

Business

Enterprise SMS Portal Account Opening / Sender ID Registration Form (B)



To be duly filled by the "Brand" entity requesting Enterprise SMS Portal /Sender ID(s) from EITC

- If you are creating a new enterprise SMS portal account, fill sections A and B
- If you are only applying for a new Sender ID, fill Section B only

Section A

Company details

Company name: _____ EITC Account Number (if already registered with EITC): _____

Floor/Office number: _____ Building name/number: _____ Area/Location: _____

Emirate: _____ P.O. Box: _____

Trade License Number:

Establishment Card Number:

Nature of business:

Trade License expiry date:

Establishment Card expiry date:

DD MM YYYY

DD MM YYYY

Authorised contact details

Title: Mr. Ms. Mrs.

Role: Owner/Authorised signatory Power of attorney Letter of delegation

Full name: _____ Title/Position: _____

Mobile number: _____ Office telephone number: _____

Email: _____

Technical contact details

Enterprise SMS Portal Entity ID: (if already registered with EITC or provide below details for first time users)

Full name: _____ Title/Position: _____

Mobile number: _____ Office telephone number: _____

Email: _____

Section B

Company name: _____ EITC Account Number (if already registered with EITC): _____

Enterprise SMS Portal Entity ID: _____ Trade License Number: _____

Sender ID requests:

#	Sender ID	Sender ID category and segment	SMS content
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

Terms and Conditions:

1. Upon acceptance of this completed form only, EITC shall issue an access to Enterprise SMS Portal for sender ID registration and consent information uploads.
2. Access to the Enterprise SMS Portal shall only be provisioned on an email address provided under the technical contact details above.
3. You will have to apply for requested sender IDs individually on the Enterprise SMS Portal. New Sender ID requests can be requested through this form.
4. You authorise Bulk SMS Service Provider/Reseller to whitelist your sender IDs and submit this form on your behalf
5. You will be required to upload coloured copy of this application form along with the following documents: valid Trade License/Decree/Establishment card, (RERA/MOH/Trademarks if relevant), Emirates ID (or Passport/Visa) of Owner & Authorised Signatory, Power of Attorney or Letter of Delegation (if applicable) on the Portal.
6. Sender ID approvals shall only be processed upon document validation on the Enterprise SMS Portal. EITC reserves the right to reject any sender ID at its discretion.
7. EITC reserves the right to withdraw Your access to the Enterprise SMS Portal on breach of any the provision of the attached TRA Regulatory Policy Mobile SPAM ("Policy").
8. Consent upload information and evidence shall only be done for mobile subscribers for whom You have acquired the consent as per the Policy
9. EITC reserves the right to charge for provision of the Enterprise SMS Portal and its facilities in future based on a 30 days' notice period.
10. In case of more than 10 Sender ID, kindly re-attach a new Section B form and provide all required information along with authorised signature.

We agree to comply with all provisions of Policy. Where EITC has been instructed to terminate the Services by the TRA for breach of the Policy, we shall comply with EITC' notification to terminate the services being provided to us. We further authorise _____ to whitelist the Sender ID(s) on our behalf.

Brand Entity Name

Name of Authorised Signatory

DD

MM

YYYY

Telecommunications Regulatory Authority

United Arab Emirates
Regulatory Policy

Mobile Spam
Version No. 1.0

Issue Date: 29 March, 2020
Telecommunications Regulatory Authority
P.O. Box: 26662, Abu Dhabi, United Arab Emirates
www.tra.gov.ae

Review control

Version	Issue date	Reason for review
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1- Definitions

The terms, words, and phrases used in this Policy shall have the same meaning as are ascribed to them in the Telecommunications Law unless this Policy expressly provides for otherwise, or the context in which those terms, words and phrases are used in this Policy requires otherwise.

