

## **TCF Mobile Messaging Services Draft Code - Public consultation**

Afternoon Jackie

Further to our conversation earlier today, here are a few suggestions for the Code.

Para 4.3 - the Films, Videos, and Publications Classification Act 1993 should be added here. This Act includes requirements for the supply of rated and classified material to the public and therefore is relevant to the supply of age restricted services.

Para 12.2.2 - paragraphs e) and f) should be bullet-points as they follow from paragraph d).

Chapter 20 - We note that the recommended response times for actioning customers' unsubscribe requests are shorter than the statutory maximum period of 5 working days in the Unsolicited Electronic Messages Act 2007.

Para 20.2.3 and Para 21.1.1 - Section 11(1)(d) of the Unsolicited Electronic Messages Act provides that a functioning unsubscribe facility shall be at no cost to the recipient if the recipient uses that facility. This means that the Standard Charge for using an unsubscribe facility must be met by the provider of a subscription service.

Please don't hesitate to come back to the Department for further clarification or for comments arising from other submissions.

Regards

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