

Code of Practice on Sending of Short Messages and Multimedia Messages by Telecommunications Service Providers

1. Foreword

1.1 Pursuant to Special Condition (“SC”) 1.2(c) of the Unified Carrier Licence (“UCL”), SC 12.1(c) of the Services-Based Operator (“SBO”) Licence and Condition 15.1(c) of the Class Licence for Offer of Telecommunications Services under section 8(1)(aa) of the Telecommunications Ordinance (Cap. 106) (“CLOTS”), the Communications Authority (“CA”) may issue a code of practice for the purpose of providing practical guidance to the licensees in respect of the protection and promotion of the interests of consumers of telecommunications goods and services.

1.2 This code of practice (“CoP”) is issued under the abovementioned licence conditions by the CA, which aims at providing practical guidance to telecommunications service providers for sending SMS to subscribers of public mobile services in Hong Kong.

2. Interpretation

2.1 In this CoP –

“Destination Number”, in relation to an SMS, means the directory number, in accordance with the Numbering Plan for Telecommunications Services in Hong Kong issued by OFCA, of the recipient to whom the SMS is intended to be sent;

“Guidelines” means the Guidelines on Registration of Sender IDs and Sending of Short Messages and Multimedia Messages issued by OFCA;

“Local Mobile Number” means a number for mobile services according to the Numbering Plan for Telecommunications Services in Hong Kong issued by OFCA;

“OFCA” means the Office of the Communications Authority;

“Registered Sender” means a Sender which has registered Sender ID(s) with prefix “#” with the Registry;

“Registry” means the registry which is established and maintained by OFCA and/or its appointed agent(s) to hold records of the Registered Senders and their corresponding Sender IDs for sending SMS^{RS} for the purpose of this CoP;

“RSSP” means a Registered SMS Service Provider, which is an SMS service provider registered with OFCA for transmission or delivery of SMS^{RS};

“Sender” means a party in Hong Kong or any other locations who sends an SMS to one or more Destination Numbers;

“Sender ID” means the information attached to an SMS for delivery to display on the recipient’s mobile device to identify the Sender of the SMS;

“SMS” means a message, for the purpose of this CoP, –

- (a) which is delivered using
 - (i) the short message service; or
 - (ii) the multimedia messaging service as defined in the specifications of the 3rd Generation Partnership Project (3GPP); and
- (b) the Destination Number of which is a Local Mobile Number assigned to subscribers of public telecommunications services in Hong Kong;

“SMS^{RS}” means an SMS using a Sender ID with prefix “#” that has been registered by a Registered Sender in the Registry. For the avoidance of doubt, two-way SMS^{RS} is not supported;

“SMS CoP” means the Code of Practice on Transmission and Delivery of Short Messages and Multimedia Messages from Registered Senders issued by the CA; and

“Telecommunications Service Providers” means the holders of the following licences–

- (a) UCL for the provision of public land mobile services;
- (b) UCL for the provision of public internal fixed services;

- (c) SBO Licence of Class 1 or Class 2 services;
- (d) SBO Licence of Class 3 services (mobile virtual network operator services);
- (e) SBO Licence of Class 3 services (external telecommunications services);
- (f) CLOTS for the offer of local fixed and/or mobile voice and/or data services; or
- (g) CLOTS for the offer of IDD, international voice/data roaming services.

3. Background

3.1 To prevent fraudsters from masquerading as reputable organisations and sending SMS to customers, and to protect Hong Kong mobile users from fraud SMS messages, OFCA, the Hong Kong Monetary Authority, the Hong Kong Police Force, the Hong Kong Association of Banks and the telecommunications industry have established the SMS Sender Registration Scheme (“Scheme”) for transmission and delivery of trusted SMS from Registered Senders, i.e. SMS^{RS}, to subscribers of public mobile services in Hong Kong.

3.2 Under the Scheme, a Registry is established and maintained by OFCA and/or its appointed agents(s) to hold records of Registered Senders and their corresponding Sender IDs with prefix “#” for sending SMS^{RS}. The Scheme will apply to, among others, the telecommunications sector such that all Telecommunications Service Providers shall comply with the relevant requirements when they send SMS to their subscribers or any other parties, including those SMS for subscriber communications, account and contract management, service promotion, service confirmation, membership information, etc. For the avoidance of doubt, the Scheme is not applicable to SMS for “machine-to-machine” type communications.

4. Obligations of Telecommunications Service Providers

4.1 Telecommunications Service Providers shall observe and comply with the relevant requirements under the Guidelines and shall each register as a Registered Sender for sending of SMS^{RS}.

4.2 A Telecommunications Service Provider shall –

- (a) only use Sender ID with prefix “#” that has been registered by the Telecommunications Service Provider itself in the Registry for sending SMS^{RS} only to subscribers of public mobile services in Hong Kong, except 2-way SMS with numeric Sender IDs; and
- (b) only engage services from RSSP(s) for sending SMS^{RS} via dedicated and secured network connections with the RSSP(s) in accordance with the SMS CoP;

and shall not send –

- (c) any SMS that are not SMS^{RS}, except 2-way SMS with numeric Sender IDs; or
- (d) any SMS^{RS} via an SMS service provider that has not been registered with OFCA as an RSSP.

5. Effective Date and Review of this CoP

5.1 This CoP takes effect on 28 December 2023. All Telecommunications Service Providers shall start to use Sender IDs with prefix “#” registered in the Registry for sending SMS^{RS} and phase out the use of Sender IDs without prefix “#”, except 2-way SMS with numeric Sender IDs, within a transitional period of four months ending on 28 April 2024. Unless otherwise approved by the CA, no extension will be allowed.

5.2 The CA may review and update this CoP from time to time in view of the telecommunications policy as well as technology and market developments. The CA will take into account the views of the industry and other relevant parties before effecting any amendments to this CoP.

Communications Authority
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