



**CONSULTATION PAPER ISSUED BY THE  
INFO-COMMUNICATIONS DEVELOPMENT AUTHORITY OF SINGAPORE**

**REVIEW OF END USER SERVICE INFORMATION PROVISIONS IN THE CODE  
OF PRACTICE FOR COMPETITION IN THE PROVISION OF  
TELECOMMUNICATION SERVICES 2012**

**23 January 2014**

- PART I: INTRODUCTION**
- PART II: PROPOSED AMENDMENTS TO SUB-SECTION 3.2.6.2 OF THE CODE**
- PART III: PROPOSED AMENDMENTS TO SUB-SECTION 3.3.7 OF THE CODE**
- PART IV: INVITATION TO COMMENT**

## CONSULTATION DOCUMENT

### PUBLIC CONSULTATION ON THE REVIEW OF END USER SERVICE INFORMATION PROVISIONS IN THE CODE OF PRACTICE FOR COMPETITION IN THE PROVISION OF TELECOMMUNICATION SERVICES 2012

23 January 2014

#### PART I: INTRODUCTION

1. The Code of Practice for Competition in the Provision of Telecommunication Services (the “**Code**”) was first introduced in Singapore following the liberalisation of the telecommunication sector on 1 April 2000 (and subsequently revised in 2005 and 2012), with the intent of facilitating fair and sustainable competition in the telecommunications markets. In the Code, section 3 on ‘Duty of Licensees To Their End Users’ governs the use of End User Service Information (“**EUSI**”) in the telecommunication sector.
2. As defined in the Code, EUSI consists of all the information obtained by a telecommunication licensee as a result of an end user’s use of a telecommunication service provided by the licensee. This includes, but is not limited to, information such as the end user’s name, address, and telephone number, as well as information generated from the use of the telecommunication services, such as location information, call patterns and billing history. In addition, the term ‘End User’ as used in the Code is defined in section 1.9 as residential or business telecommunication service subscribers. Currently, licensees may not use EUSI without the end user’s consent for any purpose other than the specific circumstances stated in the Code sub-section 3.2.6.2. All licensees must also provide End User Service Agreements (“**EUSA**”) between the licensee and end users governing the usage of EUSI, including the conditions by which end users’ consent need not be sought for the use of EUSI.
3. In 2012, the Personal Data Protection Act (“**PDPA**”) was introduced in Singapore. The PDPA is the baseline legislation governing the collection, use and disclosure of personal data in Singapore by organisations. The data protection provisions in the PDPA are scheduled to come into force on 2 July 2014. Among others, the PDPA requires organisations to obtain an individual’s consent for the collection, use or disclosure of personal data for reasonable purposes. In addition, the PDPA provides exceptions for two main categories of situations where an individual’s consent need not be obtained: (i) where the collection, use or disclosure without consent is authorised or required under any other written law, or where the PDPA is inconsistent with the other written law whereby the latter shall prevail; or (ii) under specifically prescribed circumstances in the Second to Fourth Schedules of the PDPA.
4. The framework within the Code governing EUSI is similar to the PDPA’s regime requiring an individual’s consent to be sought for the use of personal data. In addition, some of the exceptions provided in the PDPA that allow organisations to collect, use or disclose personal data without the individual’s

consent are similar to the circumstances prescribed in sub-section 3.2.6.2 of the Code. With the personal data provisions of the PDPA coming into effect in July 2014, IDA views that it is timely to review and streamline sub-section 3.2.6.2 of the Code to provide clarity to the public and industry as telecommunication licensees are required to comply with both the Code and the PDPA.

5. This consultation document summarises IDA's proposed revisions to the Code provisions governing EUSI, IDA's rationale for the proposed amendments, and the procedures and timeframes for the public to submit their views and comments.

