



**EXPLANATORY MEMORANDUM ISSUED BY THE
THE INFO-COMMUNICATIONS DEVELOPMENT AUTHORITY OF SINGAPORE
IDA'S DECISION ON THE REVIEW OF IDA'S REGULATORY REQUIREMENT
FOR DIRECTORY SERVICES**

17 December 2013

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IDA'S DECISION ON THE REVIEW OF IDA'S REGULATORY REQUIREMENT FOR DIRECTORY SERVICES

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PART I: INTRODUCTION

1. Facilities-based operators offering fixed-line telephony services ("**Fixed-Line Operators**") in Singapore today are required by IDA under their licences to provide to their subscribers: (a) a published integrated telephone directory (which should include the directory information of all fixed-line telephone operators offering level 6 numbers in Singapore) in either printed or electronic form (e.g., CD-ROM or online), at no charge; and (b) a directory enquiry service on an integrated customer database ("**Directory Enquiry service**"), which allows their subscribers to call the operator to request for a fixed-line telephone number.
2. The published integrated telephone directories ("**Published Directories**") are commonly known as the "White Pages", which consist of two parts: a residential listing and a business listing. The Fixed-Line Operators currently engage Global Yellow Pages Limited ("**GYP**") as their contractor to produce and distribute these Published Directories. As for the Directory Enquiry service, end users can obtain directory information through an operator by dialling "100".
3. The information to be provided under these two services – the Published Directories and Directory Enquiry service (collectively referred to herein as "**Directory Services**") - generally include the names, telephone numbers and addresses of all fixed-line telephone service subscribers (except unlisted numbers).
4. In view of technology changes and shifts in consumer behaviour, evident in the declining use of Directory Services, the availability of directory information on the Internet, the pervasive use of mobile phones, as well as increasing public awareness and concerns about protection of personal data, IDA decided that it was timely to review this regulatory requirement for Directory Services. As part of its review, IDA conducted a public consultation from 18 October 2012 to 10 December 2012 (the "**Public Consultation**").
5. At the close of the Public Consultation, IDA received comments from eight respondents, namely:
 - (a) GYP;
 - (b) Kemquip Engineering ("**Kemquip**");
 - (c) M1 Limited ("**M1**");
 - (d) Singapore Telecommunications Limited ("**SingTel**");
 - (e) StarHub Limited ("**StarHub**"); and
 - (f) three members of the public.

6. In arriving at its final decision on the regulatory requirement for Directory Services, IDA also took into account views received from individuals through other channels such as REACH¹, newspaper forums² and IDA's own feedback channel³. The individuals, who provided their comments, whether through the Public Consultation or other channels, are collectively referred to herein as the "**Individual Respondents**".
7. IDA would like to thank all respondents for submitting their comments.

PART II: SUMMARY OF COMMENTS RECEIVED

8. In the Public Consultation document, IDA sought views on:
 - (a) The continued relevance of Directory Services in their current form;
 - (b) Possible options that IDA could adopt with respect to the Directory Services regulatory requirement;
 - (c) The proposal to require Fixed-Line Operators to cease charging subscribers for unlisting from the Directory Services database; and
 - (d) Whether subscribers' consent to be included in the Directory Services database should be obtained on an opt-in or opt-out basis.

Comments on the Relevance of Directory Services

9. Comments from the Fixed-Line Operators, SingTel, StarHub and M1, about the relevance of the Directory Services in today's environment were mixed. While M1 and StarHub agreed with IDA's observation on the declining demand and use of Directory Services, and viewed the regulatory requirement for Directory Services to be no longer relevant, SingTel opined that there remained a group of directory users who would require the Directory Services and suggested that IDA maintain the regulatory requirement for Directory Services for now, and that "*IDA should monitor and review the requirements should the trend of declining requests for the Directory Services continue.*"
10. GYP expressed the view that Published Directories continue to be relevant and that "*the demand for integrated directories had been stable and constant*".
11. The Individual Respondents, on the other hand, were generally of the view that the Directory Services for residential listings are no longer relevant and necessary, but the Directory Services for business listings are still relevant and therefore should be retained.

¹ REACH website is the Singapore Government's e-engagement platform for gathering public feedback and connecting with citizens.

