

Telecommunications Carriers' Forum

Draft Mobile Messaging Services Code Quick Reference Guide

Disclaimer

These guidelines accompany the Telecommunications Carriers' Forum (TCF) draft Mobile Messaging Services Code ("Code") and have been designed to provide an overview of:

1. Which Code clauses apply to the main types of Mobile Messaging Services (Subscription based, Non-Subscription based, Chargeable and Non-Chargeable); and
2. The key elements that must be included when advertising or promoting a Mobile Messaging Service and the key elements that should be included in mobile messages sent to customers.

These guidelines should be treated as indicative only. We recommend that you read the Code in its entirety to understand the principles, requirements and obligations for advertising or running a Mobile Messaging Service in New Zealand in accordance with the Code.

Code Clause Quick Reference Guide

| Section | Subscription | | Non-Subscription | |
|---|--------------|----------------|------------------|----------------|
| | Chargeable | Non-Chargeable | Chargeable | Non-Chargeable |
| A Introduction | | | | |
| 1 Purpose | ✓ | ✓ | ✓ | ✓ |
| 2 Scope & Objectives | ✓ | ✓ | ✓ | ✓ |
| 3 Definitions | ✓ | ✓ | ✓ | ✓ |
| B Industry Code Compliance & Administration | | | | |
| 4 Compliance with Law & other Codes | ✓ | ✓ | ✓ | ✓ |
| 5 Compliance with Code | ✓ | ✓ | ✓ | ✓ |
| 6 Risk Assessment & Human Resource Requirements | + | + | + | + |
| 7 Administration of the Code | ✓ | ✓ | ✓ | ✓ |
| C Advertising & Promotion | | | | |
| 8 All Messaging Services - Advertising & Promotion | ✓ | ✓ | ✓ | ✓ |
| 9 Chargeable Messaging Services - Advertising & Promotion | ✓ | - | ✓ | - |
| 10 All Subscription Services - Advertising & Promotion | ✓ | ✓ | - | - |
| 11 Chargeable Subscription Services - Advertising & Promotion | ✓ | - | - | - |
| 12 Service Specific Requirements - Advertising & Promotion | + | + | + | + |

Legend: ✓ = Does apply | + = May apply | - = Does not apply

| Section | Subscription | | Non-Subscription | |
|---|--------------|----------------|------------------|----------------|
| | Chargeable | Non-Chargeable | Chargeable | Non-Chargeable |
| 13 Use of Marketing Database - Advertising & Promotion | ✓ | ✓ | ✓ | ✓ |
| 14 Marketing for Children - Advertising & Promotion | ✓ | ✓ | ✓ | ✓ |
| D Customer Authorisation, Initiation and Termination | | | | |
| 15 All Messaging Services - Customer Consent & Initiation | ✓ | ✓ | ✓ | ✓ |
| 16 Chargeable Messaging Services - Customer Consent & Initiation | ✓ | - | ✓ | - |
| 17 Non-Chargeable Subscription Services - Customer Consent & Initiation | - | ✓ | - | - |
| 18 Chargeable Subscription Services - Customer Consent & Initiation | ✓ | - | - | - |
| 19 All Messaging Services - Termination of Services | ✓ | ✓ | ✓ | ✓ |
| 20 All Subscription Services - Termination of Services | ✓ | ✓ | - | - |
| 21 Chargeable Subscription Services - Termination of Services | ✓ | - | - | - |
| 22 Service Specific Requirements - Customer Authorisation, Initiation & Termination | + | + | + | + |
| E Service Operation | | | | |
| 23 Chargeable Messaging Services - Service Operation | ✓ | - | ✓ | - |
| 24 Subscription Services - Service Operation | ✓ | ✓ | - | - |
| 25 Changes to Price points or Propositions Offered on Shortcodes(s) | ✓ | ✓ | ✓ | ✓ |
| 26 Invalid Customer Request | ✓ | ✓ | ✓ | ✓ |
| 27 Failed Message Delivery at Scheduled Time | ✓ | ✓ | ✓ | ✓ |
| 28 Service Specific Requirements - Service Operation | + | + | + | + |
| 29 Database Management | ✓ | ✓ | ✓ | ✓ |
| F Customer Service & Complaints | | | | |
| 30 Helpdesk | ✓ | ✓ | ✓ | ✓ |
| 31 Principles - Customer Complaints Handling | ✓ | ✓ | ✓ | ✓ |
| 32 Process - Customer Complaints Handling | ✓ | ✓ | ✓ | ✓ |
| 33 Complaints Related to Advertising | ✓ | ✓ | ✓ | ✓ |
| 34 Escalated Complaints | ✓ | ✓ | ✓ | ✓ |

