

# Mobile Network Operator guidelines for Paid & Free of charge Message Services

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# Mobile Network Operator guidelines for Paid & Free of charge Message Services

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# 1. Introduction

The “**Mobile Network Operator guidelines for Paid & Free of charge Message Services**” (hereafter: the “**MNO Message Service guidelines**”) are meant to serve as a self-regulatory framework with **mandatory obligations for the offering of any Paid & Free of charge Message Service towards End users**.

The MNO Message Service guidelines do not in any way constitute any commitment or recognition on the part of Mobile Network Operators that any Premium SMS or A2P Message Service of Service Providers, present or future, does respect the applicable legal or regulatory framework referred to in Section 2.1.

These guidelines aim to clarify certain aspects that are not explicitly mentioned in the Royal Decree of 12 December 2018 on the requirements applicable to the provision of paid services, as referred to in article 116/1 §2 of the Electronic Communications Act of 13 June 2005 (hereafter: the “RD Paid Services”), nor the Royal Decree of 27 April 2007 on the management, allocation, and withdrawal of number capacity (hereafter: the “RD numbering”).

The RD Paid Services and the RD numbering always takes precedence over these MNO Message Service guidelines, also in the event of any inconsistency and/or incompleteness. These MNO Message Service guidelines may clarify and/or complete legal provisions.

**These guidelines replace the former GOF guidelines for SMS/MMS services and will apply as from 1/10/2023.** An electronic version can be downloaded via the website of every Mobile Network Operator.

## 1.1 Scope

These MNO Message Service guidelines are a part of the contractual agreement concluded between the Mobile Network Operator and the Connectivity Provider and include **mandatory obligations for the offering of any Paid & Free of charge Message Service**.

The MNO Message Service guidelines apply to any Service Provider and Connectivity Provider offering Paid & Free of charge Message Services in Belgium, regardless of where the offering entity is established: in Belgium or abroad.

The Mobile Network Operator may alter the present guidelines at any time, especially to adapt them to the market development, services, technology, applicable legislation, etc.

## 1.2 Rules and Responsibilities

All Service Providers and Connectivity Providers will take the necessary measures to apply the present “MNO Message Service guidelines” and make it part of their agreement with the End user.

Additionally, the Service Providers and Connectivity Providers are expected to state on their website that they are compliant with the “MNO Message Service guidelines”.

## 1.3 Definitions

Specific term	Description
AzP (Message) Service	Application to Person Message Service: SMS initiated by a Service Provider and sent by the Mobile Network Operator to one or several End users.
Adult content	Content that includes or provides links to sexual content, sexually explicit or materials unsuitable for minors, materials that may affect minors' physical, mental or moral development, and which are only suitable for Adult End users.
Adult End user	An End user having reached the age of 18 years.
Agoria Telecom Industries	Agoria Telecom Industries unites Belgian telecom operators and facilitates common positions on non-competitive issues related to the growth and sustainable development of telephony and internet services in Belgium, as well on fixed and mobile infrastructures.
Alert service	Service activated by the End user. The End user orders a service characterised by an informative content, which is most of the time delivered unpredictably by the Service Provider. An Alert Service is provided by SMS -MT and can be free of charge or paid.
Belgian Institute for Postal Services and Telecommunications (BIPT)	The BIPT is the federal regulatory body responsible for regulating the electronic communications market, the postal market, the electromagnetic spectrum of radio frequencies as well as the audiovisual media services and the video-sharing platform services in the bilingual Brussels-Capital Region.
Connectivity Provider	Company which is integrated with the SMS-C infrastructure of an Operator, and who enables the routing of SMS or Rich Communication Service messages between the Service Provider, the Mobile Network Operator and the End user.
CTA button	Call to action button is a prompt via an online channel that tells the user to take a specified action. A call to action is typically written as a command or action phrase, such as 'Sign Up' or 'Buy Now' and generally takes the form of a button or hyperlink.
End user	Any mobile customer with a SIM card issued by a Belgian MNO
Free of charge message	SMS that is free of charge for the End user.
Message Service	All types of free of charge or paid messaging and communication services, enriched (Rich Communication Service) or not (SMS), A2P as well as P2A Service, generated by an application and sent / received by this application via a local mobile network and infrastructure to / from End users. P2P (person to person) messages are not considered as Message Service.
Minor End user	An End user younger than the age of 18 years.
Mobile Network Operator (MNO)	Mobile Network Operator with a license allowing it to operate a telecommunication network in Belgium.