² For example, "Printed phone directories are not eco-friendly", TODAY, 22 December 2012; and "Printed telephone directories are still relevant", TODAY, 29 December 2012.

³ Such as those sent to IDA's feedback/enquiry channel, info@ida.gov.sg.

Comments on the Possible Options for the Provision of Published Directories and Directory Enquiry Services

12. In the Public Consultation, IDA highlighted that IDA was considering several options as part of its review:
- (a) Option 1: Remove the regulatory requirement for the provision of Published Directories and Directory Enquiry service for both residential and business listings;
 - (b) Option 2: Remove the regulatory requirement for the provision of Published Directories but retain the regulatory requirement for the provision of Directory Enquiry service for both residential and business listings;
 - (c) Option 3: Remove the regulatory requirement (i.e., the provision of Published Directories and Directory Enquiry service) for residential listings but retain the regulatory requirement for business listings; and
 - (d) Option 4: Retain status quo,
- as illustrated in the table below: -

Option	Published Integrated Directories (i.e., CD-ROMs, online, or printed telephone books)		Directory Enquiry service (i.e., service 100) on an integrated customer database	
	Residential	Business	Residential	Business
1: Remove all requirements	✗	✗	✗	✗
2: Remove Published Integrated Directories; Retain Directory Enquiry Services	✗	✗	✓	✓
3: Remove all Residential Directory Services	✗	✓	✗	✓
4: Status Quo	✓	✓	✓	✓

13. IDA's preliminary proposal in the Public Consultation was to adopt Option 2 as it would retain the availability of one form of integrated Directory Service (i.e., Directory Enquiry service) to the public, while reducing the regulatory cost burden on Fixed-Line Operators and mitigating public concerns on personal data protection.
14. SingTel submitted that IDA should adopt Option 4, i.e., maintain status quo in relation to the regulatory requirement for Directory Services, as a number of

end users still chose to collect the Published Directories and the number of directory enquiries by fixed-line customers were still significant. SingTel also opined that *“there remains a large part of the Singapore population, i.e., the elderly and less technology-savvy customers, who may not be comfortable or proficient in the use of alternatives such as the Internet to search for directory information.”* With regard to IDA’s view on the increase in public concerns about personal data protection, SingTel was of the view that *“the passage of the Personal Data Protection Bill and the introduction of the Do-Not-Call Registry will address such public concerns.”*

15. On the other hand, M1 and StarHub called for the total removal of the regulatory requirement for Directory Services, i.e., Option 1, given the declining trends observed on the demand and use of the Directory Services, which indicates that the Directory Services were losing relevance due to the availability of substitutes. StarHub also highlighted that *“the cost to provide an integrated directory has increased over the years (while operators are still required to provide them at no charge)”*. Nonetheless, M1 and StarHub were prepared to accept IDA’s proposed Option 2, with M1 proposing that IDA retain the Directory Enquiry service for business listings only. In addition, StarHub opined that a reasonable charge for the use of the Directory Enquiry service should be allowed.
16. Similar to SingTel, GYP *“strongly advocate[d] the retention of the status quo”*, i.e., Option 4, citing reasons including the need to maintain a free-of-charge telephone directory service for the *“vulnerable communities”*, that the free Published Directories (which would be removed under Option 2) and the Directory Enquiry service (which would be retained under Option 2) were not perfect substitutes for one another, and that the value of maintaining an integrated database for the Directory Enquiry service under IDA’s proposed Option 2 should also be maximised by making the Published Directories (whether in printed or electronic form) available to the public.
17. Individual Respondents were generally concerned about personal privacy issues and the relevance of Directory Services, in particular, the Published Directories, which gave the public unbridled access to residential telephone numbers and addresses. They were of the view that the regulatory requirement on Directory Services for residential listings should be removed.
18. On the other hand, most Individual Respondents opined that it would be important to retain the Directory Services for business listings, given that it would still serve as a useful source of business information. Some called for the retention of Published Directories for business listings in printed form in order to cater to the needs of the users who were not IT-savvy, and would therefore still rely on the printed business directories for information. One Individual Respondent observed that *“many small and medium sized companies do not have a web presence so it is still crucial to have a business listings phone book”*. However, another Individual Respondent commented that printed telephone directories were not environmentally friendly and should be removed. In summary, Individual Respondents generally supported

Option 3, i.e., to retain the regulatory requirement for business directories only.