- 1-1 **Telecommunications Law:** means the Federal Law by Decree No. (3) of 2003 Regarding the Organisation of Telecommunications Sector, as amended.
- 1-2 **Electronic Communications:** means the communications conveyed by means of a Telecommunications Network to an Electronic Address.
- 1-3 **Electronic Address:** means a number or alphanumeric string by which a Recipient of an Electronic Communication can be identified and contacted on a particular type of Telecommunications Network;
- 1-4 **Addresses List:** means a list that consists of one or more Electronic Address.
- 1-5 **Address Harvesting:** means the collecting, capturing, and compiling of an Electronic Address by means of software, tools, technologies or other methods of generating an Electronic Address
- 1-6 **UAE Link:** means, with respect to text messages, where:
 - 1-6-1 the text messages originate in the UAE;
 - 1-6-2 the text messages originate from an individual or company physically located in the UAE;
 - 1-6-3 the device used to access the text messages is located in the UAE; and
 - 1-6-4 the Recipient of the text messages is physically present in the UAE.
- 1-7 **Mobile Text Messages:** means a message transmitted between mobile telephone devices over a Public Telecommunications Network, including but not limited to messages sent using a Short Message Service (SMS) or a Multimedia Messaging Service (MMS);
- 1-8 **Marketing Text Messages:** means a type of mobile text messages. They shall be sent for any of the following purposes:
 - 1-8-1 with the purpose of offering to supply goods, services or business opportunity;
 - 1-8-2 with the purpose of advertising or promoting; goods, services or business opportunities; or
 - 1-8-3 for any other purpose designated by the TRA
- 1-9 **Licensee's Own Marketing Text Messages:** means Marketing Text Messages sent by a Licensee to a Mobile Customer for the purpose of marketing services offered by that Licensee or an associated company.
- 1-10 **Mobile Spam:** means Marketing Text Messages sent to a Recipient without obtaining that Recipient's Consent
- 1-11 **Mobile Customer:** means a customer to whom a Licensee provides mobile telecommunication services;
- 1-12 **Messaging Service Customer (MSC):** means a customer who enters into a contract with a Licensee for the provision of Licensee Messaging Services
- 1-13 **Messaging Services Contract:** means a contract entered into by a Licensee with a Messaging Services Customer to provide Licensee Text Messaging Services;
- 1-14 **Consent:** means the consent or consent by a Recipient to receive Marketing Text Messages, as required by this Regulatory Policy;
- 1-15 **Mobile Customer Consent Request:** means any form of communication from a relevant sender (Licensee or MSC) requesting the permission of a Mobile Customer to receive Marketing Text Messages
- 1-16 **Subscribe:** means the option for a Mobile Customer to indicate that the Mobile Customer consents to receive communications
- 1-17 **Opt-in Procedure:** means the process under which Consent must be specifically obtained from a Mobile Customer, and if the Mobile Customer does not give that Consent, then the Mobile Customer shall be deemed to have not to given permission for that Mobile Customer to be sent Marketing Text Messages from the relevant sender (Licensee or MSC);
- 1-18 **Unsubscribe:** means the option for a Mobile Customer who has previously indicated that the Mobile Customer does want to receive Marketing Text Messages, to indicate instead that the Mobile Customer does not want to receive Marketing Text Messages;
- 1-19 **Opt-out Procedure:** means the process under which the Unsubscribe is implemented effectively and free of charge
- 1-20 **Subscribe Notification:** means a notification by a Mobile Customer to a Licensee that the Mobile Customer wishes to Subscribe
- 1-21 **Unsubscribe Notification:** means a notification by a Mobile Customer to a Licensee that the Mobile Customer wishes to Unsubscribe
- 1-22 **Reception of Marketing Text Messages:** means the stage during which the Licensee receives Marketing Text Messages from the MSC for the purpose of delivering them to the Mobile Customer
- 1-23 **Delivery of Marketing Text Messages** means the stage that follows the Licensee's Reception of Marketing Text Messages from the MSC and where the Licensee delivers the Marketing Text Messages to the relevant Mobile Customer across its Telecommunications Network.

2- Legal References

- 2-1 Article 13(1) of the Telecommunications Law grants the TRA the Authority to exercise its functions and powers to "ensure that the Telecommunication Services provided throughout the State, are sufficient to satisfy the public demands of those who wish to make use of such services".
- 2-2 Article 14(3) of the Telecommunications Law grants the TRA the authority to issue policies with respect to "the terms and level of services provided by the Licensees to users, including the standards and quality of service provided, the terms and conditions of supply of such services, the handling and resolution of user complaints and disputes, the provision of information to users, the use of user information and the rendering of bills to users".

