

PUBLIC CONSULTATION FOR MANAGING UNSOLICITED COMMERCIAL  
MESSAGES AND THE PROVISION OF GUIDANCE TO SUPPORT  
INNOVATION IN THE DIGITAL ECONOMY(Issued 27 April 2018)

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**SUBMISSION OF COMMENTS**

**Aviva Ltd - Information Governance Working Committee**

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Instruction on Submission of Comments:

**Submission to:** [corporate@pdpc.gov.sg](mailto:corporate@pdpc.gov.sg)

**Format:** Word Document

**Subject header:** "PDPC's Public Consultation on Managing Unsolicited Commercial Messages and the Provision of Guidance to Support Innovation in the Digital Economy".

Reference Document:



Public Consultation  
for Act Review 2 (270

## Clarifications Required on the CP

<u>Paragraphs from the CP Requiring Clarification</u>	Questions / Proposals
<b>PART II: REVIEW OF DNC PROVISIONS AND THE SCA</b>	
<p>3.5 For regulatory clarity, PDPC proposes to remove the overlap and streamline the scope and applicability of the DNC and Spam Control Provisions for the sending of text messages under the New Act in the following manner:</p> <ul style="list-style-type: none"> <li>a) The DNC Provisions under the New Act will apply to unsolicited marketing text messages that are <b>sent to Singapore telephone numbers</b>, regardless of whether they are sent in bulk.</li> <li>b) The Spam Control Provisions under the New Act will be extended to apply to unsolicited commercial text messages where they are <b>addressed to IM identifiers and are sent in bulk</b>.</li> </ul>	<p>Business would like to seek clarification as to whether marketing consent is required before sending unsolicited bulk commercial messages addressed to IM identifiers under the Spam Control Provisions under the New Act.</p>
<p>3.7 The present DNC Provisions were developed at the time when social media and IM platforms were not commonly used to send commercial messages, and the consumer impact of messages sent via such platforms was not significant then. However, the technology and commercial landscape today is different, and marketing practices have evolved. Organisations are increasingly relying on social media and IM platforms (e.g., through Facebook and WeChat) as marketing channels and alternatives to traditional SMS text messaging.</p>	<p>With the evolution of technology, there will be an increasing number of IM platforms being used for marketing purposes. Thus, business would like to seek clarification on what is considered as “IM platform”?</p>
<p>3.20 PDPC proposes to <b>reduce the period for organisations to effect a withdrawal of consent to receive marketing messages under the DNC Provisions to 10 business days</b>, in line with the period for organisations to effect an unsubscribe request under the Spam Control Provisions. This will minimise potential confusion and compliance costs as organisations streamline processes for all unsubscribe and withdrawal of consent requests. This also strengthens the protection for consumers who will have their withdrawal requests to stop receiving marketing voice, text and fax messages effected more quickly.</p>	<p>Reducing the period to effect withdrawal of consent to 10 business days in fact will increase compliance costs and pose operational challenges.</p> <ul style="list-style-type: none"> <li>1) Business would need to perform more frequent checks against our internal list and DNC register before sending any marketing messages.</li> <li>2) Business would face difficulty in ensuring timely updates of the withdrawal of consent requests as it involves various business functions.</li> </ul> <p>Business would like to propose the period to remain as 30 days.</p>