19. Two Individual Respondents opined that the Published Directories and the Directory Enquiry service were not substitutes for each other, as the latter was chargeable and did not allow the user to search for the numbers when he/she was unsure about the exact name of the individual/company.

Comments on Requiring Operators to Cease Charging Subscribers for Number Unlisting

20. In addition, IDA proposed in the Public Consultation to require Fixed-Line Operators to allow subscribers to opt-out (i.e., “unlist”) from the Directory Services database (so that the subscriber’s directory information would not be searchable under the Directory Services) at no charge, whether at the point of signing up for the fixed-line service, or subsequently at any point during their subscription with the Fixed-Line Operators. This means that Fixed-Line Operators should cease the current practice of imposing any recurring charges on their subscribers for unlisting from the Directory Services database (“**Number Unlisting Service**”).
21. The three Fixed-Line Operators were not supportive of IDA’s proposal to cease charging for the Number Unlisting Service as they claimed that costs would be incurred to ensure that the relevant directory information is not included in the directory database. StarHub cautioned that if the Fixed-Line Operators were to cease charging for the Number Unlisting Service, this would likely result in a surge in unlisting requests from subscribers and IDA should hence take note that any new requirement “*could not be implemented overnight*”.
22. However, StarHub was willing to consider allowing subscribers to unlist from the directory database free-of-charge if the subscriber unlists at the point of signing up for the fixed-line service. In addition, instead of the current recurring charge for unlisting, StarHub suggested that this could be changed to a one-time charge.
23. On the other hand, GYP and the Individual Respondents were supportive of IDA’s proposal to allow subscribers to opt-out from the Directory Services database and to require Fixed-Line Operators to stop charging for the Number Unlisting Service. To support its preference for Option 4, GYP was willing to be the central registry for subscribers to unlist from the directory database without charge.

Comments on Requiring Operators to Obtain Subscribers’ Consent to be included in the Directory Services Database on an Opt-in or Opt-out Basis

24. In the Public Consultation, IDA also invited views and comments on whether IDA should require the Fixed-Line Operators to obtain subscribers’ consent to be included in the Directory Services database:-

- (a) on an opt-in (i.e., the subscriber would need to explicitly give consent to be included in the database) basis; or
 - (b) on an opt-out basis (i.e., the subscriber would be included in the Directory Services database by default unless the subscriber took action to opt-out from it).
25. Both M1 and SingTel were of the view that subscribers' inclusion in the Directory Services database should continue to be on an opt-out basis, given that the Fixed-Line Operators were not required to obtain subscribers' consent for the information to be included in the database in order to comply with current regulatory requirement. SingTel also cautioned against adopting an opt-in approach, which would likely result in the Directory Services being incomplete and not serving its purpose for directory information searches.
26. StarHub, however, supported an opt-in approach where subscribers should give their consent to be included in the database, as this would be "*consistent with the regulatory principles in the Telecom Competition Code and the Personal Data Protection Act, in which a customer's consent is generally required for the use of his/her personal data.*" Correspondingly, the cost of providing the Number Unlisting Service would be avoided. However, StarHub noted that "*it would not be feasible to require all existing fixed-line customers to opt-in again for the inclusion of their directory information in the Directory Services*" and that "*transitional arrangements for existing customers*" should be implemented if an opt-in approach were to be adopted.
27. GYP opined that an opt-in approach be adopted to be aligned with the Do-Not-Call registry which would require the subscriber to explicitly request to be registered.

Other Comments Received

28. An issue regarding junk faxes was raised in the Public Consultation by Kemquip who requested that IDA include "*some regulations against fax centres that send out faxes/emails on behalf of clients*" as the listing of business numbers could invite junk faxes.

PART III: IDA'S DECISION

29. IDA has carefully considered all the comments received in the Public Consultation. IDA's assessment and final decision are set out in the following sections.

