 respectively.

The credits required for these 2 submissions will be deducted from the free credits and the 25,000 pre-paid credits purchased on 01/04/2014. After deduction, the balance of the first set of pre-paid credits on 15/05/2014 will be 4,350.

On 15/06/2014, the organisation submitted another 10,000 Telephone Numbers but the pre-paid credits from the first purchase on 01/04/2014 of 4,350 are now insufficient.

Hence, to fund the checking of these 10,000 numbers, all the remaining pre-paid credits of 4,350 from the first purchase of 01/04/2014 will be deducted first and the balance of 5,650 pre-paid credits will be deducted from the second purchase on 02/04/2014. The table below summarises the transactions for Organisation Y.

Date	Transaction	Free Credits	Pre-paid credits from First	Pre-paid credits from	Balance of pre-paid credits
------	-------------	--------------	-----------------------------	-----------------------	-----------------------------

			purchase	Second purchase	
01/03/2014	Free credits allocated	350			350
01/04/2014	Purchase credits		25,000		25,350
02/04/2014	Purchase credits			25,000	50,350
11/04/2014	Check 20,000 numbers	(350)	(19,650)		30,350
15/05/2014	Check 1,000 numbers		(1,000)		29,350
15/06/2014	Check 10,000 numbers		(4,350)	(5,650)	19,350

Example 3:

Organisation Z did not purchase any pre-paid credits. It accesses the DNC registry on 05/05/2014 and submits 10,050 numbers for checking. Since it has insufficient credits, the DNC registry will alert the account holder that the check cannot proceed and he selects the 'pay-per-use' option. Since there are free credits in the account, the DNC registry will prompt the account holder to indicate if he wants to:

- a) deduct from his free credits and pay the balance; or
- b) do not deduct from his free credits and pay the full amount

Option 1: Deduct from free credits and pay the balance

Date	Transaction	Free Credits	Pay per Use	Amt paid (\$)
02/05/2014	Free credits allocated	350		
05/05/2014	Submit 10,050 Valid Numbers	(350)	(9700) Short fall. Check will not proceed.	
05/05/2014	Pay Short fall of credits using pay-per-use rate per number		9700 (based on the table, each number is \$0.026)	252.20 (9700 X 0.026)

Rates for Pay-per-use

Quantity of Valid Numbers Submitted	Fee per Valid Number(\$\$)
1 - 300	0.033
301 - 5,000	0.030
5001 - 10,000	0.026
10,001 - 25,000	0.024
25,001 - 100,000	0.019
100,001 - 250,000	0.015
250,001 - 1,000,000	0.012

Option 2: Do not deduct from his free credits and pay the full amount

Date	Transaction	Free Credits	Pay per Use	Amt paid (\$)
02/05/2014	Free credits allocated	350		
05/05/2014	Submit 10,050 Valid Numbers		(10,050) Short fall. Check will not proceed.	
05/05/2014	Pay Short fall of credits using pay-per-use rate per number		10,050 (based on the table, each number is \$0.024)	241.20 (10,050 X 0.024)

Modes of payment

6.7 All payment can be made online via:

- a) Major credit cards including Visa and MasterCard or;
- b) Internet Direct Debit (“**IDD**”) Services – Internet Banking account with DBS, UOB and OCBC

Questions in relation to the payment schemes:

Question 7: With reference to paragraph 6.6, what is the average quantity of Telephone Numbers would your organisation be likely to submit for checks per month and which would be the scheme (pre-paid or pay-per-use) your organisation be most likely to use as the form of purchase?

Question 8: With reference to paragraph 6.7, do you have any views/comments on the proposed modes of payment?

7 Retrieving Filtered List from the DNC registry

7.1 The format of the filtered list (herein known as “**Results**”) to be provided to the enquiring organisation will depend on the method used to submit the Telephone Numbers.

a) Results from Small Number Lookup

For Telephone Numbers submitted using the Small Number Lookup method, the Results will be shown immediately on the webpage. The validity period or expiry date of the Results will be displayed with the indicators on whether the Telephone Number is registered and in which register. The results will not be saved in the DNC registry website for later viewing. If a permanent copy of the Results is required by the enquiring organisation, the webpage showing the Results can be printed out or saved on the local machine.

