هيئة الاتصالات وتقنية المعلومات
CITC | Communications & Information Technology Commission

Regulation For Reduction of SPAM

1439 H / 2018 G

Table of Contents
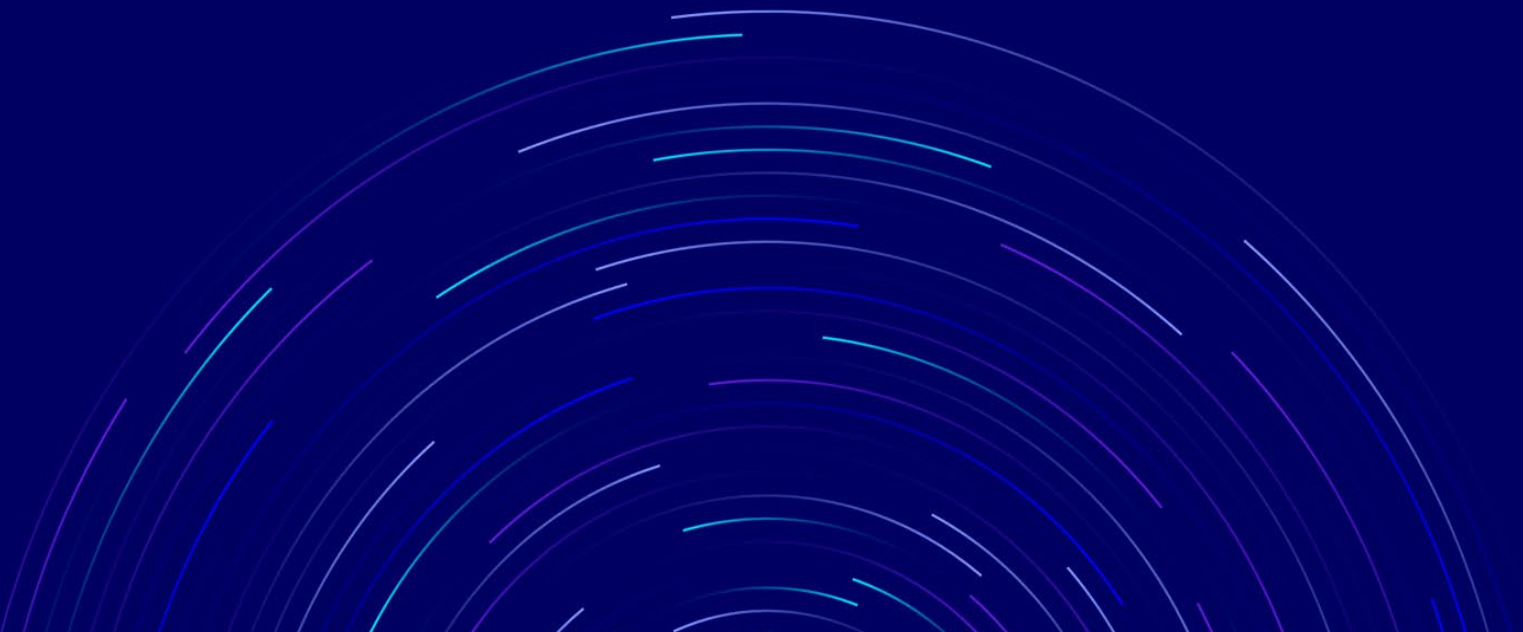
1. Introduction

1.1   Paragraph 8, Article 3, of the Telecom Act ("Act") stipulates that "the telecommunications sector shall be regulated to safeguard the public interest and the user interest as well as maintain the confidentiality and security of telecommunications information."

1.2   Article (18) of the Act stipulates that: "Anyone who fulfills the conditions and has the interest to provide Telecommunications service, should submit his application to the Commission in order to obtain the license. The Commission 7 shall issue the license according to the provisions of the Act and the Bylaws. The operators shall adhere to the conditions stated in the license issued to them".

1.3   Article (37) of the Act stipulates that any operator, person of a natural or legal nature who Misuse of telecommunications services, such as causing damage to the public telecommunications networks or intentionally place a message of an indecent or menacing nature or which causes panic or disturbance shall be deemed in violation of the provisions of this Act.

1.4   Article (58) of the Telecom Act Bylaw "Bylaw" provides for the obligations of service providers to protect the personal information of users.

