

Addendum to DMAS Code of Practice: Guidelines for Using Commercial Electronic Messages
June 2007

Effective 15 June 2007, the membership requirements of the Direct Marketing Association of Singapore are amended to include adherence to the following guidelines with respect to using electronic messages for commercial purposes. These guidelines replace the DMAS Email Marketing Guidelines as Part of DMAS Code of Practice which came into effect 1 June 2004.

The following definitions shall apply throughout:

- **“Electronic messages”** are messages sent using email, or mobile message channels like SMS or MMS.
 - **“Commercial electronic messages”** are electronic messages which are sent for primarily commercial purposes.
 - Electronic messages are considered **“bulk”** when a message with the same or similar subject-matter, is sent more than 100 times during a 24-hour period or more than 1,000 times during a 30-day period or more than 10,000 times during a one-year period.
 - **“Marketers”** include those persons, companies or entities that are intended to benefit commercially from the recipient’s actions after he/she receives the electronic message.
1. The subject line and body of an electronic message must be in accordance with the Singapore Code of Advertising Practice, ie they must be honest, clear, legal and decent.
 2. A commercial electronic message must clearly identify the marketer and the subject matter at the beginning of the message.
 3. A valid return electronic address must be clearly identified in each commercial electronic message. Commercial email messages must also clearly identify the physical address of the marketer, and marketers are encouraged to use their company or brand names in their domain address and prominently throughout their messages.
 4. A bulk electronic message which is sent for primarily commercial purposes and which has neither been requested nor consented to by the consumer must be clearly labeled as an advertisement or solicitation by the inclusion of <ADV> followed by a space at the beginning of the subject field or, where there is no subject field, at the beginning of the message.
 5. All commercial electronic messages must provide consumers with a clear and conspicuous option, using the same electronic method as the electronic message was sent, to be removed from lists used for future commercial electronic messages from the marketer. The electronic remove feature must be easy to find, easy to use, reliable, functional and prompt, and its effect must be to remove the recipient from all future commercial emails from the marketer within 10 business days. While instructions for opting out can be in other languages, there should be one version in English.
 6. If a company sending commercial electronic messages has multiple distinct brands or affiliates, notice and opt-out must be provided based on the likely perspective of the average consumer. Each separate brand or affiliate, as the consumer is likely to perceive it, must offer notice and a process for removal from marketing lists in their commercial electronic messages.
 7. Marketers must not send commercial electronic messages to electronic addresses surreptitiously acquired through automated mechanisms (such as robots or spiders) without the consumer’s consent. Marketers must not send commercial electronic messages to electronic addresses acquired through dictionary attacks or other mechanisms for fabricating electronic addresses without providing notice and choice to the consumer.

8. Lists of electronic addresses, whether email addresses or phone numbers, should not be sold or provided to unrelated third parties unless the owner of the list has provided notice and the ability to be removed from such transfer to each address on the list. (Unrelated third parties are those companies and/or entities that a reasonable consumer is likely to perceive as being distinct from the owner of the list.) Marketers are encouraged to include in their marketing materials a statement regarding their adherence to this policy.
9. A commercial electronic message sent via email should contain the marketer's privacy policy, either within the body of the email or via a link.

Marketers following these practices as well as the provisions of the Singapore Spam Control Bill will be considered to have made legitimate and proper use of electronic communication channels. More information about the Singapore Spam Control Bill can be found at www.spamcontrol.sg.

In their marketing materials, DMAS members are encouraged to use the Seal of Integrity together with a statement that they are in compliance with these guidelines and a link to their full text. Consumers receiving commercial electronic messages from a marketer not following these guidelines should report them to either the Consumer Association of Singapore or the Direct Marketing Association of Singapore.

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