IDA's Policy Objective

30. As mentioned in paragraph 4 of this Explanatory Memorandum, IDA's objective of reviewing the regulatory requirement for Directory Services is to determine its relevance in view of technology and market changes, and also changes in consumer behaviour and needs over the decades since the

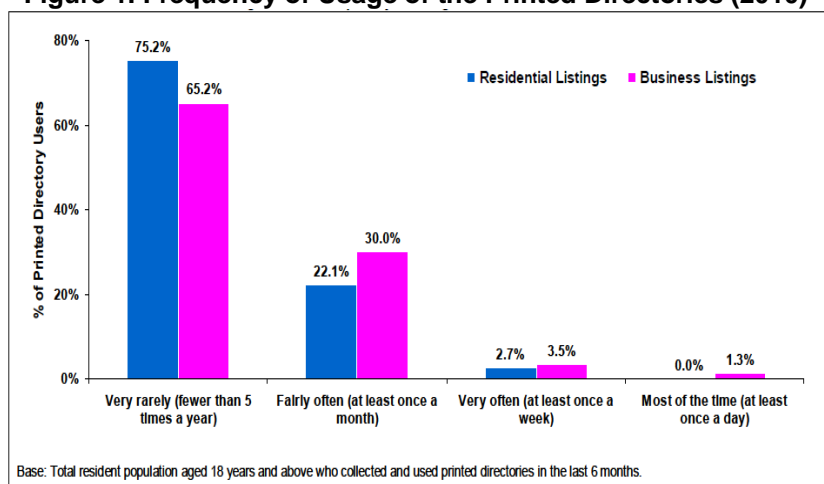
regulatory requirement was first introduced. In arriving at its decision, IDA sought to balance the interests of users of the Directory Services, the concerns for greater personal data protection of subscribers whose information is included in the Directory Services database, as well as the Fixed-Line Operators who are currently obligated under their licences to provide the Directory Services.

Remove Published Directories Requirement for Residential Listings

- 31. Having reviewed the comments from the Public Consultation, IDA has decided to remove the regulatory requirement for the provision of Published Directories for residential listings.

- 32. As noted in IDA’s Public Consultation document, the collection and use of printed directories have declined significantly over the years. Statistics from the Fixed-Line Operators show that collection of the printed directories has fallen by more than 80% over the last five years, for both Residential and Business listings, to below 140,000 copies in 2011. Based on IDA’s household survey⁴, the percentage of respondents who used printed directories had also reduced by more than half from 22.1% (in 2007 when the survey was last conducted) to 10.3% (in 2010). Of those who used printed directories, more than 75% reported using the *residential* printed directory very rarely (i.e., fewer than 5 times a year).

Figure 1. Frequency of Usage of the Printed Directories (2010)



- 33. As for Directory Enquiry service, although IDA notes the general public feedback that Directory Services for residential listings are no longer relevant, IDA has decided to retain the regulatory requirement for Fixed-Line Operators to provide the Directory Enquiry service for residential fixed-line telephone listings for now, to cater to those who may still need to search for this information. Unlike the Published Directories, the Directory Enquiry service is less likely to invoke privacy concerns as the enquirer would first need to know the identity of the party whose information he is seeking. As such enquiries are made on a per-request, per-number basis, it would not be easy for parties

⁴ The Consumer Awareness and Satisfaction Survey 2010.

to mine subscribers' information for their own commercial use or for telemarketing purposes. Directory Enquiry services are also less likely to be misused by parties with malicious or mischievous intent. IDA is therefore of the view that limiting the regulatory requirement for residential Directory Services to the Directory Enquiry service only, combined with the requirement for Fixed-Line Operators to cease charging for the Number Unlisting Service (see paragraph 42), will mitigate concerns from individuals regarding the protection of personal data.

34. IDA recognises that the Fixed-Line Operators may be receiving a very low number of directory enquiries for residential listings today⁵, partly due to the availability of the Published Directories for residential listings currently. With the removal of the Published Directories regulatory requirement for residential listings, more people might turn to the Directory Enquiry service to search for residential listings. IDA will continue to monitor the relevance of the Directory Enquiry service regulatory requirement for residential listings and will review this requirement at the appropriate time.
35. To be clear, while IDA will be removing the regulatory requirement on Fixed-Line Operators to provide Published Directories for residential listings, the Fixed-Line Operators are not prevented from offering directory services on a voluntary/commercial basis to the public, if they so wish.
36. For the avoidance of doubt, the Fixed-Line Operators (and their data intermediaries, if any) will have to comply with the Personal Data Protection Act ("PDPA") to obtain subscribers' consent for the collection, use and disclosure of their data regardless of whether the directory services provided are pursuant to IDA's regulatory requirement or are of their own voluntary/commercial offerings (unless relevant exemptions in the PDPA apply).