## **PART II: PROPOSED AMENDMENTS TO SUB-SECTION 3.2.6.2 OF THE CODE**

6. Sub-section 3.2.6.2 describes the duty of a licensee to ensure that procedures are taken to ensure that unless the end user has provided consent, the licensee will not use EUSI for any purpose other than in the following specific circumstances listed under sub-section 3.2.6.2(a):
  - (i) Planning, provisioning and billing for any service provided by the licensee;
  - (ii) Managing bad debt and preventing fraud related to the provision of services;
  - (iii) Facilitating interconnection and inter-operability between licensees for the provision of services;
  - (iv) Providing assistance to law enforcement, judicial or other government agencies; and/or
  - (v) Complying with any regulatory requirement imposed by IDA authorising the use of EUSI.

In addition, sub-section 3.2.6.2(b) stipulates that licensees are required to seek end users' consent before disclosing their EUSI to any third party (including its Affiliates) for the purposes of developing and marketing any goods or services.

### **Proposed framework for EUSI of residential subscribers**

7. IDA proposes that personal data within the scope of EUSI should be governed by the PDPA. This will ensure a consistent treatment of personal data in the telecommunication sector vis-à-vis other sectors, and minimise overlaps and uncertainty in terms of compliance requirements for the telecommunication licensees.
8. Under the PDPA, 'personal data' is defined as data about an individual that allows him/her to be identified from: (i) that data; or (ii) that data or any other information which the organisation has or is likely to have access. The EUSI relating to residential end users will thus generally be protected by the PDPA. IDA has reviewed sub-section 3.2.6.2 of the Code and proposes amendments to this sub-section in relation to the use of EUSI of residential subscribers.

9. In this regard, IDA notes that the PDPA places an obligation on organisations to seek an individual's consent for the collection, use or disclosure of the individual's personal data, unless:
- (i) The collection, use or disclosure of personal data is authorised or required under a written law, which excludes any contractual obligation (PDPA sub-section 4.6(a));
  - (ii) The provisions provided by another written law is inconsistent with the provisions given in the PDPA, whereby the other written law shall prevail (PDPA sub-section 4.6(b)); or
  - (iii) Provided for specific circumstances listed in the Second to Fourth Schedules of the PDPA.
10. Therefore, in relation to EUSI of residential subscribers, IDA proposes to remove some of the specific purposes listed in paragraph 6(i)-(v) given that similar exceptions are provided in the PDPA. At the same time, IDA is cognisant of the unique circumstances in which EUSI needs to be used or disclosed for the operations of telecommunication systems and the provisioning of telecommunication services. To address these needs which are not specifically provided as exceptions to the requirement to obtain consent for the collection, use and disclosure of personal data in the PDPA, IDA proposes to authorise telecommunication licensees to use EUSI of residential subscribers without the subscriber's consent for such specific activities to facilitate the operations of telecommunication systems and the provision of telecommunication services.

Proposed removal of specific circumstances listed in sub-section 3.2.6.2 in relation to EUSI of residential subscribers

11. With regard to the specific purposes listed in 6(ii), (iv) and (v) above, IDA has assessed that similar exceptions to the PDPA's consent obligation provided in sub-section 4.6 of the PDPA and in the Second to Fourth Schedules of the PDPA can cover the policy intent of these purposes:
- (i) For managing bad debt and preventing fraud related to the provision of telecommunication services – some of such circumstances are provided in the Second to Fourth Schedules of the PDPA where: (i) organisations can collect, use or disclose personal data to recover a debt owned by the individual to the organisation or for the organisation to pay to the individual a debt owed by the organisation; (ii) the personal data is collected or disclosed by a credit bureau from a member of the credit bureau to create a credit report, or by a member of the credit bureau from a credit report provided by the credit bureau to that member in relation to a transaction between the member and the individual; or (iii) organisations can collect, use or disclose personal data for any investigation or proceedings.
  - (ii) For providing assistance to law enforcement, judicial or other government agencies – some of such circumstances are provided in the Second to

Fourth Schedules of the PDPA where organisations can collect, use or disclose personal data: (i) to respond to an emergency that threatens the life, health or safety of the individual or another individual; (ii) in the national interest; (iii) for any investigation or proceedings; or (iv) where disclosure is to a public agency and is necessary in the public interest.