Opt-In	Opt-in means to consciously agree to receive specific information via SMS. With opt-in, a person gives explicit permission for his/her mobile phone number to be used to send and receive information via SMS
P2A (Message) Service	Person to Application Message Service : SMS initiated by an End user and sent via the Mobile Network Operator to a Service Provider.
Paid message	Paid messages formerly known as “Premium SMS” are SMS with a higher rate than the applicable rate of a national SMS. Typically, a Paid message contains specific content added by a Service Provider (with an added value for the End user).
Service Provider	Also known as Content Provider. Is a company which creates, organises, and markets editorial content through Paid or Free of charge Message Service intended for the End user.
Short Code	A national code of four to maximum six digits allocated by the BIPT.  The short code can be assigned to a paid or free of charge messaging service with the intention of having it marketed by a Service Provider.
SMS	Short Messaging Service. This is an alphanumeric message composed of 160 characters which is sent and/or received by a mobile telephone or an application.
Valid traffic	Traffic is being considered as valid when the Message Service generates a notification of receipt by the Mobile Network Operator.  This means that the message is sent and delivered to the destination target. The destination target can be an End user or a Service Provider.
SMS-MO	SMS Mobile Originated: this type of message refers to a message sent from a mobile phone. More precisely, this is a message that an End user sends from his/her mobile phone to for example a Service Provider to subscribe to a recurring Paid or Free of charge message service.
SMS-MT	SMS Mobile Terminated: this type of message refers to a message that is terminated on a mobile phone. More precisely, this is a message that an End user receives on his/her mobile phone from for example a Service Provider to confirm the End user’s subscription to a recurring Paid or Free of charge message service.

## 2. General rules

The below general rules apply on both Paid & Free of charge Message Services.

### 2.1 Conformity to the Belgian law

Any Paid & Free of charge Message Service must always respect the Belgian law and may not under any circumstances contribute, encourage, or allow acts of an illicit nature to be facilitated or committed.

The Service Provider must ensure that the following points are fully adhered to and provide **clear information for End users regarding conditions for registration to the Paid & Free of charge Message Service**.

Irrespective of the content, the **Service Provider will remain unilaterally responsible for the content**.

In particular, the Service Provider will ensure that the SMS services abide with all applicable laws, regulations, self-regulatory codes of conduct and guidelines, including, without limitation, the provisions of:

- the Belgian Code of Economic Law (including Book VI on market practices and End user protection and Book XII on the law of the electronic economy)<sup>1</sup>;
- the Law of 7 May 1999 on Games of Chance<sup>2</sup>;
- the Electronic Communications Act<sup>3</sup>
- the Royal Decree of 21 June 2011 on Games offered in the context of television programs<sup>4</sup>.
- the RD numbering<sup>5</sup>;
- the Circular IR/IV-4/68.616 (AINV 2/2006) dd. 26.06.2006<sup>6</sup> and the Circular IR/IV-4/91.638 (AINV - 2/2009 AOIF 51/2009) dd 10.11.2009<sup>7</sup> with regards to the taxes on games and gambling ;
- the RD Paid Services<sup>8</sup>;
- Belgian Data Protection Act<sup>9</sup>.

The above references are not limitative and include references to (future) amendments and implementing regulations.

### 2.2 Public order and ethical behavior

The Service Provider must ensure that the content of Paid & Free of charge Message Services **respects public order and ethical behavior**.

In particular, the Service Provider must ensure that the content of the Paid & Free of charge Message Services does not lead to any abuse of privacy, generate fear and anxiety, encourage illicit and dangerous practices, result in the use and/or

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1 <http://www.ejustice.just.fgov.be/eli/wet/2013/02/28/2013A11134/justel>

2 <http://www.ejustice.just.fgov.be/eli/wet/1999/05/07/1999010222/justel>

3 <http://www.ejustice.just.fgov.be/eli/wet/2005/06/13/2005011238/justel>

4 <http://www.ejustice.just.fgov.be/eli/bsluit/2011/06/21/2011009495/justel>

5 <http://www.ejustice.just.fgov.be/eli/arrete/2007/04/27/2007011252/justel>

6 <https://eservices.minfin.fgov.be/myminfin-web/pages/fisconet/document/649c9d70-c1e0-4a2c-bd18-f23ccc39f79>

7 <https://eservices.minfin.fgov.be/myminfin-web/pages/public/fisconet/document/9ad59a85-b54e-4bb4-a4c5-46920f318baa>

8 <http://www.ejustice.just.fgov.be/eli/bsluit/2018/12/12/2018015571/justel>

9 <http://www.ejustice.just.fgov.be/eli/wet/2018/07/30/2018040581/justel>

abuse of drugs and alcohol and more generally dangerous substances, incites racial hatred, spreads delinquency, incites immoral behavior, promotes or facilitates pedophilia and prostitution, etc.