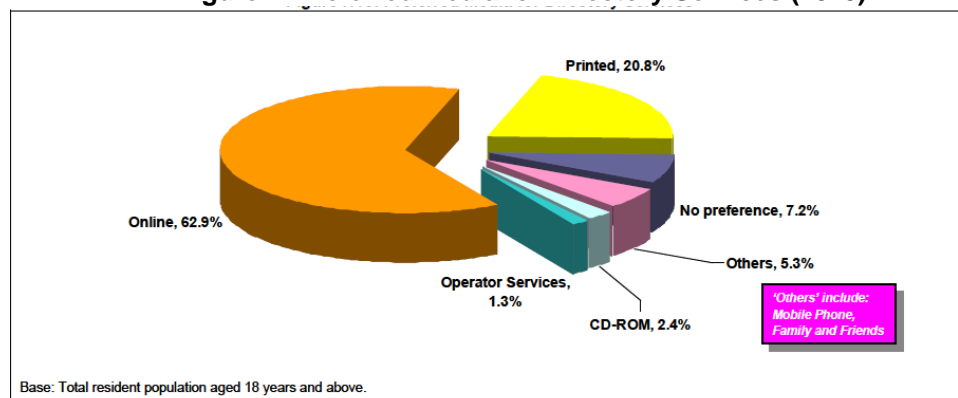
Retain Regulatory Requirement for Business Listings

37. While IDA had earlier proposed in the Public Consultation to remove the regulatory requirement on Published Directories (whether in printed or electronic format) for business listings under Option 2, there appears to be a general consensus from Individual Respondents that the Published Directories for business listings remain relevant and useful, given the "search" capability, and that they do not regard the Directory Enquiry service as a perfect substitute. To this end, given the comparatively higher demand for business contact information, IDA has decided to retain the regulatory requirement (i.e., the provision of the Published Directory and the Directory Enquiry service) for business listings for now.

⁵ Based on a quick sampling performed by the Fixed-Line Operators, more than 99% of all directory enquiries received were in relation to business listings.

38. While IDA noted in its Public Consultation document that demand for the Directory Enquiry service has declined significantly⁶, about 1.3 million directory enquiries were received in 2011, out of which more than 99% was for business listings (based on sampling).
39. As mentioned in paragraph 1, today, the Fixed-Line Operators may provide the Published Directories in either printed or electronic form (CD-ROM or online). Nonetheless, the Fixed-Line Operators generally print limited copies of telephone books to be provided to subscribers upon request. While IDA notes that a small group of the Individual Respondents have specifically requested for IDA to retain the Published Directories in printed form, there are also opposing views which highlight that printed directories are not environmentally friendly, and that an online search directory would suffice. As noted earlier in IDA's Public Consultation paper, countries such as Hong Kong and several states in the United States of America have already removed the requirement for operators to provide printed directories, citing low usage and environmental concerns. Moreover, based on IDA's household survey, more than 6 in 10 respondents preferred using the online medium (compared to other media such as printed directories or CD-ROM) to search for contact information (see Figure 2 below).

Figure 2. Preferred Media for Directory Services (2010)



40. Therefore, IDA will continue to allow the Fixed-Line Operators to decide which medium to use for the provision of the Published Directories for business listings, whether it is in printed form, in CD-ROMs, or published online.
41. To be clear, regardless of the medium which Published Directories for business listings are provided, the Fixed-Line Operator must ensure that it makes available at least one copy to each of its residential and business Fixed-Line subscribers who requests for it, free-of-charge. This is independent of whether the subscriber is listed, or has unlisted himself/herself from the Directory Services database.

⁶ The number of directory enquiries per annum received from fixed-line subscribers fell by 54% from 2008 to 1.3 million requests in 2011. The majority of these Directory Enquiry users (69% in 2010) use the service very rarely (i.e., fewer than 5 times a year).