- (iii) For complying with any regulatory requirement imposed by IDA authorising the use of EUSI – the collection, use and disclosure of personal data by licensees for the purposes of complying with IDA’s regulatory requirements is permitted under the PDPA sub-section 4.6(a) given that IDA’s regulatory requirements are imposed pursuant to the Telecommunications Act (“**TA**”).

Proposed authorisations of specific circumstances for the collection, use and disclosure of EUSI of residential subscribers without consent

12. For the purpose listed in 6(i), IDA is proposing to remove the reference to “provisioning” of service and “billing” as IDA notes that consent can be obtained or deemed by the individual’s signing up to the telecommunication service, and required by the telecommunication licensee as a condition for providing the telecommunication service. There is thus no need for licensees to be authorised under the Code to collect or use EUSI of residential subscribers for provisioning of, or billing for, telecommunication services without consent.
13. In the case of “planning” for telecommunication services, IDA recognises that licensees may need to carry out network planning and manage network operations on a regular basis in order to provide the telecommunication service to end users and this may involve the use of EUSI. For example, licensees may need to collect and use (in aggregate form) individuals’ network usage information to plan or manage network capacities. While licensees’ may seek the consent of their subscribers for the use of such data, it may be impractical and unnecessary for licensees to be faced with the uncertainty that consent may be withheld or withdrawn. Hence, IDA proposes that licensees be authorised to collect and use EUSI of residential subscribers for activities involving “planning” for telecommunication services.
14. Nonetheless, IDA recognises that greater clarity on the scope of “planning” is necessary as a wide spectrum of activities can fall under “planning”. For example, market research and product development can be deemed “planning” for business development. However, such business development “planning” are not used for network operations and management purposes. Hence, IDA is proposing that the scope of “planning” should only encompass activities necessary for the provisioning and maintenance of the telecommunication service that is subscribed by the subscribers or to achieve a certain Quality of Service (“**QoS**”) as stipulated by IDA’s QoS standards. Therefore, IDA proposes that licensees be authorised to collect and use EUSI of residential subscribers without consent for “planning requirements”, and limit the scope of “planning requirements” to network operations and maintenance. This includes activities to maintain network performance (e.g.,

managing network congestion, resolve service outage), network enhancements (e.g., upgrading the network capacity or capabilities) and any activities required to achieve IDA's QoS standards.

15. For the avoidance of doubt, the authorisation does not extend to the disclosure of EUSI of residential subscribers to third parties without the subscriber's consent for network planning purposes. IDA does not believe that it would be necessary for telecommunication licensees to disclose such personal data outside of their organisations for network planning, apart from disclosures that are necessarily part of the licensee's own use, such as to a network sub-contractor appointed by the licensee.
16. In the case of 6(iii), interconnection and inter-operability is a regulatory requirement by IDA required under written law. As the PDPA provides that the individual's consent is not required for the collection, use or disclosure of personal data where such collection, use or disclosure without consent is required or authorised under written law, IDA's interconnection and inter-operability regulatory requirement falls under this PDPA exception from seeking an individual's consent. However, there are cases where IDA has exempted interconnection and inter-operability as a regulatory requirement, but licensees may still wish to interconnect and would need to use EUSI for such purposes. Similar to "planning" activities for network operations and maintenance as explained above, IDA assessed that it would be impractical for telecommunication licensees to seek end users' consent for such technical matters which are inherent aspects of telecommunication service provisioning. Therefore, IDA proposes that licensees be authorised to collect, use and disclose EUSI of residential subscribers without consent for the purpose of interconnection and inter-operability. IDA notes that as activities enabling interconnection and inter-operability may involve the sending of end users' personal data such as telephone numbers<sup>1</sup> between telecommunication licensees<sup>2</sup>, the authorisation has to cover 'disclosure' activities in addition to 'collection' and 'use'.
17. IDA has also reviewed the need to authorise telecommunication licensees to collect and use EUSI of residential subscribers without consent, in relation to the provision of mobile roaming services and the sending of roaming-related information to end users. There are two types of roaming end users: (i) out-bound roamers which refer to Singapore-based mobile end users roaming in foreign jurisdictions, and (ii) in-bound roamers which refer to foreign jurisdictions' mobile end users roaming in Singapore. For the case of out-bound roamers, IDA assessed that our local mobile telecommunication licensees can reasonably obtain end users' consent for the provision of their personal data to foreign mobile operators, as a condition of the local mobile telecommunication licensees' provision of roaming services to these end users. Hence, there is no reason to specially authorise local

