

Dear Ms. Lai,

Our comments on the subject are as follows:

#### Provision of Accurate Sender Information

6.4-requires an SMS message to display the contact no. of the sender in the first transmission of the SMS message if the message is split into 2 or more messages

Comment: To give flexibility without affecting the intended purpose of the provision i.e. messages are clear and can be located by the recipient easily, we propose to put sender information either in the first or second message.

#### Unsubscribe Facility

8.4-requires an SMS message to display the Hong Kong telephone no. serving as unsubscribe facility in the first transmission of the SMS message if the message is split into 2 or more messages

Comment: Same explanation as for 6.4. We propose to put such message either in the first or second message as long as they are clear and can be located by the recipient easily.

8.6-proposed that the sender should not drop or busy out more than 10% of the incoming calls, measured over a period of 24 hours per day for 5 consecutive calendar days for a tel no./ fax no. given as an unsubscribe facility

Comment: To set a % as an objective minimum requirement might not be practical and effective in ensuring the number given are "readily available for use". First, there is no justification/ industry standard to support 90% reachable is an acceptable level. Second, given the criteria i.e. 10%, 24 hours/day for 5 consecutive calendar days, one would expect the institutions to exercise their own internal control procedures in ascertaining such figures, let alone the system, BCPs and resources issues. Third, it does not state in the content as to how OFTA will enforce the requirements and the consequences/penalty of breaching them. Fourth, no provisions were given when situations occurred which are beyond the institutions control e.g. act of God which affects the telecommunication network. In such cases, sender shall not be liable for the non-performance. Instead of demanding a fixed % and measurable blocks in

hours and days, it is more sensible to have them replaced by "reasonable, practicable, at institution's best efforts...!"

Use of a centralised Do-not-call register applicable to all industries

Comment: To respect the consumer's basic rights in receiving marketing information on industries they are interested in, it would be more practical to maintain the list by industries where consumers are given an option to decide on the industry promotional news they would like to receive.

PrimeCredit Limited