The Service Provider must devote particular care to the protection of minors and respect of the individual.

## 2.3 Protection of privacy

The Service Provider, as a Controller, undertakes to rigorously respect the Regulation on the protection of natural persons with regard to the processing of personal data (GDPR) and the laws and regulations relating to confidentiality of telecommunications also referred to as E-privacy.

The Service Provider guarantees not to use the personal data of any End user without his prior, informed and explicit consent. Any personal data of the End user obtained under an application may only be used in the context of such an application providing prior informed and explicit consent of the End user has been obtained. The End user will be able to withdraw his consent at any moment and via a user-friendly method. The opt-out must be unconditional and respected by the Service Provider.

The Service Provider undertakes to respect the GDPR and E-privacy regulations applicable to storage and archiving of SMS and Rich Communications Services sent to him by End users.

## 2.4 Accuracy and truth

The content of any Paid & Free of charge Message Service must be **accurate, clear and in conformity with any communication** carried out by the Service Provider.

The content must be updated as often as the nature of the Paid & Free of charge Message Service requires.

Also, a service may never be presented as “free of charge” when a payment of any kind is involved, either directly or indirectly.

## 2.5 Identification of a Service Provider

The Service Provider **must always identify himself by mentioning his Company Name, the name of the offered service and the main characteristics of the offered service** when advertising or promoting a service.

The identification details must contain at least:

- the name, address and, if applicable, CBE number of the Service Provider;
- the EU MOSS or Belgian VAT number of the party responsible for remitting VAT on the collected funds;
- the name of the service
- the description of the service
- the main characteristics of the service (start date/end date)
- the URL of the Website to access the service

If applicable, the number of the license under the Law of 7 May 1999 on gambling, betting, gambling establishments and player protection and its implementing decrees



## 2.6 Contact details of a Service Provider

The Service Provider must foresee at least a telephone number and an e-mail address/webform to allow the End user to obtain the necessary information about the service, file a complaint or request an invoice.

The telephone number must be a national geographic Belgian telephone number with standard rating. Meaning that the rating should not exceed the rates of a geographical number (non-premium).

The customer service provided by telephone shall be sufficiently staffed during business hours and allow the End user to speak with a real person. That person shall be able to reply to the End user in the Belgian official language of his/her choice.

If the End user fills in a webform to file a complaint, a copy of the complaint will be automatically sent to the End users e-mail address.

## 2.7 Notifications

If it is required by law or by this MNO Message Service guidelines to send SMS notifications to End users, all such SMS notifications must be sent via a direct connection to the SMSC of the MNO, using a short code in the 8xxx range.

SMS notifications sent by means of other routes and/or SMSCs will be disregarded and deemed to not having been sent.

## 2.8 General conditions

The Service Provider informs duly the End User about the general conditions governing the Paid messages and Free of charge Message Services.

In no case should the general conditions of the Service Provider be contradictory to the general conditions of the MNO.

The Service Provider may not give the impression that the MNO is the owner of the service.

## 2.9 Information and advice services

The MNO's recommend that the Service Provider provides information and advice about all aspects of Paid services such as:

- the level and competence of individuals and organizations providing advice;
- the identity of individuals or organizations providing advice.

In concordance with Book VI on market practices and End user protection and Book XII on the law of the electronic economy, the MNO recommends that any advice should be provided in conformity with:

- the regulations and practices of professional associations to which the partners of Service Providers belong.
- the codes of conduct, which have been laid down by these professional associations.

## 2.10 Advertising

### 2.10.1 Advertising

Advertising banners must **clearly reflect the offered service, with at least the following** information and display the graphical convention as required in 3.13.:

- the name of the Service Provider;
- the name of the service (as registered with the MNO);
- a clear description of the service and the content of the offer;
- the cost for the End user as well as the frequency of charging;
- in case of a subscription service: the engagement period and if its automatically renewed or not;
- the payment method, meaning that the charge will be added to the End user's mobile phone invoice;
- if relevant: any other key information including a full and clear description of any prizes or awards

As mentioned in section "Display of the End user costs", Service Providers have the obligation to state clearly whether a service is payable or free of charge for the End user. This information must be incorporated in the content of the advertising banner.

