

<b>Case Reference</b>	R/E/I/048
<b>Title</b>	Prophecy Media's Charges for Unsolicited SMS Messages
<b>Case Opened</b>	25 October 2004
<b>Case Closed</b>	14 January 2005
<b>Complainant</b>	IDA initiated enforcement proceedings on its own accord
<b>Respondent</b>	Prophecy Media Pte Ltd ("Prophecy Media")
<b>Case Summary</b>	<p>Between 19 July 04 and 7 Oct 04, IDA received consumer complaints against the SMS service provided by Prophecy Media under the brand name of "FunSMS". They alleged that they have been charged for receiving unsolicited SMS sent from 78801, the short code operated by Prophecy Media.</p> <p>Following the above-mentioned complaints, IDA conducted an investigation on Prophecy Media and found that End Users who did not send "Register" to the short code 78801 would still be charged for receiving unsolicited SMS from Prophecy Media. Prophecy Media subsequently acknowledged that these messages were supposed to be free and had tried to waive off the charges for these free SMS but the waiver did not apply to all affected users.</p>
<b>IDA's Determination</b>	IDA concluded that Prophecy Media had breached Section 3.2.2.5 of the Telecom Competition Code ("Code") by charging its End Users for unsolicited telecommunication services. A financial penalty of S\$1,000 was imposed on Prophecy Media upon consideration of the aggravating factor that Prophecy Media has failed to ensure the integrity of its registration system, which is a fundamental requirement of service provisioning. As a result, at least 11 End Users were charged for SMS services that were unsolicited.