1.5   Based on the above and the need of the telecommunications sector, CITC has worked through this Regulation to modernize its measures aimed at reducing SPAM messages to include the application of new technical solutions to enhance the efficiency of providing telecommunications services to end users, thus contributing to the reduction of SPAM.

2. Definitions

The terms and expressions used in this document shall mean the same meanings as those set forth in the Act and its Bylaw. The following words and expressions shall have the corresponding meanings, unless the context requires otherwise:

2.1   "Electronic Address" means an address through which electronic communication can be made, such as e-mail or mobile phone number.

2.2   "Electronic message" means the message sent by means of telecommunication networks to an Electronic address such as e-mail, SMS, MMS, Flash SMS, or fax. This definition does not include voice Calls.

2.3   "SPAM" means any electronic message sent without the user being able to apply for unsubscribe request by any electronic means, including, but not limited to, e-mail, SMS and MMS, Flash SMS, and Fax. Warning, Awareness, and Personal messages are excluded from this definition.

2.4   "Unsubscribe Request" means a request from the Recipient to the sender to stop sending any further electronic messages to his electronic address.

2.5   "Sender" means the person who sends the electronic message.

2.6   "Recipient" means the person to whom the electronic message is sent.

2.7   "Address Harvesting" Means computer software used for searching the Internet for gathering email addresses.

2.8   "Dictionary Attack" Means sending messages to electronic addresses obtained by automatic systems that use methods of combining names, letters, numbers, punctuation marks or symbols.

2.9   "Warning messages": High priority SMS messages with a warning content sent to all users in all or some parts of the Kingdom by competent government authorities to warn of an imminent or occurred event, provided that, these messages be for people in the danger zone only.

2.10   "Awareness messages": electronic messages with awareness or guidance content sent to all users (or specific categories) by entities of legal nature such as government agencies, banks, hospitals, universities, schools, associations and others.

2.11   "Service Messages": electronic messages with service content, sent to a specific user for the purpose of providing him with a contracted service, or to inform him of operations performed on that service, its features and options. Moreover, providing a personal or automated notification such as appointments or for the purpose of electronic authentication to confirm

his possession of the mobile number such as access to sites or electronic software, at the request or consent of the user.

2.12   "Personal messages": SMS messages from a specified user number to another specified user number.

2.13   "Promotional messages": electronic messages of a commercial or marketing nature for products or services or for the collection or reminding of donations.

3. Regulation of sending electronic messages

3.1   The sender of the promotional electronic message must:

A.   Include his electronic address in his electronic message.

B.   Enable the recipient to request an unsubscribe request for free and in an easy way.

C.   Stops sending any other messages after receiving an unsubscribe request within a duration that is not exceeding 24 hours from receiving that request.

D.   Submit a notification confirming the unsubscribion after receiving a request for that.

E.   Not to use Flash SMS.

3.2   The sender is prohibited to use dictionary attacks software, address harvesting software, or the electronic addresses gathered by them.

3.3   The sender must not send SPAM messages.

4. Service Providers' Duties & Responsibilities

4.1   Clear conditions conforming to these Regulations must be defined in service contracts between service providers themselves or between service providers and electronic messages senders and those conditions shall explain the consequences of their breach and should include the possibility of canceling or suspending the service immediately upon breach.

4.2   Provide a prominent link on their website, which provides information on the Regulation for reduction of SPAM and how to comply with them, and the mechanisms available to users to reduce SPAM.

4.3   Provide the CITC or anybody designated by it, with information related to SPAM at any time, including but not limited to providing information, conducting investigations and technical intervention.

4.4   Take the necessary actions to prevent IP spoofing.

4.5   Take the necessary actions to prevent the creation of e-mail accounts at the service provider without human intervention by the account creator.

4.6   Take the necessary measures to prevent impersonation of the names of persons or entities other than the real character of the sender in the SMS.

4.7   Cooperate with other service providers inside and outside the Kingdom and take necessary actions to reduce SPAM messages transmitted across their networks.

4.8   Ensure that necessary procedures are implemented to prevent the use of their networks to send SPAM messages, monitor their networks to reduce these messages, and take the necessary precautions to eliminate them.

4.9   To comply with the classification of SMS into five types:
   A. Warning messages;
   B. Awareness messages;
   C. Service messages;
   D. Personal messages;
   E. Promotional messages.

