

Title	King Mobile Pte Ltd's (" King Mobile ") Contravention of the Premium Rate Services Code (" PRS Code ")
Case Opened	10 January 2019
Case Closed	29 August 2019
Complainant	IMDA initiated enforcement proceedings
Respondent	King Mobile
Case Summary	<p>Some consumers claimed to have been charged unsolicited Premium Rate Services ("PRS") by King Mobile, and hence IMDA had initiated investigation to look into the provision of PRS by King Mobile.</p> <p>While IMDA did not find any evidence of King Mobile providing unsolicited PRS, IMDA's investigation revealed that even though subscribers who subscribed to King Mobile's PRS through WiFi were required to key in a PIN number to complete the subscription process, subscribers who subscribed to King Mobile's PRS through mobile data were able to complete the subscription process without any purchase keyword command.</p> <p>In 2017, IMDA had sent a reminder letter to the PRS providers and mobile network operators on the appropriate subscription process for PRS ("IMDA's Reminder Letter") as required in the PRS Code. Specifically, IMDA's Reminder Letter had clarified that subscription processes which do not involve the use of a purchase keyword command, and only required end users to go through several steps of simple pressing of buttons to complete the subscription process, were not in compliance with Section 2.5.1 of the PRS Code which required PRS providers to implement a process that requires end users to provide a confirmation of their subscription and for the PRS provider to authenticate the end users. In addition, the PRS providers were reminded to review the subscription process of their PRS to ensure that they comply with the PRS Code.</p> <p>By allowing subscribers to subscribe to PRS without purchase keyword or PIN authentication in spite of IMDA's Reminder Letter, King Mobile had thereby <u>contravened Section 2.5.1 of the PRS Code.</u></p>

**IMDA's
Determination**

Section 2.5.1 of the PRS Code provides that:

*"A premium rate service provider who enables its premium rate service to be purchased or subscribed for via the Internet to be delivered to mobile phones **must** –*

*(a) **designate a specific purchase keyword command for that service** which shall comply with the requirements set out in section 2.4;*

*(b) **send to every person who seeks to purchase or subscribe for the service via Internet registration a purchase keyword command** for that service either via the Internet or via SMS; and*

(c) ensure that it receives a SMS message containing the purchase keyword command from the same mobile phone number that was provided or used in the Internet registration before delivering the service to that mobile phone."

[Emphasis added]

The intent of Section 2.5.1 of the PRS Code is to ensure that subscribers are fully aware that they are subscribing to a PRS and provide clear consent to be billed for the service. The use of a purchase keyword command involves a deliberate action on the part of subscribers to confirm the PRS subscription, thereby minimising incidences of accidental or unintentional subscription by subscribers and reducing claims of accidental or unintentional subscriptions against PRS providers.

In IMDA's Reminder Letter, King Mobile was clearly advised that the subscription processes which do not involve the use of purchase keyword command and only require subscribers to go through several steps of simple pressing of buttons to complete the subscription process, are not in compliance with Section 2.5.1 of the PRS Code. Further, in IMDA's Reminder Letter, King Mobile was also advised to review the subscription process of the PRS to ensure that all their services are in compliance with the PRS Code. Additionally, IMDA had warned that it would not hesitate to take enforcement measures against errant PRS providers, should there be a contravention of the PRS Code.

While IMDA recognises King Mobile's mitigating effort to stop advertising and promotion, and block all new registrations to its PRS, IMDA views that King Mobile ought to have reviewed and updated its subscription process upon receiving IMDA's Reminder Letter.

IMDA therefore determined that King Mobile had contravened Section 2.5.1 of the PRS Code.

Taking all relevant facts and circumstances into consideration, IMDA imposed a financial penalty of **\$5,000** on King Mobile for its contravention of Section 2.5.1 of the PRS Code.