

**Unsolicited Electronic Messages Ordinance  
Consultation on the draft Code of Practice  
Comments from Standard Chartered Bank (Hong Kong) Limited**

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1. Pre-recorded message during call idle/waiting time  
It is clear that the sender is required to observe the requirement if a pre-recorded message is sent. However, it is common for banks/service providers to play pre-recorded messages during waiting time or idle time if customer calls in for customer's services. It is suggested to clarify whether it falls within the ambit of the Ordinance in the Code of Practice or other guideline(s).
2. Authentication for unsubscribe requests  
We believe that an authentication process is necessary in order to confirm the identity of the person who makes the unsubscribe request. Would it be considered as not "convenient" if customers are required to provide further information for such purpose?
3. Do-Not-Call register  
In order to facilitate the industry to make necessary system enhancement, OFTA should provide information on the format of such registers, the daily cut-off time, the way to download, etc, as early as possible. Further, would OFTA also consider providing daily updates of the registers to banks/service providers?
4. Busy out of unsubscribe requests  
Under paragraph 8.6 of the draft Code of Practice, it is allowed to drop or busy out not more than 10% of incoming calls, measured over a period of 24 hours per day for 5 consecutive calendar days. Practically speaking, it is difficult to ascertain the numbers of unsubscribe requests as we expect that the figure of unsubscribe request will vary from time to time.
5. Call forwarding function  
From time to time, customers would forward telephone numbers, what should the sender do if an unsubscribe request is sent from a forwarded telephone number?
6. Illustrative examples  
In order to enable the industry to prepare the sender information as well as the unsubscribe statement, it is suggested that some sorts of templates/examples be provided by OFTA for reference.
7. Sharing of common telephone number  
Where the Bank has received an unsubscribe request from a specific customer, will the Bank act in breach if the Bank subsequently sends unsolicited commercial messages to another customer who shares the

same contact information (e.g. an identical phone number / fax number / email address)?

8. Grace Period

Since it takes time to have system adjustment and enhancement to cope with the requirements set out in the UEMO, it is suggested that a grace period, e.g. 6 months, should be given to the industry.

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