

Dear Sir/Madam

The proposed opt-out regime seeks to distinguish between legitimate spam (unsolicited commercial e-mails that meet proposed minimum standards) and illegitimate spam (spam that do not meet such standards). I find this distinction unacceptable.

Spam is unsolicited - and that is what is most objectionable about it. It does not matter whether unsolicited e-mails then meet certain standards or not - they remain unsolicited (like *junk mail* in our letterboxes), and thus objectionable. If I wish to be confronted with advertising material, I know where I can access them, and I do so out of my own free will. So I might buy a copy of The Straits Times, turn to TV or cable channels that run commercials, use Internet search engines to access commercial sites that offer products and services I am interested in, and doing all these while fully aware that they offer advertisements and commercials that I wish to access. However, when I access my e-mail with no wish to be greeted with advertising material, I should not have to contend with them being there without my asking for them.

Legitimate marketers have the use of print, broadcast and other mass media to promote their wares and services in the first instance. Their potential clients access these mass media fully aware that they will be greeted with advertising material. And if they choose to use the services of marketers via their e-mail accounts, they can indicate that they are willing to communicate via e-mail, and the limits of such interaction can then be set between them.

E-mail users who have no wish to be greeted by marketers - illegitimate or otherwise - should not be made to do so by any proposed anti-spam legislation. E-mail should simply not be used as an advertising medium, period. Contrary to your claims, this will not have any significant impact on e-commerce because, as argued in the previous paragraph, e-commerce does not have to be triggered by marketing via e-mail.

I do not support the proposed opt-out regime because: (1) it lowers the quality of life, and (2) it WILL FAIL to contain spamming; in fact, it will even encourage spamming.

(1) Spamming lowers our quality of life. I liken e-mail spam to the unsolicited mail that litter and spill out of my letterbox every day. Many annoyed residents all over the island are already making a statement to the authorities and spammers by deliberately littering the letterbox lobbies with them. Before the scourge of spamming, opening the letterbox used to be a pleasurable experience - I remember the joy of finding surprise greeting cards and of finally receiving mail articles that I had asked for. (Bills in the letterbox are a different thing - unlike unsolicited mail, we can exercise control over them.) These days, however, merely approaching the letterbox lobby fills me with dread - the place is often testimony to the anger of residents over what they find in their letterboxes. Even the conscientious cleaner is fighting a losing battle. In the same way, e-mail spam litter our inboxes and make what should have remained an enjoyable experience a frustrating and time-consuming chore. Why should we allow a pleasurable experience to be turned into a daily battle with what we can control but won't?

(2) The opt-out regime Will Fail. Many spammers are not legitimate businesses and organisations. While the opt-out regime can work for spam from, say, a bank where I have an account, opting out of being spammed by most others will only make us a laughing stock to these unscrupulous businesses. Those of us who have used filtering programmes are aware that such spammers have ways of disguising their addresses and subjects. The opt-out regime, by accepting spamming as a necessary evil - or worse, as a way of promoting e-commerce, effectively encourages spammers to continue to find ways of dodging and circumventing efforts to contain them.

Consumers should retain control over the contexts in which they would like to be greeted by mail advertising and canvassing. We should be able to choose whether to access between a medium that contains advertisements and another which is advertisement-free.

We should kill spam, not merely contain it.

Regards
Cedric Leong