Generic advertising banners containing descriptions such as "Download Now" are not tolerated. Note that affiliate marketing is not tolerated neither by the MNOs in Belgium.

It's up to the Service Provider to ensure that the content, layout, and branding of the advertising banners, reflects and displays the offered service.

### 2.10.2 Advertising for minors

Message Services meant for minors and any promotional campaign related thereto may not contain anything that could damage minors or exploit their credulity, lack of experience or judgement.

If a Message Service of any kind is not appropriate for a minor, or for any category of minors, the Service Provider should make specific mention of the age recommended to access this Service in all advertising relating to the said Service.

## 2.11 Short Code ranges

Paid messages and Free of charge messages are exclusively offered on short code numbers, as defined in Art. 70-71 of the RD numbering.

Range	Service Type	Maximum End user tariff
2000 to 2999	Various one-time service	SMS-MO + SMS-MT = max. 1€
3000 to 3999	Various one-time service	SMS-MO + SMS-MT = max. 4€
4000 to 4999	Mobility and payment services	SMS-MO + SMS-MT = max. 31€
5000 to 5999	Astro, horoscope and entertainment services	SMS-MO + SMS-MT = max. 0,5€
6000 to 6999	Astro, horoscope and entertainment services	SMS-MO + SMS-MT = max. 2€
7000 to 7999	Adult content – no subscriptions allowed	SMS-MO + SMS-MT = max. 4€
8000 to 8999	Free of charge messages	SMS-MO + SMS-MT = max. 0€
90xx to 9499	Subscription services for entertainment services	SMS-MO + SMS-MT = max. 2€
95xx-9999	Subscription services for games, logos and ringtones	SMS-MO + SMS-MT = max. 2€

### 3. Specific rules for Paid Message Services

The below specific rules apply on both one time and recurring Paid Message Services.

Each Paid Message Service must use a dedicated Short Code. Sharing a Short Code for several Paid Message Services is not allowed.

Opt-in SMS messages to activate a service or subscribe to a service must be self-written by the End-User and self-send by the End-User. The usage of pre-filled or auto-populated SMS messages is not allowed.

#### 3.1 Target End users

The fact that a Message Service is free of charge or payable, has significant consequences for the End user.

The actual purchase and payment of a service is a contractual agreement between the Service Provider and the End user which involves several characteristics in order to be valid:

- the End user must be competent;
- the End user must voluntarily register to the offer;
- the End user must be an Adult End user, except for services related to public transportation, parking services or fundraising.

#### 3.2 Evidence of End user consent to charges

To prove that an End user consents to charges associated with a Paid Service, the Connectivity Provider and Service Provider must retain specific data in accordance with all relevant time periods specified in the GDPR regulations.

The specific data must clearly set out the complete log files of the exchanged messages, including:

- The timestamps of the exchanged messages
- The delivery status of the exchanged messages
- The sender's Mobile phone number or Short Code
- The receiver's Mobile phone number or Short Code
- The content of the exchanged messages

For services other than recurring services, it is also required to retain the source on which the advertisement banner was published. In other words, via which path the End user reached the landing page. This can be the URL of a website or a reference to another social media channel such as Facebook, YouTube, Instagram, ...

#### 3.3 Spending notifications

For every slice of 10 euro spent by an End user on a specific Paid Message Service (specific short code), the Service Provider must inform the End user by means of a free SMS.

Spending notifications are mandatory for Paid Message Services and aim at notifying an End user to avoid a bill shock.

In case the spending threshold of 10 euro is exceeded multiple times during the same period of time, the End user will receive multiple spending notifications via SMS.

An opt-out functionality is not allowed on spending notification messages.

The spending notification must be sent in the preferred language of the End user and follow the standard as indicated in the following paragraph.

