

Spamming is illegal and has a detrimental effect on the mobile messaging industry as a whole, and we are therefore committed to ensuring best practice starts are adhered to by our clients. As such, we require all clients to be familiar with the following anti-spamming recommendations, where spamming is defined as the sending of unsolicited commercial communications.

- Avanquest yMLtd are strictly against the sending of unsolicited SMS messages, notifications, alerts or any other form of inappropriate communication.
- If marketing communication messages are being sent, clients must they obtain the individual recipient's consent **PRIOR** to sending any marketing communication via SMS.
- Clients are advised to include a simple and inexpensive 'opt-out' option within their messages, allowing the individual recipient to chose to stop the receiving of any further messages if they so wish.
- Clients must ensure that their mobile marketing campaigns are correctly targeted with appropriate consent which is of value to recipients.
- Clients are reminded that they must comply with all applicable laws and regulations concerning the collection, processing and use of personal data.
- All marketing communication SMS messages must contain information, such as a website address, as to where the recipient can obtain; the company name, legal address, company registration details, full postal address, email address and service promoted in accordance with advertisement legislation.
- Avanquest yMLtd do not permit any SMS traffic which is of a spamming nature. Evidence of spamming will result in service being suspended or may lead to the termination of your account.
- Full account must be taken of all applicable laws and regulations in (i) the country from where you are initiating the sending of SMS and (ii) the country or countries to where you are sending SMS.

Clients are referred to the following references in order to obtain a better understanding of the industry specific legislation and regulations:

- Direct Marketing Association – www.dma.org.uk
- Mobile Marketing Association – www.mmaglobal.co.uk
- Text.it – www.text.it
- Mobile Data Association – www.mda-mobiledata.org
- The Privacy and Electronic Communications (EC Directive) Regulations 2004
- The Direct Marketing Associations Code of Practice (Section 20 for SMS Marketing specific guide)

This list is not meant as an exhaustive or complete list of resources. This statement is intended to highlight the need for customers to ensure that they are not sending spam SMS communications and does not constitute the entire obligation of a customer in this regard. Customers must ensure that the traffic they are sending is compliant with the applicable laws and regulations.

If you are not the original initiator of SMS communications, you are advised to ensure that the original initiator is made aware of the content of this statement.