3- Scope

- 3-1 This Regulatory Policy shall be applied to all text messages with a UAE link.
- 3-2 This Regulatory Policy sets out in general terms the rules which will apply to Unsolicited Marketing Text Messages having a UAE Link. The TRA may from time to time, publish rules on the implementation of this Policy in specific circumstances
- 3-3 The licensees shall in full compliance with the provisions of this Regulatory Policy.

4- Purpose

The purpose of this Regulatory Policy is to minimise the transmission of Unsolicited Marketing Text Messages having a UAE Link for:

- 4-1 Promoting secure and trusted information and telecommunications technology inside the UAE.
- 4-2 Promoting effective use of information and telecommunications technology for contributing a good and effective work environment inside the UAE.
- 4-3 Creating a safer environment of communications.

5- Consent Principles

- 5-1 Licensees shall comply with the Consent principles set out in this section, as applicable.
- 5-2 Licensees shall ensure that the following Consent principles are reflected in any agreement connected with the provision of Marketing Text Messages which they conclude with their Mobile customers.
- 5-3 All forms of Consent shall be accepted as far as they can be registered and presented in tangible form when required by the TRA.
- 5-4 Licensees shall not withhold or otherwise refuse to provide a service based on a Customer's failure to give Consent as required under this Policy.
- 5-5 The process of obtaining Consent shall be clear and transparent.
- 5-6 The record of a Consent which is required to be retained by a Licensee shall include the date, time, the words or other content by which the Customer indicates that Customer's consent, and the Customer's identity. The record of a Consent shall include fixed line or mobile telephone numbers in case the Consent was received through a fixed line or mobile telephone. Where the Consent is in writing, the record of that Consent shall include the Customer's signature.
- 5-7 Records of Consent shall be retained for the entire period during which Marketing Text Messages are sent to the Mobile Customer.
- 5-8 A means by which a Mobile Customer may Unsubscribe shall be provided for in all Marketing Text Messages.
- 5-9 Text Messages shall not be used for the purpose of persuading a Customer not to use an Opt-out Procedure or Subscribe.
- 5-10 Where offered, the option for a Mobile Customer to Subscribe or Unsubscribe shall be offered without charge.
- 5-11 Licensees shall implement measures that prevent misuse of Subscribe and Unsubscribe options provided those measures are approved by the TRA prior to implementation.

6- The Policy

- 6-1 The Licensees shall be under a general obligation to put all practical measures in place to minimise the transmission of Spam having a UAE Link across their Telecommunications Networks.
- 6-2 The Licensees will fail to comply with their obligations contained in this Regulatory Policy if they are aware of Spam having a UAE Link is being sent to or from a particular Electronic Address and they do not take all practical means to end the transmission of that Spam.
- 6-3 The Licensees shall take appropriate measures to educate and raise awareness of their Customers in relation to this Regulatory Policy.
- 6-4 Licensees shall not sell, supply, use, share, or knowingly allow access or right of use to any tools, software, hardware or mechanisms that facilitate Address Harvesting and the generation of Electronic Addresses.
- 6-5 The TRA may, at its discretion, request additional information from the Licensees in relation to Spam having a UAE Link, which may include among other matters, statistics, and periodical reports on practical measures taken to minimise or prevent the transmission of Spam.

7- Mobile Customers

- 7-1 All of the following Opt-in Procedures shall apply to all Mobile Customers
- 7-2 The Licensees shall not send Licensee's Own or the MSC's Marketing Text Messages to a Mobile Customer unless a Mobile Customer has performed an Opt-In Procedure which fulfils Article 8-2 of this Policy.
- 7-3 The following shall apply to any Licensee wishing to send Licensee's Own Marketing Text Messages to a Mobile Customer:
 - 7-3-1 A Licensee shall send a Mobile Customer Consent Request to the concerned Mobile Customer.
 - 7-3-2 The Mobile Customer Consent Request shall clearly state that the Licensee is requesting Consent from the Mobile Customer in order to send Licensee's Own Marketing Text Messages.
 - 7-3-3 The Mobile Customer Consent Request may use such terms as "promotions", "offers" and "discounts", provided that they do not mislead the Mobile Customer.
 - 7-3-4 The Mobile Customer Consent Request may be made by Mobile Text Message or by any other means other than by way of voice calls, whether fixed or mobile.