Legend: ✓ = Does apply | + = May apply | - = Does not apply

Key Elements to include when Advertising, Promoting or Sending Messages

| Section | Subscription | | Non-Subscription | |
|--|--------------|----------------|------------------|----------------|
| | Chargeable | Non-Chargeable | Chargeable | Non-Chargeable |
| ADVERTISING & PROMOTION - SUMMARY OF KEY ELEMENTS | | | | |
| Frequency of Messages | ✓ | ✓ | - | - |
| Any initial sign up cost | ✓ | ✓ | - | - |
| Price per Message | ✓ | - | ✓ | - |
| Additional Charges | ✓ | ✓ | ✓ | ✓ |
| Free phone help desk number | ✓ | - | ✓ | - |
| Helpdesk support | - | ✓ | - | ✓ |
| Terms & Conditions | ✓ | + | ✓ | + |
| Website URL | ✓ | - | ✓ | - |
| Handset Incompatibility Information | ✓ | - | ✓ | - |
| Details of the STOP command | ✓ | ✓ | - | - |
| MOBILE MESSAGES TO CUSTOMERS - SUMMARY OF KEY ELEMENTS | | | | |
| Confirm Subscription Request Message | ✓ | ✓ | - | - |
| Joined Confirmation Message | ✓ | ✓ | - | - |
| Commence with the phrase 'FreeMsg' | ✓ | - | | |
| Confirmation that customer has entered subscription service arrangement | ✓ | ✓ | - | - |
| Service name (description of service) | ✓ | ✓ | - | - |
| Subscription service cost | ✓ | - | | |
| Frequency of messages | ✓ | - | | |
| Details of the STOP command | ✓ | ✓ | - | - |
| Free phone help desk number | ✓ | - | - | - |
| Helpdesk support | - | ✓ | - | - |
| Service Operation - Messages to Customers | ✓ | ✓ | ✓ | - |
| Service name (description of service) | ✓ | - | - | - |
| Service name (description of service) where it is not implicit | | ✓ | ✓ | - |
| Details of the STOP command | ✓ | ✓ | - | - |
| Any fees or charges that apply including Data charges, if this info was not provided before the Customer first used the messaging service. | ✓ | - | ✓ | - |
| Free phone help desk number | ✓ | - | - | - |

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| Section | Subscription | | Non-Subscription | |
|--|--------------|----------------|------------------|----------------|
| | Chargeable | Non-Chargeable | Chargeable | Non-Chargeable |
| Confirmation of Having Unsubscribed | ✓ | ✓ | - | - |
| Commence with the phrase 'FreeMsg' | ✓ | - | - | - |
| Name of Subscription service | ✓ | ✓ | - | - |
| Free phone help desk number | ✓ | - | - | - |
| Helpdesk support | - | ✓ | - | - |
| \$30 Expenditure Notifications | ✓ | - | ✓ | - |
| Commence with the phrase 'FreeMsg' | ✓ | - | ✓ | - |
| \$30 spend details | ✓ | - | ✓ | - |
| Service name and/or shortcode | ✓ | - | ✓ | - |
| Free phone help desk number | ✓ | - | ✓ | - |
| Details of the STOP command | ✓ | - | - | - |
| Opt out of \$30 Expenditure notifications | ✓ | - | - | - |
| Error Notifications | ✓ | ✓ | ✓ | ✓ |
| Commence with the phrase 'FreeMsg' | ✓ | ✓ | ✓ | ✓ |
| Service name (description of service) | ✓ | ✓ | ✓ | ✓ |
| Free phone help desk number | ✓ | - | ✓ | - |
| Helpdesk support | - | ✓ | - | - |

Related Information

A copy of the draft Mobile Messaging Services Code and related information is available from:

<http://www.tcf.org.nz/m-messaging>

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