4.10   The types of SMS in Article (4-9) shall be dealt with according to the following procedures:

   4.10.1 Messages of type (A), (B), (C) and (D) are not filtered by mobile service providers.

   4.10.2 Messages of type (A), (B), (C) and (D) should not contain any commercial or marketing content, nor be promoteing any commercial products or services through it, nor intended for profitability, directly or indirectly. In addition, Donations shall not be collected or reminded for thereby.

   4.10.3 Messages of type (E) shall be subject to filtration by mobile service providers in accordance with the details provided for in paragraph   (4-10-9) below.

4.10.4   Messages of type (E) must be sent through their own short codes, and other type of messages can't be sent through the same codes.

4.10.5   The SMS service provider must prepare a specific list of his clients "List of Senders" – to be continuously updated – and be approved by mobile service providers, so that sender names in that approved list are used in the Sender Tag Name field for SMS. Mobile service providers must maintain a record that includes complete information on each name on the list and the name and contact person of the entity to be submitted to the Commission upon request.

4.10.6   All messages of types A, B, C and E should be sent through the List of Senders accredited by mobile service providers.

4.10.7   All messages of types (E) must contain in the sender (Tag Name) on the suffix (–AD) after the sender's name indicating the nature of their advertising content such as (XXXX–AD), excluding interactive messages (sender's name is a set of numbers) when the following text is included in the text of the interactive message, "This message is a promotion and you can stop receiving it".

4.10.8   It is prohibited to send messages of type (B) and (E) from 10 pm to 8 am.

4.10.9   Mobile service providers to providing a free SMS filtering service to users, enabling them to prevent receiving undesired messages of type E, and this free service should include the following:

- A short code number dedicated to automated command messages for the filtration service.

- Provide the option for each user to prevent or remove the ban on receiving messages of type (E) from all senders of that type at once according to the user's desire.

- Provide the option for each user to prevent or remove the ban on receiving messages of type (E) from specific senders (Tag Names) as desired by the user.

For further clarification on the mechanism of dealing with the types of SMS and the filtering system, you may refer to the figure (1).

5. Final Provisions

5.1   This regulation apply to electronic messages sent within the Kingdom.

5.2   The CITC shall follow up on compliance with this regulation and take the necessary actions on violators in accordance with its regulations.

5.3   This regulation shall replace the Regulation For Reduction of SPAM issued by Decision No. 259/1431 dated 12/4/1431 H, and the measures to reduce the SPAM notified to service providers on 25/5/1439 AH.
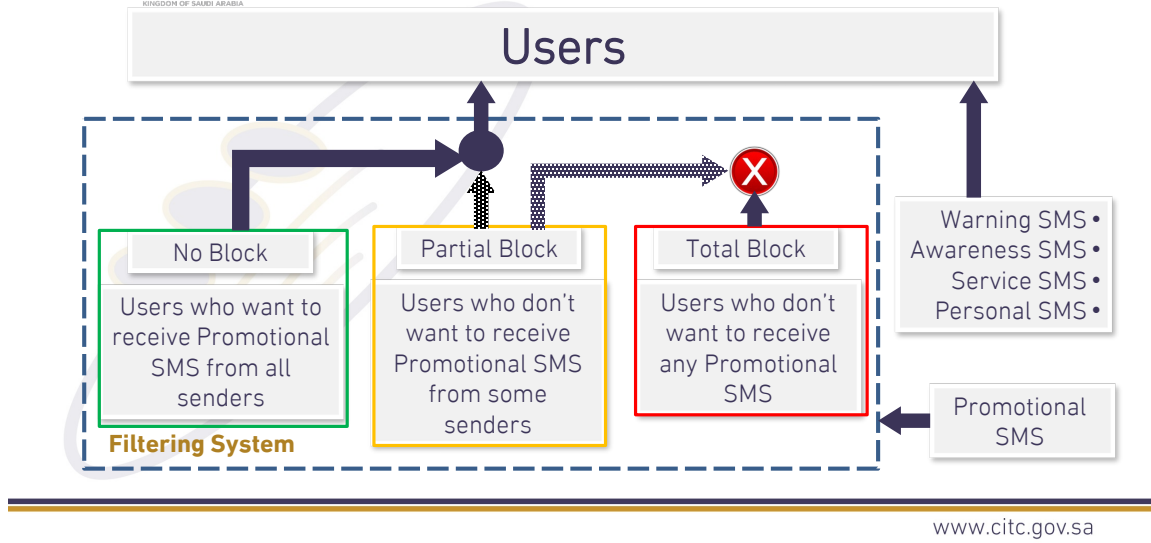
Figure no. (1)