---

<sup>1</sup> Which in some instances could constitute personal data.

<sup>2</sup> For example, in opening up of number levels (in interconnection), the licensee requesting for the opening of number levels has to send a list of telephone numbers to the other licensee; in facilitating number portability, a licensee would need to send the end user's (who has requested for number portability) telephone number to the licensee which is receiving the ported-in subscriber.

telecommunication licensees to collect and use local end users' personal data without consent for the provision of roaming services and roaming-related information and charges.

18. Related to the personal data of in-bound roamers, the "Proposed Advisory Guidelines on the Personal Data Protection Act for the Telecommunication Sector" issued by the Personal Data Protection Commission ("**PDPC**") considers that local mobile telecommunication licensees can qualify as data intermediaries of foreign mobile operators and be subject to fewer obligations under the PDPA, depending on the contractual agreement between both parties. The PDPA provides that a data intermediary<sup>3</sup> that processes personal data on behalf of and for the purposes of another organisation pursuant to a contract which is evidenced or made in writing, will only be subject to the PDPA provisions relating to protection of personal data and retention of personal data. As such, local mobile telecommunication licensees, acting in the capacity of data intermediaries of the foreign mobile operators pursuant to a written contract, would not be required to seek consent from in-bound roamers before providing roaming services or using the in-bound roamers' mobile telephony numbers to send roaming-related information and charges on behalf of and for the purposes of the foreign mobile operators pursuant to roaming contractual agreements with these foreign mobile operators.
19. However, the local mobile telecommunication licensees would fall out of definition as a data intermediary and be required to comply with all the PDPA obligations (i.e. to seek consent for the collection, use, or disclosure of personal data) if they send information beyond what has been contractually agreed with the foreign mobile operator (e.g. about an alternative roaming service provided by the local mobile telecommunication licensee but not provided by the foreign mobile operator) to the in-bound roamers. In such scenarios, if an in-bound roamer does not provide, or withdraws, consent, the local mobile telecommunication licensee would have to cease collecting and using the in-bound roamer's personal data for the provision of such roaming-related information. IDA views that this would be impractical for the local mobile licensees as they would already have access to the in-bound roamers' mobile telephone numbers once the in-bound roamers enter Singapore, and they would not be able to seek consent from the in-bound roamers to collect their telephone numbers prior to their arrival in Singapore.
20. Separately, IDA recognises that there are merits in enabling mobile licensees to disclose the personal data of in-bound roamers to other telecommunication licensees for the provision of roaming-related information. Such arrangements may facilitate possible contractual agreements between the service providers of roaming services (i.e. mobile network operators and mobile virtual network operators) in the provision of roaming services and related information, thereby increasing transparency, end user awareness and potentially cheaper roaming services in the long-term.

---

<sup>3</sup> 'Data intermediary' is defined in the PDPA as an organisation which processes personal data on behalf of another organisation but does not include an employee of that organisation.

