

South Africa

Double opt-in requirement

Vodacom and WASPA launch new guidelines for mandated double opt-in requirements, for all subscription services.

From the 1st August Vodacom require that all subscription services should include double opt-in processes into their service model.

Currently a customer can subscribe to a service by sending a single communication message. However the new business rules will require customers to confirm their request by sending a confirmation message.

These changes are being introduced as a result of a significant rise in consumer complaints regarding subscription services and are applicable to all service and content providers. Please see below for double opt-in specifics.

Double opt-in process for subscription services initiated via SMS and MMS

- a) The customer sends an SMS/ MMS MO to subscribe.
- b) The WASP sends a service notification SMS to the subscriber requesting the subscriber to confirm the subscription. The SMS should specify the following mandatory information:
 - i. The name of the service;
 - ii. The cost of the service and the frequency of the charges; and
 - iii. The customer care number.

e.g. "You'll be subscribed to **(name of service)** from **(name of service provider)** at **(cost of service and billing frequency)**. To confirm reply **"YES"**. For help dial **(customer care number)**."

- c) After the customer has confirmed the service request by replying YES to the service notification SMS, The WASP must send a welcome message with the following details:
 - i. The name of the subscription service;
 - ii. The cost of the subscription service and the frequency of the charges;
 - iii. Clear and concise instructions for unsubscribing from the service; and
 - iv. The service provider's telephone number.

When a customer has confirmed their request for a subscription service, neither the amount, the frequency of the charges, nor the frequency of the service may be increased without the customer's explicit permission.

- d) Monthly reminders must be sent to the customer within 30 days of subscription and then each month thereafter.

Double Opt-in process for subscription services initiated via Web

- a) The customer requests a subscription service by entering a mobile number on a web page. The following information must be displayed on the web page:
 - i. The name of the service;

- ii. The price and billing frequency; and
- iii. A phone number for customer support.

b) A PIN number that the customer requires to activate the subscription service must be sent to the customer's mobile number.

c) On the page where the customer enters the PIN number (i.e. the confirmation page) the following information must be displayed in a clear and easy to read manner:

- i. The name of the service;
- ii. The price and billing frequency; and
- iii. A contact number for customer support.

d) The Web confirmation page described above must also present a confirmation button.

The name of service, price & billing frequency and the customer support number must be displayed next to the confirmation button. It must be clearly communicated to the customer on the confirmation page that clicking the confirmation button will initiate a subscription service. The subscription service will only be activated once the confirmation button is clicked.

e) Once the customer has clicked the confirmation button, the WASP must send a welcome message with the following details:

- i. The name of the subscription service;
- ii. The price and billing frequency;
- iii. Clear and concise instructions for unsubscribing from the service; and
- iv. A contact number for customer support.

Double Opt-in process for subscription services initiated via WAP

a) If customers request a subscription service by entering a mobile number using WAP, the service provider who must display a WAP confirmation page to the potential subscriber. This confirmation page must be displayed after the subscriber has first indicated an interest in the subscription service by clicking on a "join" or similar link.

b) The WAP confirmation page must display the following:

- i. The name of the service;
- ii. The price and billing frequency; and
- iii. A phone number for customer support.

The information listed above must be presented as text and not as an image.

c) The WAP confirmation page described above must also present a confirmation button. It must be clearly communicated to the customer on the confirmation page that clicking the confirmation button will initiate a subscription service. The subscription service will only be activated once the confirmation button is clicked.

d) Once the customer has clicked the confirmation button, the WASP must send a welcome message with the following details:

- i. The name of the subscription service;
- ii. The price and billing frequency;
- iii. Clear and concise instructions for unsubscribing from the service; and
- iv. The service provider's telephone number.

e) Monthly reminders must be sent to the customer within 30 days and monthly thereafter.

Double Opt-in process for subscription services initiated via USSD

a) The subscriber dials the USSD string.

b) The subscriber is presented with a menu option(s) or service name with price and billing frequency.

c) The customer requests a service by selecting the appropriate menu option.

d) After selecting the required service, the customer must be presented with a service notification which confirms the service name, the price and billing frequency. This service notification must prompt the customer to confirm or cancel the service request.

*E.g.. "You'll be subscribed to **(name of service)** from **(name of service provider)** at **(cost and billing frequency)**. For help dial **(customer care number)**."*

1 - Confirm

2 – Cancel

e) The subscriber must confirm by selecting the right option to access to the service.

f) The WASP must send a welcome message with the following details:

i. The name of the subscription service;

ii. The cost of the subscription service and the frequency of the charges;

iii. Clear and concise instructions for unsubscribing from the service; and

iv. The service provider's telephone number.

g) When a customer has confirmed their request for a subscription service, neither the amount, the frequency of the charges, nor the frequency of the service may be increased without the customer's explicit permission.

h) Monthly reminders must be sent to the customer within 30 days and monthly thereafter.

Please note

Reminder messages and subscription rules as per the OBS Terms and Conditions and the WASPA Code of Conduct will still continue to apply.

The WASP must retain proof of the Double Opt-in or confirmation messages from the subscriber.