- in Dutch (NL): Gratis bericht van DDDD: u heeft deze maand al meer dan XX€ gespendeerd voor de dienst van Short Code NNNN
- in French (FR): Message gratuit de DDDD: vous avez déjà dépensé plus de XX€ ce mois-ci pour le service avec Short Code NNNN
- in English (ENG): Free message from DDDD: you have already spent more than XX€ this month for the service of Short Code NNNN
- in German (DE): Kostenlose Nachricht von DDDD: Sie haben in diesem Monat bereits mehr als XX € für den Service der Kurzwahlnummer NNNN ausgegeben

Legend:

- XX euro = 10 euro (\*) or multiple: example 20 euro (\*), 30 euro (\*);
- NNNN = Short Code
- DDDD = name of Service Provider

### 3.4 Display of the End users' costs

Before charging a fee, making a purchase, or subscribing to a recurring service, the End user must be aware of the various elements that may influence his decision to purchase or subscribe to the service offered.

In that respect, Service Providers have the obligation to state whether a service is free of charge or to be paid by the End user, during the presentation of their product.

For services which are promoted online, the information regarding the fact that a service is free of charge or to be paid by the End user must be present in the advert banner used to promote the concerned service.

The indication of the cost must be clear and easy to understand and strictly follow the graphical convention as described in the section 3.13.1.

### 3.5 Identification of the service

The Service Provider must ensure that any End user does not subscribe to the service without his explicit knowledge and without knowing the exact nature or characteristics of the service.

### 3.6 Payment method of the service

The Service Provider has the obligation to mention the payment method of the offered service on the landing page, indicating clearly that the charges will be added to the End user's telecom invoice or deducted from his/her call credit.

### 3.7 Specific rules for paid alert services

Besides the rules specified in other sections of this document, End users must be clearly informed about the nature of the events which will trigger the delivery of an alert service. Also, the cost of the service and the frequency of charging must be very clear for the End user.

To subscribe to a paid alert service, and End user must follow the double opt-in procedure.

## 3.8 Specific rules for paid subscription services

On top of the applicable generic rules, any communication from the Service Provider relating to paid recurring Message Service, to which the End user subscribes, must explicitly indicate the word “Subscription” in all communications and promotion of the service:

- In case of **Visual communication** (TV, printed communication, ...):
  - the word “Subscription”, in the same language as the rest of the communication, shall be published on top of the advertising in a specific character size and for the whole duration of the visual communication. **The character size shall be at least the character size of the price of the service and at least ½ of the character size of the communicated short code.**
- In case of **Audio communication** (radio, ...):
  - the word “**Subscription**” shall be said during the audio communication in such a way that it is clearly understandable for the End user and in the language of the audio communication.
- In case of **Digital communication** (advertising via internet: websites, social media channels, streaming services, applications, ...):
  - the word “Subscription”, in the same language as the rest of the communication, shall be published on the landing page of the service.
  - The engagement period of the subscription must be mentioned in the price pictogram. See section Graphical convention.

### 3.8.1 Maximum amount charged to an End user

The Service Provider or Connectivity Provider shall make sure that the maximum amount charged to an End user never exceeds the amount of 6 euro per week.

For example, if the End user price is set at 2 euro per SMS received, the End user will receive maximum 3 SMS in a period of one week.

### 3.8.2 Landing page

When the End user clicks on the advertising banner, he/she is redirected to the landing page of the service.

The landing page must contain all the legally required information about the Service Provider, the Service, the cost for the End user, the method of invoicing/payment, the frequency, the engagement period and how it is renewed, the minimum age, the general terms and conditions, the customer care contact details, ....

The landing page contains the necessary instructions for the End user to launch the subscription procedure—also known as the “Double Opt-In procedure”.

The text on the landing page must respect the following standard wording:

- in Dutch (NL): Om je te abonneren op de dienst SSSS aangeboden aan XX euro/PPP. Stuur je geboortedatum in het volgende formaat YYYY naar NNNN
- in French (FR) : Pour vous abonner au service SSSS proposé à XX euro/PPP. Envoyez votre date de naissance dans le format suivant YYYY au NNNN
- in English (ENG) : To subscribe to the service SSSS proposed at XX euro/PPP. Send your birthdate in the following format YYYY to NNNN
- in German (DE) : Abonnieren Sie den Dienst SSSS, der für XX Euro/PPP vorgeschlagen wird. Senden Sie Ihr Geburtsdatum im folgenden Format: YYYY an NNNN

### Legend:

- YYYY: the year in which the targeted End-User was born (for example 2006 or 1985 or ...)
- SSSS: name of the service
- XX: cost for the End user (VAT inclusive) for the applicable period
- PPP is the period for which the XX amount is requested. Tariff and period must be described in full without abbreviations:
  - allowed: 6 EURO/week, 24 euro/month;
  - not allowed: 6€/w or 24€/m
- NNNN: dedicated short code in the 9xxx range

The landing page does not contain a field to enter a mobile phone number, nor does it contain a CTA button to initiate an SMS to the dedicated short code.

