

In my humble opinion.

LIST OF QUESTIONS

Q1. What are the considerations that should determine whether a communication is solicited or unsolicited?

A1. Whether the recipient has subscribed to a mailing list, either by email or some other written form of acceptance, eg. on a lucky draw coupon.

Q2. What are the considerations that should determine whether a communication is commercial?

A2. Examples would be introduction of products, invitations to seminars, solicitation of funds.

Q3. Should there be exclusions from the definition of spam?

A3. Intracompany email.

Q4. Do you agree that the proposed legislation should apply to all email messages regardless of the technology used to access them?

A4. Yes

Q5. Do you agree that the proposed legislation should apply only to spam transmitted in bulk?

A5. Yes

Q6. What are the considerations that determine whether e-mail messages have been transmitted in bulk?

A6. More than a certain number of messages per hour or day. Email addresses that were generated by dictionary attacks or automated spamming tools, or purchased.

Q7. Do you agree that the proposed legislation should apply to spam sent from or received in Singapore?

A7. Yes

Q8. Do you agree that the person commissioning or procuring spam should also be liable under the proposed legislation?

A8. Yes

Q9. Would you agree that an opt-out regime for spam control is more beneficial to Singapore as a regional IT and commercial hub?

A9. No

Q10. What is a reasonable time period for compliance with opt-out requests?

A10. If opt-out is the method allowed, 48hours.

Q11. Are these minimum standards sufficient?

A11. Yes

Q12. Are the recommended labelling requirements sufficient? Is '[ADV]' an appropriate label? Should there be any other requirement?

A12. I think Labelling is ineffective.

Q13. Do you agree that ISPs should be empowered to commence legal action for unlawful spam?

A13. Yes.

Q14. What would be an appropriate quantum for the computation of statutory damages? For instance, would \$1 for every unlawful spam e-mail sent be adequate? Should there be a cap on the quantum of statutory damages that can be awarded by the court?

A14. \$50 for every unlawful spam e-mail sent. No cap.

Q15. Do you agree that ISPs should be allowed to take legal action against the spammer who uses dictionary attacks or automated spamming tools without having to prove that the e-mails fail to comply with the minimum requirements?

A15. Yes

Q16. Who do you think should draft the code of practice?

A16. IDA

Q17. What should the code of practice cover?

A17. IDA

Q18. Who should enforce the code of practice?

A18. IDA

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