
**REVIEW OF END-USER SERVICE INFORMATION
PROVISIONS IN THE CODE OF PRACTICE FOR
COMPETITION IN THE PROVISION OF
TELECOMMUNICATION SERVICES 2012**

**Submission by StarHub Ltd to the
Info-communications Development Authority of Singapore**

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1. StarHub Ltd (“**StarHub**”) thanks the Info-communications Development Authority of Singapore (the “**Authority**”) for the opportunity to comment on its review of the End-User Service Information (“**EUSI**”) provisions in the Code of Practice for Competition in the Provision of Telecommunication Services 2012 (the “**Code**”). StarHub agrees that this review is timely, in order to streamline the Code provisions for consistency with the Personal Data Protection Act (“**PDPA**”).

2. StarHub is generally agreeable with the Authority’s proposed changes. Where we have concerns or require clarifications on the Authority’s proposals, these are set-out in the sections below.

Question 1

IDA seeks views and comments on the proposed framework for EUSI of residential subscribers.

Removal of exemption for “complying with any regulatory requirements imposed by IDA authorising the use of EUSI”

3. StarHub notes that the Authority’s requests for EUSI of residential subscribers may not always be issued pursuant to its powers under the Telecommunications Act (the “**Act**”). Most commonly, this occurs when the Authority requests EUSI to handle end-user feedback. In such cases, it is not clear if sub-section 4.6(a) of the PDPA provides the necessary exemption for licensees from compliance with the PDPA.

4. StarHub would therefore appreciate the Authority’s clarification as to whether the current exemption needs to be modified to allow licensees to disclose all residential subscribers EUSI requested by the Authority (whether pursuant to the Act or otherwise).

Question 2

IDA seeks views and comments on the proposed amendments to sub-section 3.2.6.2 of the Code for EUSI of business subscribers.

5. StarHub believes that not all information belonging to business subscribers will fall outside of the PDPA. For example, end-users who register for “corporate” plans are classified as business subscribers. However, such end-users may be taking-up services for personal use. The data obtained from these businesses subscribers may constitute “personal data” as defined under the PDPA. It is therefore important to consider any changes to the Code EUSI provisions, relating to business subscribers, in this context.

Removal of exemption “for managing bad debt and preventing fraud related to the provision of Services”

6. We strongly disagree with the Authority’s proposal to remove this exemption, and with the Authority’s conclusion that “*there are few use cases pertaining to bad debt and fraud matters for EUSI of business subscribers*”. There is no clear evidence that bad debt / fraud management is less of a concern when dealing with business subscribers. In fact, as business subscribers may have a larger spend on telecoms services, any cases of bad debt could involve substantially larger sums.

7. Furthermore, as highlighted above, end-users on “corporate” plans are considered as business subscribers, but are typically taking-up services for their own personal use. Therefore, the boundaries between “business subscribers” and “residential customers” may be blurred. There does not appear to be any reason to suggest that such end-users are any less prone to bad debt / fraud issues as compared to residential subscribers.

8. It is therefore impractical, and unreasonable, for licensees to have to seek business subscribers’ consent for the use and disclosure of their EUSI as part of the licensees’ bad debt / fraud management processes. We strongly believe that the existing exemption for managing of bad debt and preventing fraud should remain.

Inclusion of exemption for in-bound roamers

9. StarHub believes that an exemption for the provision of roaming-related information and charges to in-bound roamers is necessary, in relation to the use of the EUSI of business subscribers. As highlighted above, it is not clear that there is no “personal data” associated with business subscribers. Furthermore, it would be difficult for licensees in Singapore to even ascertain whether inbound roamers (who are subscribers of an overseas operator) are considered residential or business subscribers. To ensure that licensees do not run afoul of the PDPA, we would suggest that this exemption should apply for **all** in-bound roamers.

Question 3

IDA seeks views and comments on the proposal to retain sub-section 3.3.7 of the Code (with consequential amendments) to govern EUSI of business subscribers.

10. StarHub has no objections to the Authority’s proposal to remove the reference to EUSI of residential subscribers in sub-section 3.3.7 of the Code. As for the consequential amendments pertaining to EUSI of business subscribers (arising from the proposed changes to sub-section 3.2.6.2 of the Code), StarHub would refer the Authority to our comments above.