- 7-4 When, pursuant to Article 7-3-4 the Mobile Customer Consent Request is made by Mobile Text Message, the following applies:
- 7-4-1 The Mobile Customer Consent Request may only be sent to the Mobile Customer once.
- 7-4-2 If no response to the Mobile Customer Consent Request has been received from the Mobile Customer within one month of the date on which the Mobile Customer Consent Request was sent, the Licensee is permitted to send a second Mobile Customer Consent Request.
- 7-4-3 If, following the sending of a second Mobile Customer Consent Request, no response is received from the Mobile Customer within one month of the date on which the second Mobile Customer Consent Request was sent, the Mobile Customer shall be deemed to have decided that it does not want the Licensee to send it the Licensee's Own Marketing Text Messages.
- 7-4-4 The Licensees shall not be permitted to send any further Mobile Customer Consent Requests after the second Mobile Customer Consent Request.

8- Other Obligations

- 8-1 The Licensees are deemed responsible for the Delivery of Marketing Text Messages whether their Own or the MSCs' to a Mobile Customer.
- 8-2 The Licensee shall comply with the following conditions in relation to the Delivery of Marketing Text Messages before delivering any Marketing Text Message to Mobile Customers:
- 8-2-1 With regard to the Licensee's own marketing text messages, the licensee shall obtain the Consent of the Mobile Customer to receive Marketing Text Messages from the Licensee.
- 8-2-2 With regard to an MSC's Marketing Text Messages, the Licensee shall obtain the Mobile Customer's Consent to receive Marketing Text Messages from the MSC.
- 8-2-3 The Licensee shall make sure of the existence of a Mobile Customer's Consent, and of the absence of any blocking request made by the Mobile Customer, before delivering any Marketing Text Message to the Mobile Customer, whether the origin of the Marketing Text Message is the Licensee or an MSC
- 8-2-4 Maintaining all evidence (that can be recorded and displayed in tangible form) that proves the Mobile Customer's Consent to receive Marketing Text Messages from the Licensee or the MSC
- 8-2-5 No Marketing Text Message may be delivered to the Mobile Customer by the Licensee or the MSC unless after fulfilling Clauses (8-2-1, 8-2-2, 8-2-3, 8-2-4)
- 8-3 The Licensees shall not send Licensee's own or the MSC's Marketing Text Messages to Mobile Customers between 9pm and 7am.
- 8-4 The Licensees shall not use Mobile Text Messages to send Marketing Text messages to Mobile Customers, encouraging them directly or indirectly to call or send a short message or other Electronic Communication to a Premium Rate Number.
- 8-5 The Licensees shall provide Mobile Customers with information and resources to help them minimize the level and impact of Mobile Spam. This shall include the following:
- 8-5-1 The provision of information on the Licensee's Mobile Spam policies and programs.
- 8-5-2 Advice on how to handle incidents of suspected Mobile Spam through their respective customer service contacts set out in print or on their respective websites.
- 8-5-3 The provision of Mobile Spam reporting facilities, including for example, through their respective customer service contacts, websites, or by forwarding suspected Mobile Spam to the Licensees via a "short code".
- 8-6 Licensees shall implement a procedure to audit the existence of a Mobile Customer's Consent in the event a Mobile Spam notice is received in relation to the concerned mobile device.
- 8-7 The Licensees shall provide messages handling and message classifications features for Mobile Text Messages being sent.
- 8-8 The Licensees shall implement a classification of Marketing Text Messages with their own systems, which shall include the name of the sender of the Marketing Text Messages sent to the Mobile Customer with a prefix (AD-XXXX) followed by the name of the sender of the Marketing Text Message.
- 8-9 The Licensees shall implement an additional classification for Marketing Text Messages to distinguish them according to their type of advertising content, such classification to include at a minimum Marketing Text Messages concerned with the following, subject to the TRA's approval before implementation:
- 8-9-1 Banking and Finance services
- 8-9-2 Real estate services
- 8-9-3 Health services
- 8-9-4 Educational services
- 8-9-5 Retail services
- 8-9-6 Tourism services
- The Licensees shall provide the service of blocking and preventing Marketing Text Messages according to the type of the advertising content in accordance with Art. 8-9.
- 8-10 The Licensees shall enable Mobile Customers to accept or reject a particular type of Mobile Text Messages (e.g. Marketing Text Messages and messages with unknown origin) by using the features and specifications of their mobile devices.
- 8-11 The Licensees shall develop and execute a mechanism for recycled numbers and numbers that have undergone a change of ownership, ensuring the cancellation of records and notification events that do not pertain to the Mobile Customer and considering him as a new customer.