A sample of the Results using the Small Number Lookup is illustrated in the table below:

This list is valid from: 01/02/2014 - 01/04/2014			
Telephone Number	No Voice Call	No Text Msg	No Fax
91111111	R	NR	R
92222211	R	NR	R

Legend: NR – Not Registered, may be contacted, R – Registered, must not be contacted

Telephone Numbers marked with ‘R’ must not be contacted with the means it is registered with. Telephone Numbers marked with ‘NR’ may be contacted with the means it is not registered with.





b) Results from Bulk Upload

For telephone numbers submitted method, the Results will be available for retrieval within 24 hours. An email will be sent to notify the registered contact person of the account⁹ when the Results are ready. To access the Results, the same account that was used earlier for submission should be used to log in to the DNC registry to retrieve the results. The Results will remain available for online access throughout the validity period or until the expiry date of the Results. After the Result's validity period or expiry date, the file will no longer be accessible.

The result file will be in ".CSV" file format which is a common file standard for formatting data for automated processing. Organisations may choose to import the file into their internal systems¹⁰ for automated processing. The ".CSV" file can be read/edited by software such as Microsoft Excel, Apple iWorks Numbers and Apache OpenOffice.org Calc. Each Result file will contain 2 separate lists:

- i) the list of Valid Numbers that are accepted and checked against the DNC registry and will be charged; and
- ii) the list of Invalid Numbers which are not checked against the DNC registry because of wrong format of the telephone numbers submitted and will not be charged.

A sample of the Results available for viewing is shown below. The Result files represented by the file icon can be downloaded or opened for viewing:

Date of submission	Quantity of Valid Numbers	Quantity of Invalid Numbers	List of Valid Numbers ¹ accepted and checked	List of Invalid Numbers ²
11/03/2014 10:25	27	5		
01/02/2014 20:55	1069	20		

⁹ The account that was earlier used to log in to the DNC registry to submit the list for checking.

¹⁰ Organisations should consult their IT department or the supplier of their internal system if it can import the ".CSV" file for automated processing

List of Valid Numbers accepted and checked: A sample of the Result file containing Valid Numbers that are checked using Bulk Lookup is illustrated below.

For example Telephone Number 91234567 is listed in the register for telemarketing through voice calls and faxes but is not listed in the register for text messages. That means the Telephone Number 91234567 cannot be contacted for telemarketing through voice calls and faxes but can be contacted through text message.

This list is valid from: 02/02/2014 - 02/04/2014			
Telephone Number	No Voice Call	NoText Msg	No Fax
91234567	R	NR	R
92222211	R	NR	R

Legend: NR – Not Registered, may be called;, R – Registered, must not be called

List of Invalid Numbers: A sample of the Result file containing Invalid Numbers that are not checked because of wrong format is illustrated below:

Invalid Numbers
111111111
9test
62111

Retrieving and viewing of Results

- 7.2 Each sub-account will be limited to its own Results file with no access to other sub-accounts' Results file. However, the main account holder will be able to view its sub-accounts transaction records.

Validity period/expiry date of the Results

- 7.3 The Results will be valid for a period of time from the date that the Results are returned to the organisation or until a specific expiry date. Similar to the 'lead-in period' explained earlier, to allow more time for organisations to adjust their telemarketing activities, the validity period of the results is 60 days for the messages sent during the 5 months of DNC operations and 30 days after the 6th month of DNC operations onwards. For checks during the 6th month of DNC operations, results will be valid until a fixed date, which is the end of the 7th month. As such, organisations must switch checking the DNC registry from a 60-day cycle to a 30-day cycle with effect from the start of the 7th month of DNC operations. Organisations are not required to check the DNC registry after the validity period of the Results have passed if they do not have any telemarketing activities to conduct. **However, they must check the DNC registry again if they plan to conduct any telemarketing activities as they cannot rely on a previous Result that has passed the validity period.**

Example:

Assuming that the DNC registry starts operation on 02/01/2014.

Scenario 1: Organisation checks the DNC registry from January to May

Organisation X submits a list of telephone numbers to the DNC registry for checking on 04/03/2014 2250hr. DNC registry checks the list and returns the Results on 05/03/2014 0800hrs. The Results will be valid for 60 calendar days from 05/03/2014, that is, until 03/05/2014 (2359hrs).

Scenario 2: Organisation checks the DNC registry in June

Organisation Y submits a list of telephone numbers to the DNC registry for checking on 15/06/2014 2050hr. The DNC registry checks the list and returns the Results on 16/06/2014 0100hrs. The Results will be valid until the end of the 7th month of DNC operations, that is, until 31/07/2014 (2359 hrs).

Scenario 3: Organisation checks the DNC registry in or after July month

Organisation Z submits a list of telephone numbers into the DNC registry for checking on 04/07/2014 0830hrs. DNC registry checks the list and returns the Results on 05/07/2014 1200hrs. The validity of the Results will be valid for 30 calendar days, from 05/07/2014 to 03/08/2014 (2359hrs).