21. In essence, IDA views that roaming-related information and charges from local mobile licensees would be beneficial to in-bound roamers, helping to raise their awareness of the suite of roaming services available, and improve transparency on roaming charges. Hence, IDA proposes that local mobile licensees be authorised to collect, use, and disclose (to other telecommunication licensees) the personal data of in-bound roamers to send roaming-related information and charges, without consent of the in-bound roamers. In this context, roaming-related information includes information such as: (i) the preferred roaming partners in the foreign jurisdiction; (ii) charges for voice, messaging and data services to the in-bound roamer's home country, within Singapore and to any third countries; and (iii) the alternative roaming options available to the subscriber such as alternative call-back options or roaming rate-capped bundles. IDA will monitor feedback regarding the licensees' use of in-bound roamers' personal data to ensure that only roaming-related information, and not other unrelated marketing messages, are sent to in-bound roamers.

#### Other amendments

22. Other than the proposals above, IDA does not propose to regulate licensees' collection, use or disclosure of EUSI of residential subscribers in any other aspect as these would be governed under the PDPA. Hence, sub-section 3.2.6.2(b) of the Code prohibiting disclosure of EUSI to third parties is no longer necessary in relation to EUSI of residential subscribers since such safeguards are provided under the PDPA.

#### **Maintain existing framework for EUSI of business subscribers**

23. All the above proposed amendments **relate only to EUSI of residential subscribers, which generally is personal data**. For the EUSI of business subscribers, IDA proposes to retain the current framework in sub-section 3.2.6.2 of the Code. This means that licensees will continue to be prohibited from using EUSI of business subscribers without the end user's consent, unless for the purposes specified under the Code.
24. However, IDA is of the view that there are few use cases pertaining to bad debt and fraud matters for EUSI of business subscribers. IDA has not observed that telecommunication licensees need to use or disclose EUSI belonging to their business subscribers for debt recovery or fraud management. Hence, IDA proposes to remove the specified purpose on 'managing bad debt and preventing fraud related to the provision of telecommunication services' from the current framework in the Code.
25. Therefore, while IDA proposes to retain the current framework in sub-section 3.2.6.2 of the Code in relation to EUSI of business subscribers, IDA will align the specified purpose in paragraph 6(i) with the recommendations above on the authorisation scope of "planning purposes" for EUSI of residential subscribers but remove the specified purpose pertaining to bad debt and fraud prevention:



- (i) Specified purpose in paragraph 6(i): To remove the “provisioning” and “billing” purposes as licensees can reasonably seek consent for such purposes;
- (ii) Specified purpose in paragraph 6(i): To scope the “planning” purpose to network operations and maintenance only, as only these type of planning activities are important for the operation of telecommunication networks and provisioning of services; and
- (iii) To remove the specified purpose in paragraph 6(ii): managing bad debt and preventing fraud related to the provision of telecommunication services.

IDA also seeks views on whether an exemption from end users’ consent in relation to provision of roaming-related information and charges to in-bound roamers is relevant for the EUSI of business subscribers, since in-bound roamers will generally be subscribers of foreign telecommunication operators rather than business subscribers of local licensees.

26. In addition, sub-section 3.2.6.2(b) of the Code prohibiting disclosure of EUSI to third parties will also be maintained in relation to EUSI of business subscribers.

## **Summary**

27. In summary, IDA proposes the following:

### **EUSI of residential subscribers**

- (i) To facilitate the operations of telecommunication networks and the provisioning of telecommunication services, licensees will be authorised to:
  - a) Collect and use EUSI of residential subscribers without consent for “planning requirements”, but limit the scope of such “planning requirements” to network operations and maintenance;
  - b) Collect, use and disclose EUSI of residential subscribers without consent for interconnection and inter-operability purposes; and
  - c) Collect, use and disclose EUSI of residential subscribers without consent to send roaming-related information and charges to in-bound roamers.
- (ii) To rely on the PDPA to govern the collection, use and disclosure of EUSI of residential subscribers for any other purposes not mentioned above.

### **EUSI of business subscribers**

- (iii) To maintain the current sub-section 3.2.6.2 of the Code to govern the use of EUSI of business subscribers, but with the following amendments:
  - a) To remove the “provisioning” and “billing” purposes;

- b) To scope the “planning” purpose to network operations and maintenance; and
- c) To remove the specified purpose pertaining to managing bad debt and preventing fraud related to the provision of services.

