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Mr Andrew Haire  
Assistant Director-General (Telecoms)  
Infocomm Development Authority of Singapore  
8 Temasek Boulevard  
#14-00 Suntec Tower Three  
Singapore 038988  
E-mail: spamcontrol@ida.gov.sg

Dear Sirs:

We are faculty members at the NUS School of Computing, and are recognized for our research into privacy. See, for instance, <http://www.comp.nus.edu.sg/~lung/privacy.html>, and in particular, our survey on the economics of privacy. The following are our personal views and are not representative of the National University of Singapore.

Generally, we support the provisions in the proposed Spam Control Act. We are pleased to provide the following comments on two provisions.

1. Opt-in to mobile spam. The proposed Act encompasses spam to mobile phones, and rightly so. We recommend that the Act adopt an *opt-in* regime for unsolicited commercial solicitations to mobile phones. Our reasons are that users may be required to pay to receive messages when roaming overseas, and even for local messages if service providers should change their pricing policies. The Act should be robust to changes in business practices.
2. Email receipts. We recommend that the Act explicitly prohibit senders of unsolicited emails from seeking email receipt. As your consultation paper states at 3.27(a), respondents are concerned about the confirmation of valid email addresses as this might generate more spam. Email receipt increases this threat and also imposes costs on recipients.
3. Right of class action. Section 14 provides that “any person, who has suffered loss or damage as a result of any transmission of electronic messages” the right of civil action. However, as your consultation paper states at 3.14: “it would not be cost-effective and economical for individuals to institute legal action. Further, an individual may not have sufficient resources to gather evidence in order to institute legal action.” Accordingly, we suggest that the Act provide for the right of *class action*, whereby any individual may sue on behalf of the class of harmed individuals.

4. Telemarketing. We recommend that the Act be extended to cover unsolicited telemarketing to mobile phones. Our reason is the harm caused by an unsolicited voice call is much higher than that by an unsolicited email or mobile message. Currently, all mobile phone service providers impose roaming charges on voice calls that are received overseas, and under particular price plans, charges for receiving calls domestically. It is unfair for mobile phone users to bear the expense of receiving unsolicited voice calls.

Yours truly,

Hui Kai-lung  
Assistant Professor

I.P.L. Png, Nominated MP  
Kwan Im Thong Hood Cho Temple Professor