Operators to Provide Three Free Directory Enquiries Per Fixed-Line Subscriber Per Month

42. In view of the removal of the regulatory requirement on Published Directories for residential listings, IDA has decided to require the Fixed-Line Operators to offer three free directory enquiries per month⁷ to each of their fixed-line subscribers⁸. The three free directory enquiries can be used by fixed-line subscribers to enquire on both public residential fixed-line telephone listings and public business fixed-line telephone listings.
43. As noted in IDA's Public Consultation document, based on IDA's household survey, the majority of printed directories users (65%) and Directory Enquiry service users (69%) reported using the printed directories and Directory Enquiry service very rarely (i.e., fewer than 5 times a year). IDA is therefore of the view that three free directory enquiries per month is more than sufficient for the average directory user. IDA is also of the view that the cost to Fixed-Line Operators for offering each subscriber three free directory enquiries per month can be offset from cost savings arising from the changes to the regulatory requirement for Directory Services. IDA will monitor the usage of the free directory enquiries, and review this requirement if necessary.

Operators to Obtain Subscribers' Consent to be Listed or Unlisted at the Point of Service Subscription

44. IDA has decided to require the Fixed-Line Operators to expressly obtain the subscribers' consent whether they choose to be included in (i.e., "listed") or excluded from (i.e., "unlisted") the Directory Services database at the point of service subscription. The Fixed-Line Operator shall not charge the subscriber for selecting either option. If a subscriber chooses to be listed, his/her information will be available under the Published Directories and/or Directory Enquiry service. If a subscriber chooses to be unlisted, his/her information will not be available under the Published Directories and/or Directory Enquiry service. If the subscriber chooses to be unlisted at the point of service subscription, the subscriber shall be deemed to have exercised his/her right to the one-time free Number Unlisting Service (see paragraphs 47 to 52 below).
45. For the avoidance of doubt, this requirement to obtain subscribers' consent at the point of service subscription will also apply to any directory services that the Fixed-Line Operators choose to offer on a voluntary/commercial basis.
46. IDA will not require the Fixed-Line Operators to seek consent again from their **existing** subscribers on whether they choose to be listed in or unlisted from the Directory Services database. This is to avoid inconvenience to existing

⁷ This means that each fixed-line subscriber is entitled to three free directory enquiry requests each month. For example, when a fixed-line subscriber requests for three fixed-line listings in one month (i.e., through service "100"), the subscriber would have used up the three free directory enquiries for that particular month. Fixed-Line Operators will be allowed to charge for subsequent directory enquiry requests from that fixed-line subscriber in that month.

⁸ There is no requirement for the three free directory enquiries each month to be accumulated to subsequent months if unused for a particular month.

subscribers and to reduce the administrative burden on the Fixed-Line Operators. As one of the Fixed-Line Operators had commented in response to IDA's Public Consultation, "*it would not be feasible to require all existing fixed-line customers to opt-in again for the inclusion of their directory information in the Directory Services*". However, existing listed subscribers who wish to be unlisted from the Directory Services database may contact their Fixed-Line Operators to unlist free-of-charge (see next section below).

Operators to Cease Charging Subscribers for Number Unlisting and to Offer Fixed-Line Subscribers a One-Time Free-of-Charge Number Unlisting Service

47. IDA has decided to require Fixed-Line Operators to allow subscribers to have a one-time, free-of-charge unlisting option from the Directory Services database. This means that Fixed-Line Operators should not impose any recurring charges to subscribers who request for their fixed-line telephone numbers to be unlisted from the Directories Services database. Consequently, Fixed-Line Operators who are currently charging their existing fixed-line subscribers a recurring charge for the Number Unlisting Service must cease charging their subscribers. IDA notes that the "free unlisting" proposal was supported by the Individual Respondents in the Public Consultation. As IDA acknowledged in the Public Consultation document, while free unlisting might encourage more subscribers to unlist from the Directory Services database, resulting in a less complete Directory Service, this should be balanced with the subscribers' need for greater control over their personal data, and to withdraw their personal data from any directory services database at no charge.
48. In response to the Fixed-Line Operators' feedback that they should be allowed to charge for unlisting numbers, to recover the costs they incur in ensuring that the relevant subscribers' information is not included in the Directory Services database, IDA is of the view that the cost savings to the Fixed-Line Operators as a result of the changes to the regulatory requirement for Directory Services as described above (i.e., the removal of the Published Directories requirement for residential listings) can be used to offset any costs they incur for the free Number Unlisting Service. Moreover, as mentioned in the Public Consultation document, business subscribers are unlikely to request for their numbers to be unlisted even if it is offered free-of-charge due to the benefits of being included in the directories, e.g., to be contactable by potential customers.
49. IDA will therefore require Fixed-Line Operators to allow subscribers a one-time free-of-charge unlisting of their telephone numbers from the Directory Services database. This requirement to allow subscribers a one-time free-of-charge unlisting will also apply to any directory services that the Fixed-Line Operator chooses to offer on a voluntary/commercial basis.
50. To address the situation where a subscriber changes his mind frequently (e.g., requests to be unlisted but subsequently requests to be listed again), IDA will allow the Fixed-Line Operator to charge a nominal one-time

