

Personal Data Protection (Do Not Call Registry) Regulations 2013

Table of Contents

Enacting Formula

Part I PRELIMINARY

1 Citation and commencement

2 Definitions

Part II ADMINISTRATION OF DO NOT CALL REGISTERS

3 Application by subscriber to add or remove Singapore telephone number

4 Effective date of addition or removal

5 Application by subscriber to confirm listing in register

6 Application by or on behalf of subscriber

7 Correction or alteration of register

Part III APPLICATION TO CHECK DO NOT CALL REGISTERS

8 Registration before applying to check register

9 Application to check Do Not Call Registers

10 Fees

11 (Deleted)

Part IV REPORT ON TERMINATED SINGAPORE TELEPHONE NUMBERS

12 Registration of telecommunications service providers

13 Submission of report on terminated Singapore telephone numbers

14 Prescribed fee

Part V PRESCRIBED DURATION AND PERIOD

15 Prescribed duration for section 43(2)(a) of Act

16 Prescribed period for section 43(2)(b) of Act

17 Prescribed period for section 47(3) of Act

Part VA CHECKERS

17A Requirements for checkers

Part VI GENERAL

18 Time

19 Waiver

FIRST SCHEDULE Fees payable by person

SECOND SCHEDULE Advance payment of application fee

THIRD SCHEDULE Fees payable in respect of terminated Singapore telephone numbers

No. S 709

**PERSONAL DATA PROTECTION ACT 2012
(ACT 26 OF 2012)**

PERSONAL DATA PROTECTION (DO NOT CALL REGISTRY) REGULATIONS 2013

In exercise of the powers conferred by section 65 of the Personal Data Protection Act 2012, the Minister for Communications and Information hereby makes the following Regulations:

PART I

PRELIMINARY

Citation and commencement

1.—(1) These Regulations may be cited as the Personal Data Protection (Do Not Call Registry) Regulations 2013 and shall, with the exception of regulations 9 and 11 to 17 and the Third Schedule, come into operation on 2nd December 2013.

(2) Regulations 9 and 11 to 17 and the Third Schedule shall come into operation on 2nd January 2014.

Definitions

2. In these Regulations, unless the context otherwise requires —

“No Fax Message Register” means the register listing Singapore telephone numbers to which a specified fax message shall not be sent;

“No Text Message Register” means the register listing Singapore telephone numbers to which a specified text message shall not be sent;

“No Voice Call Register” means the register listing Singapore telephone numbers to which a specified voice message shall not be sent;

“register” means a Do Not Call Register called the No Fax Message Register, No Text Message Register or No Voice Call Register, as the case may be;

“relevant telecommunication service”, in relation to a Singapore telephone number in respect of which a subscriber registration application under regulation 3 or a subscriber confirmation application under regulation 5, as the case may be, is made, means the telecommunication service to which the Singapore telephone number is allocated;

“relevant telephone number” means a telephone number notified, from time to time, by the Commission on the specified website for the purpose of receiving a subscriber registration application under regulation 3 or a subscriber

confirmation application under regulation 5, as the case may be, in respect of one or more registers;

“SMS message” means a text message that is sent using a short message service;

“specified fax message” means a specified message that is sent, or intended to be sent, to a Singapore telephone number by way of a facsimile transmission;

“specified text message” means a specified message in any text, sound or visual form that is sent, or intended to be sent, to a Singapore telephone number, but does not include a specified fax message or a specified voice message;

“specified voice message” means a specified message that is sent, or intended to be sent, to a Singapore telephone number by way of a voice call or video call using a telephone service, data service or any other electronic means;

“specified website” means the Internet website of the Commission at <http://www.dnc.gov.sg>.

PART II

ADMINISTRATION OF DO NOT CALL REGISTERS

Application by subscriber to add or remove Singapore telephone number

3.—(1) Subject to paragraph (3) and regulation 6, an application by a subscriber under section 40(1) of the Act to add his Singapore telephone number to a register or to remove his Singapore telephone number from a register, as the case may be (referred to in this Part as a subscriber registration application) shall be made —

- (a) by making a voice call to the relevant telephone number using the relevant telecommunication service;
- (b) by sending an SMS message to the relevant telephone number using the relevant telecommunication service; or
- (c) by submitting the application online at the specified website and confirming the application by making a voice call or sending an SMS, as the case may be, to the relevant telephone number using the relevant telecommunication service,

and in accordance with such other instructions as may be issued by the Commission, from time to time, at the specified website.

(2) A subscriber making a subscriber registration application in the manner referred to in paragraph (1)(a) or (b) shall not, at any time while the subscriber registration

application is being made —

- (a) conceal or withhold his calling line identity; or
- (b) cause his calling line identity to be concealed or withheld.

(3) In the event that the relevant telephone number or the specified website is unavailable, whether due to maintenance, malfunction, failure or any other cause, a subscriber shall make the subscriber registration application —

- (a) in the case where the relevant telephone number is unavailable, in accordance with paragraph (1)(c); or
- (b) in the case where the specified website is unavailable, in accordance with paragraph (1)(a) or (b).

(4) A subscriber registration application referred to in paragraph (1)(c) shall be made in the form prescribed at the specified website for such application.

(5) The Commission may reject any subscriber registration application which is not made in accordance with this regulation or regulation 6(1).

Effective date of addition or removal

4. If a subscriber registration application to add a Singapore telephone number to a register or to remove a Singapore telephone number from a register, as the case may be, is made in accordance with regulation 3, the Singapore telephone number shall be added to or removed from the register, as the case may be, with effect from —

- (a) the date on which the application is made; or
- (b) such other date as the Commission may determine,

whichever is the later.

Application by subscriber to confirm listing in register

5.—(1) Subject to regulation 6, an application by a subscriber under section 40(2) of the Act to confirm whether his Singapore telephone number is listed in a register (referred to in these Regulations as a subscriber confirmation application) shall be made —

- (a) by making a voice call to the relevant telephone number using the relevant telecommunication service;
- (b) by sending an SMS message to the relevant telephone number using the relevant telecommunication service; or