28. The draft of the revised sub-section 3.2.6.2 is attached as **ANNEX A** of this consultation document.

**Question 1**

*IDA seeks views and comments on the proposed framework for EUSI of residential subscribers.*

**Question 2**

*IDA seeks views and comments on the proposed amendments to sub-section 3.2.6.2 of the Code for EUSI of business subscribers.*

### **PART III: PROPOSED AMENDMENTS TO SUB-SECTION 3.3.7 OF THE CODE**

29. Currently, sub-section 3.3.7 of the Code requires licensees to state in the EUSA that:
- (i) Unless the end user has provided consent, the licensee will use the EUSI only for the purposes specified in sub-section 3.2.6.2 (i.e., those listed in paragraph 6(i)-(v) above); and
  - (ii) The additional purposes which the licensee may use EUSI for, and the means by which the end user can grant consent or withdraw consent for such purposes. In this regard, the licensee cannot impose any fee on the end user as a result of the end user's withdrawal of consent.
30. In relation to EUSI of residential subscribers, IDA proposes that the reference to EUSI of residential subscribers in sub-section 3.3.7 be removed as such obligations are provided under section 16 and 19 of the PDPA. For EUSI of business subscribers, IDA proposes to retain these requirements under sub-section 3.3.7, save for the consequential amendments necessary given the proposed changes to sub-section 3.2.6.2 listed in Part II of this consultation document in relation to EUSI of business subscribers:
- (i) To remove the "provisioning" and "billing" purposes;
  - (ii) To scope the "planning" purpose to network operations and maintenance; and
  - (iii) To remove the specified purpose pertaining to managing bad debt and preventing fraud related to the provision of services.

As mentioned in paragraph 25, IDA also seeks views on whether licensees require an exemption from end user's consent for the provision of roaming-related information and charges to in-bound roamers, in relation to the use of the EUSI of business subscribers.

31. The draft of the revised sub-section 3.3.7 is attached as **ANNEX B** of this consultation document.

#### **Question 3**

*IDA seeks views and comments on the proposal to retain sub-section 3.3.7 of the Code (with consequential amendments) to govern EUSI of business subscribers.*

## **PART IV: PROCEDURES AND TIMEFRAME FOR SUBMITTING COMMENTS**

32. IDA would like to seek the views and comments from the industry and members of the public on the proposals set out in this consultation document.
33. Parties that submit their views or comments regarding the issues identified in this consultation document should organise their submissions as follows: (a) cover page (including their personal/company particulars and contact information); (b) table of contents; (c) summary of major points; (d) statement of interest; (e) comments; and (f) conclusion. Supporting materials may be placed as an annex to the comments raised.
34. All views and comments should be submitted in both hard and soft copies (in Microsoft Word or PDF format), and should reach IDA **by 12 noon 28 February 2014**. All views and comments should be addressed to:

Ms. Aileen Chia  
Deputy Director General (Telecoms & Post)  
Infocomm Development Authority of Singapore  
10 Pasir Panjang Road  
#10-01 Mapletree Business City  
Singapore 117438

Fax: (65) 6211 2116

### **AND**

Please submit your soft copies, with the email header "Public Consultation on the Review of EUSI provisions in the Code 2012", via email to [IDA\\_consultation@ida.gov.sg](mailto:IDA_consultation@ida.gov.sg).

35. IDA reserves the right to make public all or parts of any written submission and to disclose the identity of the source. Commenting parties may request confidential treatment for any part of the submission that the commenting party believes to be proprietary, confidential or commercially sensitive. Any such information should be clearly marked and placed in a separate annex. If IDA grants confidential treatment it will consider, but will not publicly disclose, the information. If IDA rejects the request for confidential treatment, it will return the information to the party that submitted it and will not consider this information as part of its review. As far as possible, parties should limit any request for confidential treatment of information submitted. IDA will not accept any submission that requests confidential treatment of all, or a substantial part, of the submission.