administrative fee for subsequent listing or unlisting requests by the subscriber.

51. Notwithstanding the requirement for Fixed-Line Operators to provide a one-time free-of-charge Number Unlisting Service for their fixed-line telephone subscribers, existing and first time listings (i.e., for a subscriber to be “listed”) in the Directory Services database are to remain free-of-charge, which is the existing practice.
52. Taken together, the requirements in this and the previous sections are intended to strike a balance between minimising the administrative burden to Fixed-Line Operators and addressing the personal data concerns of individuals. The following examples serve to clarify how the requirements in this and the previous sections will work in practice.

Example A: An existing fixed-line subscriber is currently listed in the Directory Services database. The subscriber can now request to be unlisted from the Directory Services database at no charge (free-of-charge for the first time). If the subscriber subsequently decides to be listed again, the Fixed-Line Operator may charge the subscriber a nominal one-time fee to be included in the Directory Services database again.

Example B: An existing fixed-line subscriber is currently listed in the Directory Services database. If the subscriber does not take any action to unlist his/her information from the Directory Services, the Fixed-Line Operator may continue to include his/her information in the Directory Services database (including any directory services offered by the Fixed-Line Operator on a voluntary/commercial basis). The Fixed-Line Operator is not allowed to charge the subscriber for continuing to be listed in the Directory Services database.

Example C: Mr X decides to subscribe to a new fixed-line service from Operator A. At the point of service subscription, Operator A must obtain Mr X’s consent to be listed in or unlisted from the Directory Services database. A few possible scenarios are illustrated below:-

- (i) Mr X decides not to be listed. Operator A must not include Mr X’s information in the Directory Services database and cannot charge Mr X for this decision. This will count towards the one-time free-of-charge unlisting requirement from IDA. Mr X’s information will not be available to those who use the Published Directories or Directory Enquiry service to search for Mr X.
- (ii) Mr X decides to be listed. Operator A will include Mr X’s information in the Directory Services database and cannot charge Mr X for this decision. Mr X’s information will be available to those who use the Published Directories or Directory Enquiry service to search for Mr X.
- (iii) Mr X decides not to be listed. Operator A must not include Mr X’s information in the Directory Services database and cannot charge Mr X

for this decision. Mr X subsequently decides to be listed. Operator A shall include Mr X's information in the Directory Services database and may charge Mr X a nominal one-time administrative fee for his subsequent decision to be listed; and

- (iv) Mr X decides to be listed. Operator A will include Mr X's information in the Directory Services database and cannot charge Mr X for this decision. Mr X subsequently decides to be unlisted. Operator A shall remove Mr X's information in the Directory Services database at no charge since it is Mr X's first number unlisting request.

Example D: Mr X is currently unlisted in the Directory Services database. Mr X would have been paying a monthly-recurring fee to his Fixed-Line Operator for the Number Unlisting Service from the Directory Services database. Now, the Fixed-Line Operator has to cease charging Mr X for the Number Unlisting Service. If Mr X subsequently decides to be listed once again, the Fixed-Line Operator may charge Mr X a nominal one-time fee to be included in the Directory Services database again.

