

Question 1 : What are the consideration that should determine whether a communication is solicited or unsolicited ?

In my own opinions, those e-mail that are sent from people you know are consider solicited. Unsolicited one are those containing pornography, fast bucks, more hair, bigger breast, smaller waist, slimming pills, enlargement of penis, fake university degrees.

Question 2: What are the considerations that should be determine whether a communication is commercial ?

There is no way to prove this.

Question 3: Should there be exclusions from the definition of spam ?

If the total number mails sent out is less than one thousand e-mail accounts. If mails are not sent in bulks.

Question 4: Do you agree that the proposed legislation should apply all e-mail messages regardless of the technology used to access them ?

I do not agreed on this. We should based on the technology used to access them, as those are key of growth on spamming.

Question 5: Do you agree that the proposed legislation should apply only to spam transmitted in bulk ?

Yes, spam should be based on transmitted in bulk.

Question 6: What are the considerations that determine whether e-mail messages have been transmitted in bulk ?

Bulk definition is more than one thousand accounts.

Question 7: Do you agree that the proposed legislation should apply to spam sent from or received in Singapore ?

Does this make sense since more than 70% of spam mail are usually sent from outside Singapore ?

Question 8: Do you agree that the person commissioning or procuring spam should also be liable under the proposed legislation ?

This is cross geographical and border question, are we able to enforce proposed legislation when this person is not located in Singapore ? Or this is making things

very difficult for our people in this country ? Our first thought should this law is to help to protect our country man or not otherwise.

Question 9: Would you agree that an opt-out regime for spam control is more beneficial to Singapore as a regional IT and commercial hub ?

Yes, I strongly feel that an opt-out is better for Singapore. But it is difficult to control how opt-out can work efficiently, there are something we can think about.

Question 10: What is a reasonable time period for compliance with opt-out requests ?

If there is a good answer how we achieve the opt-out, then we can set a time to it. While I think one year may seem too long.

Question 11: Are these minimum standards sufficient ?

Yes, for this moment, I think the greatest problem here is we do not have a single department to deal with this in a long run.

Question 12: Are the recommended labeling requirements sufficient ? Is [ADV] an appropriate label ? Should there be any other requirement ?

It is an education process for this to be included for sender of mass mailing in the subject header. But it would be funny when you add it more like [JOKES]. I like to think this will be easier if everyone is helping one another, by including [ADV] for subject related to marketing/advertisement or sales related.

Question 13: Do you agree that ISPs should be empowered to commence legal action for unlawful spam ?

How to make sure ISP do not abuse it, was my first thought ? But my heart feel strongly for the business affected by this change. ISP is a to provide a service not law enforcer.

i put it simply, when you need to clear the trays in the fast food restaurants, and if the fast food restaurant impose a penalty what do you think it would make choice of selecting an local ISP, maybe in the business way this will drive customer away. We should treat people like an adult and with respect that these people who use e-mail are mature individual.

Question 14: What would be an appropriate quantum for the computation of statutory damages ? For instance, would \$1 for every unlawful spam sent be adequate ? Should there be a cap on the quantum of statutory damages that can be awarded by the court ?

How do we measure damage ?

For all I know these are difficult to determine damages. How can we put in value based on \$1 or \$0.01 ? We need understand what was the intention of setting up a damage cost ? But these involved too many factors and business or laws to be complicating IT issues. But if the intention is to set warning, then fixed amount \$50 \$100 will work like parking fines.

Question 15: Do you agree that ISPs should be allowed to take legal action against spammer who uses dictionary attacks or automated spamming tools without having to prove that the e-mails fail to comply with the minimum requirements ?

Can we take actions for spam mail from Yahoo or Hotmail or any other free web e-mail accounts provider ? Like most survey concludes most spam occurred outside singapore or using an overseas ISP. This is not necessary.

Question 16: Who do you think should draft the code of practice ?

By Singaporeans, while I agreed we have a high number of foreign talents who can write fantastic documents about the code of practice, all we like to know is how this will affected the business is conducted in Singapore. A singaporean team will make us think harder how code of practice will benefit Singapore rather than for sake of joining the world of anti-spamming but losing some business competition. How it affects our life, and one known problem of most Singaporean, the lack of creativity. With more rules/laws it will limit the "think out of the box", Singaporean, which is a bad thing for Singapore.

The team of people should have a passion for the country and thinking the best of the interest for the country and his country man.

The boom of Internet is basically a new freedom of communication, restriction maybe good but it just change the way communication works in the Internet. Spam first started as early as April 1994 (when two US lawyers sent their advertisement to 8000 USENET newsgroup) or maybe earlier than that but I have find no records. SPAM is something started and die of after some time. For example, the viagra was a hot topic, and it die off after a while. Given the current economic condition, many small businesses are depending on mass e-mailing, in hope to get some response for an interest to their products or services. How many times, you will get a salesman calling you for new product or know their product better introduction, that is also something wasting your time? But these days the cost of engaging manpower to direct marketing is high, if this is affecting the cost of running business.

EDB are spending lot of money to attract new technology companies to start and setup HQ in Singapore . I hope the law or code of practice will not make Singapore a less favourable place for new technology start-up company.

Question 17: What should the code of practice code covers?

Public education is the most important factor to reduce spam, and to understand this is a issue we cannot solve overnight. Continous effort and a department may be setup

based on the IT security should be a long term plan.

Question 18: Who should enforce the code of practice ?

I would suggest a council to be setup based on IT security. From there we should be able to start a department for IT security enforcer.

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