**REVISED DRAFT OF TCC SUB-SECTION 3.2.6.2**

**3.2.6.2 Use of EUSI**

*Business End User<sup>4</sup>*

(a) A Licensee must adopt appropriate procedures to ensure that, unless a Business End User has provided prior consent, the Licensee will not use EUSI of the Business End User for any purpose other than:

- (i) for planning requirements in relation to network operations or network maintenance for any Service provided by the Licensee, excluding commercially-driven activities such as market and product research or development;
- (ii) for facilitating interconnection and inter-operability between Licensees for the provision of Services;
- (iii) for the provision of assistance to law enforcement, judicial or other government agencies; and/or
- (iv) for compliance with any regulatory requirement imposed by IDA authorising the use of EUSI (for example, for the provision of directory assistance services).

(b) The Licensee must further ensure that, unless the Business End User has provided consent, the Licensee will not provide the EUSI of the Business End User to any third party (including its Affiliates) for the purposes of developing and marketing any goods or services.

*Residential End User<sup>5</sup>*

(c) Notwithstanding whether a Residential End User's consent has been obtained, a Licensee may collect, use or disclose, as the case may be, the EUSI of a Residential End User for any of the following purposes:

- (i) collection or use of Residential End User's EUSI as may be reasonably necessary for planning requirements in relation to network operations or network maintenance for any Service provided by the Licensee, excluding commercially-driven activities such as market and product research or development;
- (ii) collection, use or disclosure of Residential End User's EUSI as may be reasonably necessary for facilitating interconnection and inter-operability between Licensees for the provision of Services; and/or

---

<sup>4</sup> "Business End User" refers to a business subscriber of any Service in Singapore.

<sup>5</sup> "Residential End User" refers to a residential subscriber of any Service in Singapore, and for purposes of Sub-section 3.2.6.2(c)(iii), includes a user of any Service in Singapore.

- (iii) collection, use or disclosure of Residential End User's EUSI as may be reasonably necessary for the provision of mobile Roaming-related Information<sup>6</sup> to in-bound mobile roaming customers in Singapore.

(d) For the avoidance of doubt, the Licensee shall act in accordance with, or as permitted under, any applicable laws relating to the use of Personal Data<sup>7</sup> for all other purposes.

---

<sup>6</sup> "Roaming-related Information" includes: (i) the preferred roaming partners in the foreign jurisdiction; (ii) charges for voice, messaging and data services to the in-bound roamer's home country, in Singapore and to any third countries; or (ii) the alternative roaming options available to the subscriber such as alternative call-back options or roaming rate-capped bundles.

<sup>7</sup> "Personal Data" shall have the same meaning as in the Personal Data Protection Act 2012.

**REVISED DRAFT OF TCC SUB-SECTION 3.3.7**

**3.3.7 Use of Business End User's EUSI**

The End User Service Agreement must contain procedures regarding the Licensee's use of the EUSI of a Business End User<sup>8</sup>. In particular:

(a) The End User Service Agreement must provide that, unless the Business End User has provided consent, the Licensee will use the EUSI of the Business End User only for the purposes specified in Sub-section 3.2.6.2(a) of this Code.

(b) The End User Service Agreement must specify:

- (i) the means by which a Business End User can grant the Licensee consent to use its EUSI for purposes other than those specified in Sub-section 3.2.6.2(a) of this Code;
- (ii) the additional purposes for which, if granted consent, the Licensee may use the Business End User's EUSI; and
- (iii) the means by which a Business End User can subsequently withdraw consent to use its EUSI for purposes other than those specified in Sub-section 3.2.6.2(a) of this Code. Any such procedures must be clear and minimally burdensome. The Licensee must not impose any fee on a Business End User as a result of the Business End User's withdrawal of consent.

---

<sup>8</sup> "Business End User" refers to a business subscriber of any Service in Singapore.