Operators to Exchange Subscriber Information Directly with One Another

- 53. To facilitate the provision of Directory Services to meet IDA's regulatory requirement, Fixed-Line Operators are reminded of their duty under sub-section 5.7.4 of the Telecom Competition Code and under their licence to assist in the provision of integrated directories and Directory Enquiry service. Sub-section 5.7.4 of the Telecom Competition Code requires Licensees providing voice telephony service over a wireline network (i.e., Fixed-Line Operators) to exchange the names, addresses and telephone numbers of its subscribers with other wireline Licensees for the purpose of providing integrated directories and Directory Enquiry service. Their licence condition further specifies that the data so exchanged will be free of charge although the Licensee may recover the cost of facilitating such exchanges of data, subject to IDA's approval and applicable Codes of Practice.
- 54. In this regard, the Fixed-Line Operators should establish the necessary processes for them to exchange the relevant subscriber information directly with one another (and not through a third party) to allow the operators the flexibility to undertake the provision of Directory Services themselves or to engage their own third-party contractor to do so. Notwithstanding this obligation, Fixed-Line Operators may choose to mutually agree to appoint a common third-party contractor to facilitate this exchange of information. For the avoidance of doubt, the obligation to exchange the relevant subscriber data applies only to Directory Services that are provided pursuant to IDA's regulatory requirement, and not to those offered on voluntary/commercial basis.

PART IV: CONCLUSION

55. In summary, IDA's final decision in relation to the Directory Services are:

- (a) Remove the regulatory requirement for the provision of Published Directories for residential listings;
- (b) Retain the regulatory requirement for the provision of Published Directories for business listings;
- (c) Retain the regulatory requirement for the provision of Directory Enquiry service for both residential and business listings;

See table below:-

Published Integrated Directories (i.e., CD-ROM, online, or printed telephone books)		Directory Enquiry Service on an integrated customer database (i.e., service 100)	
Residential	Business	Residential	Business
✗	✓	✓	✓

- (d) Fixed-Line Operators are required to offer three free directory enquiries per month to each fixed-line subscriber. The three free directory enquiries can be used by fixed-line subscribers to enquire on both public residential fixed-line telephone listings and public business fixed-line telephone listings;
- (e) Fixed-Line Operators are to provide a one-time, free-of-charge Number Unlisting Service for both their residential and business subscribers, regardless of whether the directory services provided are pursuant to IDA's regulatory requirement or are of their own voluntary/commercial offerings;
- (f) Fixed-Line Operators are to obtain the subscribers' consent whether they choose to be included in (i.e., "listed") or excluded from (i.e., "unlisted") the Directory Services database at the point of service subscription. The Fixed-Line Operator shall not charge the subscriber for selecting either option. If the subscriber chooses to be *unlisted* at the point of service subscription, the subscriber shall be deemed to have exercised his/her right to the one-time free Number Unlisting Service;
- (g) Fixed-Line Operators are to cease the current practice of charging their subscribers a recurring fee for the Number Unlisting Service;
- (h) Where a subscriber changes his mind frequently (e.g., requests to be unlisted but subsequently requests to be listed again), IDA will allow the

Fixed-Line Operator to charge a nominal one-time administrative fee for subsequent listing or unlisting requests by the subscriber;

- (i) Existing subscribers who choose to remain listed in the Directory Services and new subscribers who choose to be listed in the Directory Services at the point of service subscription will not be charged for the listing service, which is the current practice;
 - (j) For the avoidance of doubt, the Fixed-Line Operators (and their data intermediaries, if any) will have to comply with the PDPA to obtain subscribers' consent for the collection, use and disclosure of their data regardless of whether the directory services provided are pursuant to IDA's regulatory requirement or are of their own voluntary/commercial offerings (unless relevant exemptions in the PDPA apply); and
 - (k) Fixed-Line Operators are to exchange their relevant subscriber information directly with one another (and not through a third party) to facilitate the provision of Directory Services pursuant to IDA's regulatory requirement unless Fixed-Line Operators mutually agree to appoint a common third-party contractor to facilitate this exchange of information.
56. Arising from the above decision, IDA will make consequential changes to the appropriate licences held by the Fixed-Line Operators. The foregoing changes will be implemented with effect from 1 April 2014⁹.

⁹ Fixed-Line Operators are not required to change the current publication cycle of the Published Directories, so long as the Published Directories for business listings (which is still required by IDA) is provided to fixed-line subscribers by the end of each calendar year.