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Dear Sir,

Re: Proposed Spam Control Bill

For email spamming, we are receiving 90% of the spam from oversea. Only less than 10% comes from local. And usually if it's local, it's often quite relevant. It will be interesting to know of some exhibition is coming soon. Therefore, we will suggest that IDA should regulate spam only from oversea and not local.

For SMS spamming, we have our view below:

SMS is paid advertising and cost per transmission is significantly higher than of fax transmission and telemarketing. Existence of external routes which advertisers take advantage of due to its anonymity. These external routes bypass the local Telco's and make it hard and almost impossible to track the spammer. We can only tell from the service that they are advertising.

A few questions which we would like to see the Authority's clarification:

How is the Authority going to regulate a scenario whereby someone decides to sabotage a competitor by spamming on behalf of the competitor?

Should a mobile marketing company lease out their interface to a third party content provider and that particular content provider breached the Spam Control Law, who will be held liable legally?

Our suggestions to the Authority are:

That a proper opt-out option be imposed on every message sent to the consumer whether by means of SMS, a customer service helpline or calling the Telco's' helpline.

Impose on the Telco's to be more active in spam control by blocking incoming SMS from external routes (oversea SMS).



Impose on mobile marketers to go to the local Telco's for purchase of bulk SMS. So that all SMS send out will be monitored by local Telco's.

Appoint a neutral agency to maintain a central database for the Telco's or Authority so that a management system is in place for the Authority to monitor and weed out errant marketers.

We will like the new spamming bill to exclude SMS broadcast originated locally. Unlike email broadcast which is a free form of advertising, SMS broadcast incur a cost. It's like giving out flyers. SMS marketer will be more than glad to remove customers who do not want to receive promotions or advertising messages, since it will only reduce the cost for the marketer by taking these numbers out of the database.

The problem here as we could see, is the customers that receive the SMS have no way to inform the marketer to remove them. This is the main cause of frustration of a person receiving a promotional SMS. If the Telco's know where the SMS originate from, they will be able to help inform the marketer to remove these numbers.

With millions of SMS send out daily from marketer, it directly contributes substantial revenue for the Telco's in Singapore. If 500,000 SMS are send out daily only through local Telco's, that contribute to 9 million dollars a year given an average price of 5 cents per SMS. This money should goes to local Telco boosting the telecom sector economy. It should not go to oversea Telco's. That reinforces our suggestions on encouraging blocking of oversea route SMS, but not local route SMS.

Definitely, email and SMS broadcast have been effective in convincing a customer to buy their services or products. If it's ineffective, marketers will not have continued doing it. If customer are spending on such services or product, it shows that it help the local economy and encourage more people to spend.

All in all, spamming need to be regulated. But the law should be fair to the marketers. If done the right way, email or SMS broadcast could still benefit marketers, consumers and the local economy.

Regards,

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