9- Messaging Service Customers

- 9-1 The Licensees shall ensure that all the requirements set out in this Policy are reflected in the terms and conditions of their Messaging Services Contracts, as well as in any acceptable use policies.
- 9-2 Without prejudice to Articles 9-1 above, the Licensees shall include the following provisions in all Messaging Services Contracts:
- 9-2-1 The Messaging Services Customer shall not initiate, send, or facilitate sending Mobile Spam.
- 9-2-2 Consent shall be sought from Mobile Customers in accordance with the provisions of this Policy before any Marketing Text Messages are sent by the Messaging Services Customer.
- 9-2-3 Effective Unsubscribe facilities shall be made available to Mobile Customers in accordance with the provisions of this Policy.
- 9-2-4 Mobile Text Messages containing Marketing Text Messages shall not be sent between the hours of 9:00 p.m. and 7:00 a.m.
- 9-2-5 The Messaging Services Customer shall not send a request to a Mobile Customer for Consent using Mobile Text Messages or voice calls.
- 9-2-6 Marketing Text Messages using Mobile Text Messages shall not be sent to Mobile Customers encouraging them directly or indirectly to call or send a short message or other electronic communication to a premium rate number.
- 9-2-7 The Messaging Services Customer shall specify the category of Marketing Text Messages that it intends to send to the Mobile Customer, in coordination with the Licensee.
- 9-2-8 All of the Licensee's Messaging Services contracts shall provide that the provisions of this Policy are incorporated by reference as terms into those contracts, as applicable, and that it shall be a breach of those contracts if the customer breaches any applicable provision of this Policy. Those contracts will provide that such breaches may give rise to appropriate penalties or liquidated damages as appropriate, and contract suspension and termination.

10- Records

- 10-1 For the entire period of time during which Licensee's Own or the MSC's Marketing Text Messages are being sent to Mobile Customers, and for two years after the last message was sent to the Mobile Customer, the Licensees shall keep records of:
- 10-1-1 Consent received in response to Mobile Customer Consent Requests;
- 10-1-2 Subscribe Notifications.
- 10-2 For the period of a Mobile Customer's subscription, the Licensees shall keep records of:
- 10-2-1 Opt-out Requests; and
- 10-2-2 Unsubscribe Notifications.
- 10-3 In case the TRA requests from the Licensee an evidence proving the Mobile Customer's Consent to receive Marketing Text Messages from the Licensee or the MSC, the Licensee shall provide the TRA with the evidence within three working days as of the date of request.

11- Monitor and Protection Obligations

- 11-1 Licensees shall monitor their networks for signs of Mobile Spam and take immediate practical actions to eliminate Mobile Spam.
- 11-2 Licensees shall provide practical protections for their Mobile Customers from Mobile Spam and shall provide measures and mechanisms to ensure this.

12- Violations

- 12-1 The Licensee shall develop and implement a process to handle cases when the MSC does not comply with the existence of a Mobile Customer's Consent
- 12-2 In the event the Licensee cannot produce the Mobile Customer's Consent when requested as per Article 10-3, the Licensee is deemed to be in breach of Article 10-1 of this Policy
- 12-3 In accordance with Article 9-2-8, in case of breach by the MSC of any of the provisions of Article 9, the MSC services shall be terminated and a report should be submitted to the TRA regarding the breach and the actions taken against the MSC.

13- Implementation and Review

- 13-1 The TRA shall continuously monitor the implementation and compliance to this Regulatory Policy, and may request information and reports; which shall be provided by the Licensee upon request.

14- Effective and Publication date

This Policy shall be effective on the date of its issuance and shall be published in the Official Gazette.