### 3.8.3 Subscribing to a recurring service via the double Opt-in procedure

Registering to a subscription service must comply with a “double opt-in” procedure. No other registering process is tolerated. This means that the End user must expressly and actively initiate the launch of the subscription procedure as well as the confirmation of his subscription.

The procedure for double opt-in starts as soon as the End user lands on the landing page of the proposed service – after having clicked on the advert banner - and consists of 4 steps. By no means the End user may be requested to enter his mobile phone number via a webpage.

The 4 steps must be strictly followed:

1. **The End user sends a free of charge SMS to a dedicated short code. The message contains the End user’s birthdate in format YYYY.**
  - a. If the birthdate sent by the End user indicates that he/she is younger than 18 years old, the subscription procedure stops immediately. The Service Provider is not allowed to contact the End user to ask him to enter another birthdate nor to specify that the birthdate must indicate the fact that the End user must be +18.
  - b. If the birthdate sent by the End user indicates that he/she is at least 18 years old, the subscription procedure continues
  - c. If the birthdate does not respect the format YYYY, the authentication fails and the subscription procedure stops immediately. The Service Provider is not allowed to contact the End user to ask him to enter the birthdate in the correct format.
  
2. **The End user receives a free of charge SMS containing the next step of the subscription procedure. The text of the SMS must respect the following standard wording:**
  - a. in Dutch (NL): Om je te abonneren op dienst SSSS aan XX EURO/PPP, stuur KKK naar NNNN (de kost van dit bericht is RR EURO)
  - b. in French (FR): Pour t’abonner au service SSSS à XX EURO/PPP, envoie KKK au NNNN (le coût de ce message est RR EURO)
  - c. in English (ENG): To subscribe for service SSSS at XX EURO/PPP, send KKK to NNNN (the cost of this message is RR EURO)
  - d. in German (DE): Um den Service SSSS bei XX EURO/PPP zu abonnieren, senden Sie KKK an NNNN (die Kosten für diese Nachricht betragen RR EURO)

The End user sends a second free of charge SMS with the required keyword to subscribe. Tolerated keywords are: “Go” or “OK” or “Start. If the Keyword chosen by the Service Provider is “OK”, only “OK” will be considered as a valid confirmation.

3. The End user receives a free of charge SMS containing the confirmation of the successful subscription. The text of the SMS must respect the following standard wording:
  - a. in Dutch (NL): Je bent ingeschreven op de dienst SSSS aan XX euro/PPP. Om je abonnement te stoppen: stuur STOP naar NNNN of bel oX/XXX XX XX.
  - b. in French (FR) : Vous êtes inscrit au service SSSS à XX euro/PPP. Pour résilier votre abonnement : envoyez STOP à NNNN ou appelez-le oX/XXX XX XX.
  - c. in English (ENG) : You are subscribed to the service of SSSS at XX euros/PPP. To cancel your subscription: send STOP to NNNN or call oX/XXX XX XX.
  - d. in German (DE) : Sie haben den Service von SSSS für XX Euro/PPP abonniert. So kündigen Sie Ihr Abonnement: Senden Sie STOP an NNNN oder rufen Sie oX/XXX XX XX an.

#### Legend:

- YYYY: the year in which the targeted End-User was born (for example 2006 or 1985 or ...)
- SSSS: name of the service.
- XX: cost for the End user (VAT inclusive) for the applicable period
- PPP is the period for which the XX amount is requested. Tariff and period must be described in full without abbreviations:
  - allowed: 6 EURO/week, 24 euro/month;
  - not allowed: 6€/w or 24€/m
- KKK: keyword that must be sent by the End user to continue the subscription:
  - allowed Keywords are “GO”, “OK” or “Start”;
- NNNN: dedicated short code in the 9xxx range
- RR: cost for the End user (VAT inclusive) to perform the 1<sup>st</sup> opt-in

#### 3.8.4 Unsubscribing from a recurring service

The Service Provider must accurately explain how to cancel a registration in any advertising related to a Premium or A2P Service. The Service Provider has the obligation to cancel the Premium or A2P Service immediately for any End user requesting cancellation of the registration.

Sending **STOP** to a Short Number will unsubscribe the End user to all the services associated to this Short Number.