Please refer to **Annex A part (III)** for more examples on organisation and individual's registration.

Questions in relation to the retrieving results:

Question 9: With reference to paragraphs 7.1 to 7.3, do you have any views/comments on the proposed format of the Results and the methods of retrieving the Results?

Question 10: In particular, do you have any views/comments on the type of file (".CSV") that is proposed as the format of the Results file?

8 Account Termination

How can organisations terminate their DNC registry main or sub-account?

- 8.1 If the organisation has ceased to operate or no longer requires access to the DNC registry, the contact person registered for the main account is to email to the Commission with the following details:
- a) UEN of the company;
 - b) Authorised personnel contact details;
 - c) Effective account termination date;
 - d) Reason(s) for account termination; and
 - e) Company bank account number (for the purpose of refunding any balance pre-paid credits, if any)
- 8.2 If there are any changes in the details of contact person, the organisation can update the information at the administrative function available only with the main account.
- 8.3 Only the registered contact person for the main account can submit request to terminate the main or sub-account. For security and accountability reasons, termination request has to be sent using the email address that is listed in the main account. The DNC registry will verify with the contact person for any termination request. When the main account is terminated, all the sub-accounts will also be terminated.

Handling inactive accounts

- 8.4 For security reasons and to keep DNC registry account records updated, the DNC registry will periodically check for main accounts and sub-accounts that are inactive for a continuous period of 12 months. The DNC registry will attempt to contact the organisation for the inactive accounts through system-generated emails¹¹ to check if the account is still required. The emails will be sent monthly over a period of 3 months after the DNC registry detects a continuous 12-month inactive period and if there is no response received after the 3 months, the account will be deemed dormant and the DNC registry will close the inactive account.

¹¹ Send to the contact person registered during account creation.

Refund of balance pre-paid credits

- 8.5 If the main account is terminated at the request of an organisation, the DNC registry will compute the total balance of all the pre-paid credits in the main and sub-accounts (if any) that have not expired and refund the amount to the main account holder. If the account is terminated due to inactivity as described in paragraph 8.4 and there is a balance of pre-paid credits, it will be handled as unclaimed monies.
- 8.6 There will be no refunds for the amount spent on buying pre-paid credits or pay-per-use after the enquiring organisation confirmed the purchase to proceed with the check by the DNC registry.
- 8.7 The balance of pre-credits will be refunded to the bank account designated by the organisation. The DNC registry will contact the main account holder for details of the bank account for making the refund when processing the termination request. The refund will be made within 30 days after the termination request has been accepted. No administrative fee will be charged for refunds. Any remaining free credits will be forfeited. The refund amount will be rounded up to the nearest cent.

Example:

Organisation X terminated the account on 30/12/2014, DNC registry will compute the refund based on the subscription type that was purchased. The example below shows the computation method and the refund amount is \$1,275.

Subscription Type	No. of credits	Fee (\$)
A	5,000	100
B	10,000	150
C	25,000	350
D	100,000	1,200
E	250,000	2,700
F	1,000,000	10,000

Subscription Type Bought	Fee per number	Balance credits from First purchase	Balance credits from Second purchase	Refund amount (\$)
B	0.015	3,919	-	58.79
D	0.012	-	98,999	1,187.99
			Total Refund	1,246.78

Questions in relation to the account termination:

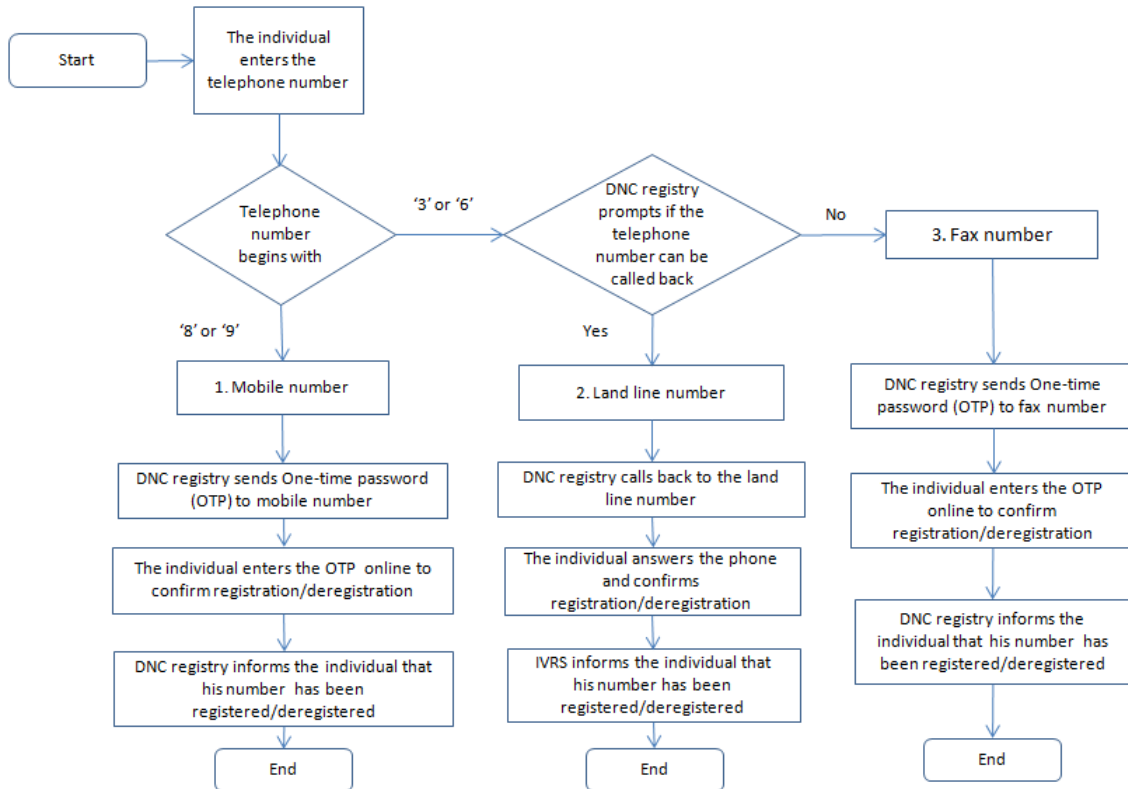
Question 11: With reference to paragraphs 8.5 to 8.7, do you have any views/comments on the proposal to refund all balance pre-paid credits from all the sub-accounts to the main account?

PART IV: SUBMISSION OF COMMENTS

- 10.1. The Commission would like to seek the views and comments on the proposed guidelines on the DNC registry.
- 10.2. Parties that submit comments on this consultation paper should organise their submissions as follows:
 - a) Cover page (including particulars of the organisation and contact person);
 - b) Summary of major points;
 - c) Comments; and
 - d) Conclusion.
- 10.3. Supporting material may be placed in an Annex. All submissions should be clearly and concisely written, and should provide a reasoned explanation for any proposed revisions. Where feasible, parties should identify the specific section on which they are commenting and explain the basis for their proposals.
- 10.4. **All submissions should reach the Commission by 5 June 2013 (5pm). Comments should be submitted:**
 - a) in soft copy (in Microsoft Word format);
 - b) with the email header "Public Consultation on Proposed Business Operation of the DNC registry"; and
 - c) to the following e-mail address: pdpc_consultation@pdpc.gov.sg
- 10.5. The Commission reserves the right to make public all or parts of any written submission and to disclose the identity of the source. Commenting parties may request confidential treatment for any part of the submission that the commenting party believes to be proprietary, confidential or commercially sensitive. Any such information should be clearly marked and placed in a separate annex. If the Commission grants confidential treatment it will consider, but will not publicly disclose, the information. If the Commission rejects the request for confidential treatment, it will return the information to the party that submitted it and will not consider this information as part of its review. As far as possible, parties should limit any request for confidential treatment of information submitted. The Commission will not accept any submission that requests confidential treatment of all, or a substantial part, of the submission.

ANNEX A: FLOWCHART, FILE FORMAT AND EXAMPLES

- (I) Flowchart depicting steps for individual registration/deregistration using the DNC website



(II) Format of file to be submitted for filtering with the DNC registry

1. Organisations must use the template provided on the DNC registry website to formulate their list of telemarketing numbers for submission. The template is a file format with the extension “.CSV” that can be downloaded from the DNC registry website. To open the file and input the telephone numbers, organisations can use some of the common software such as Microsoft Excel Spreadsheet or Text Editor in Microsoft Windows or Apple Numbers.
2. Organisation must save the file using the same file format extension¹². At the point of submission, the DNC registry will check that the submitted file follows the following guidelines. Files submitted without following the guidelines below will be rejected and notified immediately at the point of submission. Organisation immediately rectifies the error and resubmits.
 - only contain single column of numbers
 - exclude country code
 - contain telephone numbers that
 - are exactly 8 digits
 - commence with a ‘3’, ‘6’, ‘8’ or ‘9’
 - The file must bear the file format extension “.csv”.
 - be no larger than 10MB;
Eg. the file size of 15,000 Telephone Numbers is about 147KB