Sending **STOP Keyword** to a Short Number will unsubscribe the End user to a specific service associated to this Short Number and keyword. This only applies for paying subscriptions and dedicated short codes.

Service Providers will ensure that the End user request will be handled according to his wishes. Therefore, misspelling such as “STOP”, “sToP”, “TSOP”, wrong keywords, ... will be interpreted as “STOP”. The price of this STOP SMS-MO must be free of charge for the End user.

At the registration cancellation to a Premium or a A2P Service, the MNO recommends the Service Provider to send a SMS-MT confirming the deactivation of the subscription. The price of this SMS-MT will be free of charge for the End user.

### 3.8.5 Valid Traffic

Any subscription to a service for which there was no Valid Traffic for a period of 3 months or for which the MNO has returned a code signifying that the customer is not recognized by the MNO, must be terminated immediately by the Service Provider.

In case a service is terminated by the Service Provider, all end users of this service will be informed at no cost via a SMS-MT that the service is terminated.

## 3.9 Specific rules for games run by SMS

### 3.9.1 Adherence to Belgian law

Any Game must be allowed by and in conformity with any point of Belgian law and fiscal administration. The "Commission of chance Games" can upon its own initiative evaluate a Game. This commission is the only body allowed to deliver a license for the management of a chance Game.

### 3.9.2 Organization of the game

Any Game must fulfil the following conditions:

- the maximum total cost of participation required to take part in the game should be mentioned.
- the total cost of a participation to a game may never exceed 5 euro and for every type of game justified in relation to the nature of the game;
- unsolicited boosting and encouraging participation in the game by SMS-MT are prohibited.
- any communication about the game must mention the price for every transaction and the maximum total cost of a participation.

### 3.9.3 Advertising of the game

When organizing a promotional campaign for a Game, the Service Provider must make sure to be very clear on following points:

- the cost of every SMS, sent and received, required to participate to the Game;
- the validity period of the Game, with a clear mention on the start and end date;
- the cost of each transaction and the maximum total cost of a participation.
- all the rules applicable to the Games.

## 3.10 Specific rules for Chat services

All chat services must start with an SMS-MO.

Rates for chat services are attached to the price of SMS MO. As a result, the **SMS MT is always free of charge for the End user.**

For a chat service, the end-user rate applicable to the unsubscribe message may not exceed 0,15 euro.

## 3.11 Specific rules for Adult services



### 3.11.1 Adherence to Belgian law

The Service Provider will assure that the content reserved for adults will not be harmful and is conform to the Belgian law.

### 3.11.2 Communication and number range

Every application reserved for adults must be clearly identified as such.

The Service Provider will make sure that the adult content delivered by SMS or A2P Service will exclusively be identified under the short code range **7xxx**.

### 3.11.3 Advertisement

The Service Provider will assure that no advertisement is allowed for:

- sexually explicit services with (direct or indirect) monetary goals directly addressed to minors;
- sexually explicit services with (direct or indirect) monetary goals of services proposed by minors or shown like service offerings that indicates a person is doing prostitution; service offerings that indicate a person want to deliver itself to the vice with other persons.

## 3.12 Specific rules for Astrology and horoscope services

Every application reserved for astrology, horoscope and services, including chat, that predict the future (tarot, numerology, ...) must be clearly identified as such.

The Service Provider will make sure that all the services mentioned above are delivered by SMS or A2P Service and will exclusively be identified under the short code ranges **5xxx or 6xxx**.

## 3.13 Graphical convention

The price communication must be done by using the standard label. The indication of the cost must be clear and legible. In this respect, MNO's require adherence to the following rules:

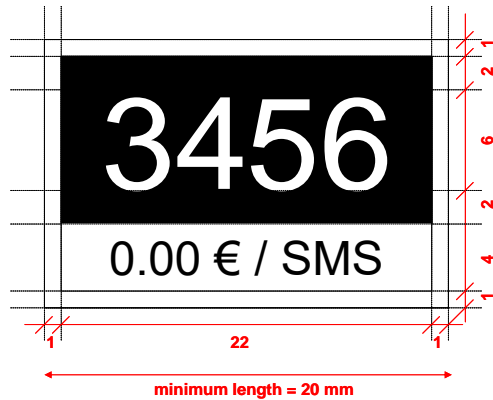
- The font size used to communicate the prices must be equal or at least one third of the font size used for the Short Code, with a minimum of 12 pt.  
The Short Code and price must always be mentioned together.  
The font size of the price must be equal or bigger than one third of the font size used for the Short Code, with a minimum of 12 pt.  
If 12 pt is technically not feasible, then the rate must be mentioned in at least the same font size as the Short Code.  
The rate should at all-time be legible, clear, and unambiguous.
- Alphanumeric signs used must be such that the need for scrutiny to understand the written texts is not necessary.
- Indicating a price by an asterisk or by any other crossed reference is never allowed.
- All price indication must always be mentioned horizontally.
- Price indications should not be placed at the bottom of the page or vertically on the sides.
- The prices and services must be mentioned at every price change of an individual SMS and at any price change of a service.