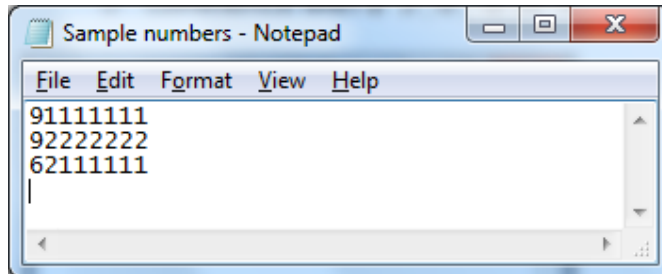
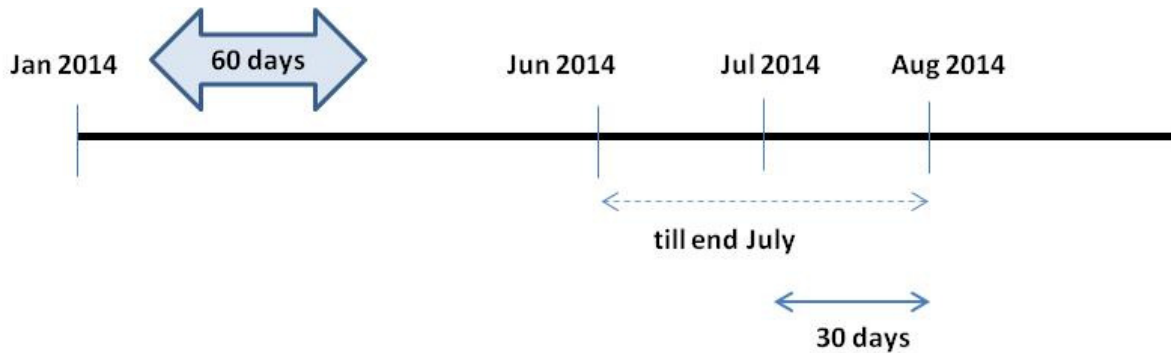


Figure A-1: Sample file format

¹² The file should be automatically saved in the file format extension

(III) More Examples on the lead-in period

1. Assuming that the DNC registry starts operation on 02/01/2014.
2. Results of checked Telephone Numbers generated during the period from 02/01/2014 to 30/05/2014 (both dates inclusive) are valid for 60 days from the date of Results returned.
3. Results of checked Telephone Numbers generated in the period 01/06/2014 to 30/06/2014 (both dates inclusive) are valid until a fixed date, which is 31/07/2014.
3. Results of checked Telephone Numbers generated on or after 01/07/2014 would be valid for only 30 days.



Scenario 1: Organisation checks from January to May

1. John registers with the DNC registry to not receive voice calls on 03/03/2014. Sharon registers with the DNC registry to not receive text message on 05/03/2014.
2. Organisation X submits a list of telephone numbers to the DNC registry for checking on 04/03/2014 2250hr. DNC registry checks the list and returns the Results on 05/03/2014 0800hrs. The validity of the Results will be valid for 60 calendar days, from 05/03/2014 to 03/05/2014 2359hrs.
3. John's Telephone Number will be reflected as 'R' in the No Voice Call register and Organisation X must not call him. However, Sharon's Telephone Number will not be in the Results and thus, Organisation X can still contact her for the next 60 days.

Scenario 2: Organisation checks in June

1. Organisation Y submits a list of telephone numbers into the DNC registry for checking on 27/06/2014 0830hrs. DNC registry checks the list and returns the result on 28/06/2014 2000hrs. The validity of the result will be valid till 31/07/2014 2359hrs.
2. Mary registers her Telephone Number with DNC registry on 29/06/2014 (after Organisation Y has checked the list). Her Telephone Number will be not in the Results received by Organisation Y on 27/06/2014 and Organisation Y can still contact her until 31/07/2014. However, John's and Sharon's Telephone Number will be reflected as 'R' in the relevant register in the Results and Organisation Y must not contact them.

Scenario 3: Organisation checks in or after July

1. Andy registers with the DNC registry to not receive fax messages on 07/07/2014.
2. Organisation Z submits a list of telephone numbers into the DNC registry for checking on 04/07/2014 0830hrs. DNC registry checks the list and returns the result on 05/07/2014 1200hrs. The validity of the result will be valid for 30 calendar days, from 05/07/2014 to 04/08/2014 2359hrs. As Andy registered his Telephone Number after Organisation Z has checked the list, Andy may still receive telemarketing messages from Organisation Z until 04/08/2014. John's, Sharon's and Mary's Telephone Numbers will be reflected as 'R' in the relevant register in the Results and Organisation Z must not contact them.

END OF DOCUMENT