### 3.13.1 General pictogram layout

Short numbers and price will be communicated with a pictogram using a unique graphical layout described hereafter.

Proportions in height and length are fixed and may not be changed. The minimum length is 20 mm.

See figure 1 with the general pictogram layout:



The font must be FRUTIGER or ARIAL and will be the same for the Short Number and the price indication.

The font size of the price will not be less than 1/3 of the font size of the short number and will not be lower than 12 points.

Price indication will be one of the following, depending on the service offered:

- 0,00 € / SMS
- 0,00 € / participation (total price of participation)
- 0,00 € / SMS sent/received

Specific for Subscription Service

- 0,00 € / day
- 0,00 € / week
- 0,00 € / month

Note: in case of visual and audio promotion (radio commercial, TV, streaming channels and Interactive Voice Response), the complete price (either price per participation or price per subscription period) must be mentioned on the screen or clearly pronounced.

### 3.13.2 Possible colors

	Type 1	Type 2	Type 3
Frame	Black	Black	Black
Text	White	White	Black
Background (fill colour)	Black	Blue	Yellow

Color Codes (R/G/B):

- White 255/255/255
- Black 0/0/0
- Yellow PMS yellow
- Blue PMS 2935



## 4. Specific rules for Free of charge Message Services

### 4.1 Short Code range

The appropriate short code range to use for Free of charge Message Services is the 8xxx range.

Dynamic (alpha) numeric Sender IDs is not allowed.

### 4.2 Typical use cases

A Free of charge Message Service can be applied in the following use cases:

- Crisis Management
- Alert Services
- Cybersecurity
- Appointment reminders
- Advertising
- E-commerce
- M-commerce

To prevent End users from unsubscribing from functional messages, messages sent for authentication or verification purposes will be sent via a short number dedicated for authentication/verification and separated from other types of traffic such as marketing messages.

### 4.3 Subscribing to a recurring service via a single Opt-in procedure

It is important to know that End user must voluntarily and actively opt-in to the proposed service before being able to enjoy the service and thus receive messages.

#### 4.4 Unsubscribing from a service

The Service Provider must accurately explain how to cancel a registration in any advertising related to an A2P Service. The Service Provider has the obligation to cancel the A2P Service immediately for any End user requesting cancellation of the registration.

Sending **STOP** to a Short Number will unsubscribe the End user to the services associated to this Short Number.

Sending **STOP Keyword** to a Short Number will unsubscribe the End user to a specific service associated to this Short Number and keyword.

Service Providers will ensure that the End user request will be handled according to his wishes. Therefore, misspelling such as “STOP”, “sToP”, “TSOP”, wrong keywords, ... will be interpreted as “STOP”. The price of this STOP SMS-MO must be free of charge for the End user.

At the registration cancellation to an A2P Service, the MNO recommends the Service Provider to send a SMS-MT confirming the deactivation of the subscription. The price of this SMS-MT will be free of charge for the End user.

#### 4.5 Valid Traffic

Any subscription to a service for which there was no Valid Traffic for a period of 3 months or for which the MNO has returned a code signifying that the customer is not recognized by the MNO, must be terminated immediately by the Service Provider.

Unless otherwise permitted by law, End users must not be contacted without their consent. Whenever an End user is contacted, and on each such occasion, the End user must be given an opportunity to withdraw their consent to being contacted. If consent is withdrawn, the End user must not be contacted thereafter.

Where contact with End users is made as a result of information collected from a Paid Message Service, the Service Provider of that service must be able to provide to the MNO or any authority, on request, evidence which establishes each End user's consent to being contacted.

Signed by

<p>Telenet / Base Thomas Roukens Tribe Lead - Legal and Regulatory</p>	 <p><b>BASE</b></p> <p><b>Ready for tomorrow</b></p> 
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