Code of Conduct relating to the provision of corporate messaging services containing alphanumeric codes (Alias) as senders pursuant to Article 5 of Resolution No. 42/13 / CIR

Tata Communications (Italy) srl with registered office in Corso Vercelli n.40, 20145 - Milan, VAT number and registration number in the Milan Company Register 04039660966 ("TATA", "TCI")

VIEW the law 31 July 1997, n. 249, concerning the Institution of the Authority for the guarantees in communications and rules on telecommunications and radio and television systems,

SEEN the legislative decree 1 August 2003, n. 259, bearing: "Electronic Communications Code", as amended by Legislative Decree 28 May 2012, n. 70, (hereinafter referred to as the "Code");

VIEW Directive 2009/136 / EC of the European Parliament and of the Council, which amended Directive 2002/22 / EC on universal service and users' rights in the field of electronic communications networks and services;

SEEN the legislative decree of 6 September 2005, containing the "Consumer Code" and subsequent amendments;

VIEW resolution no. 52/12 / CIR containing: "Numbering plan in the telecommunications sector and implementation regulations"

VIEW resolution no. 7/13 / CIR of February 28, 2013 containing: "Numbering plan in the electronic communications sector pursuant to Resolution no. 52/12 / CIR - Rules for testing alphanumeric Aliases for identifying the calling line in SMS / MMS ";

VIEW resolution no. 42/13 / CIR containing "Rules for testing alphanumeric indicators for identifying the calling subject in SMS / MMS used for corporate messaging services";

VIEW resolution no. 50/14 / CIR on "Amendment of resolution no. 42/13 / CIR containing "Rules for the testing of alphanumeric indicators for the identification of the calling subject in SMS / MMS used for corporate messaging services" "

CONSIDERED what is reported in paragraph "7.b The Authority's assessments" of attachment A to resolution 42/13 / CIR and that is that "As regards the code of conduct, considering that (as pointed out by the replies) it is the purpose of the experiment verify and possibly correct the rules introduced, it seems appropriate that there is maximum sharing among the participating subjects of the codes of conduct, so it seems appropriate that before or during the experimentation all the interested subjects draw up a code of conduct with minimum shared contents, subsequently subject to evaluation by the Authority, without thereby binding the start of the trial to the achievement of this objective ";

CONSIDERED that art. 5 paragraph 4 of resolution 42/13 / CIR provides that "the supplier of the company messaging service adopts, in advance, a specific code of conduct, which establishes, among other things, the rules for the establishment of Aliases and the initiatives envisaged for the protection of users [...] ";

ADOPT

this Code of Conduct for the provision of the corporate messaging service through alphanumeric indicators (Alias).

1. Introduction and subject matter

1.1 This Code of Conduct is drawn up pursuant to art. 5 paragraph 4, of resolution 42/13 / CIR "Rules for the testing of alphanumeric indicators for the identification of*calling subject in SMS / MMS used for corporate messaging services*"And proposes to regulate the establishment and supply of Aliases in the context of messaging services company and to define the rules to protect the users of the aforementioned services.

1.2 TATA undertakes to publish this Code of Conduct on its website.

1.3 The User is responsible for the correct implementation of the rules set out in this Code of Conduct.

2. Definitions

For the purposes of this Code, in accordance with the aforementioned resolution, the following are defined:

a) AGCom: Authority for guarantees in communications that monitors compliance with the resolution 42/13 / CIR and which manages the Data Base containing the details of the Aliases used;

b) Company Customer: the natural legal person who uses or asks to use a company messaging service, by signing an offer from a service provider of corporate messaging;

c) End user: the natural or legal person who uses or asks to use a service of electronic communication accessible to the public for purposes not related to the business, commercial or professional activity carried out;

d) Corporate messaging: SMS / MMS-type communications and direct data transmissions, in single or mass mode, to end customers by a Company User, such as Companies or Entities, for social purposes, information and advertising;

e) Company messaging service provider: legal entity authorized pursuant to art. 25 of the CCE which provides the service of corporate messaging through the use of Aliases to End Customers (see Article 4, paragraph 1);

f) Provider of access services: legal entity authorized pursuant to art. 25 of the Electronic Communications Code (Legislative Decree No. 259/2003) whichprovides mobile services, including the messaging service, to the End User;

g) CLI - Calling line identification: identification of the call line by means of the defined number from UIT-T Recommendation E.164 and, at national level, from the National Numbering Plan ("PNN")associated with the same line;

h) Alias: alphanumeric character string transmitted in the field provided for sending the sender / CLI in SMS / MMS communications.

3. Establishment of Aliases

3.1 The use of Aliases is allowed for Company Customers who have subscribed to an offer of corporate messaging with the Supplier of the same and have obtained one or more in use E.164 numbers of the PNN to be associated with the Aliases, in compliance with the provisions of the resolutionn. 42/13 / CIR and subsequent amendments The experimentation of Alias is limited to company users who own a VAT number.

3.2 The use of Aliases that have already been used for other Customers / Companies and which are not must be avoided differ significantly from Aliases already used.

3.3 Multiple Aliases can be associated with a given number in use by a Company Customer provided that used by the same user.

3.4 In line with the provisions of art. 4 of resolution 42/13 / CIR, the Alias is constituted in such a way as tofacilitate as much as possible the identification by the recipient of the person responsible for the content of the communication or the good or service offered by the same, reducing, toat the same time, the possibilities of inducing false identifications, therefore it is constituted in order to bedistinctive of the Customer Company, not detrimental to the rights of others and not misleading for the recipient. TOan illustrative and non-exhaustive title cannot be used:

- common names ("bar", "restaurant");
- personal names (eg "Raffaella") .;
- surnames or first and last names that do not correspond to the company name and that in any case they do not identify the profession carried out, instead possibly identifiable with titles or acronyms (eg "vv.", "Dr.");

- generic or commonly used names (eg. event "," mom "," lawyer "," dry cleaners "," legal office ", "State school") ;

- simple city names with no further indications (eg "Milan" to mean the Municipality of Milan);

- names of public offices not accompanied or replaced by the indication of the body to which they belong (eg "Registry" without further indication of the sender Municipality of the Alias);

- purely informative content (eg "Greetings");

- with regard to the protection of minors, the Alias cannot be established unless there are references that harm minors psychically, morally, physically and without relying on their natural credulity or lack of experience and their sense of loyalty.

3.5 The Aliases that refer to Public Bodies and Institutions are reserved exclusively for the same Bodies or Institutions and cannot be associated with other subjects.

3.6 Aliases consist of alphanumeric strings with a maximum length of 11 characters. The use of the "€" character corresponds to the use of two characters.

3.7 The Alias cannot be composed of numeric characters only. Particularly:

to. capital and small letters of the international alphabet must be used:

- ABCDEFGHIJKLMNOPQRSTUVXYWZ (HEX codes 41 to 5A respectively)

- abcdefghijklmnopqrstuvxywz (HEX codes 61 to 6A respectively);

b. the accented lowercase letters present on the Italian keyboard can be used:

- èéùìò (HEX codes from 04 to 08 respectively)

- à (code HEX 7F)

c. digits 0 to 9 can be used:

- 0123456789 (HEX codes from 30 to 39 respectively);

d. common punctuation marks can be used:

- SP (space: code HEX 20)

-! (exclamation point: code HEX 21)

- '(apostrophe: code HEX 27)

-, (comma: HEX 2C code)

-. (point: HEX 2E code)

-: (colon: HEX 3A code)

-; (semicolon: HEX 3B code)

-? (question mark: HEX 3F code)

The preceding characters cannot be preceded by the space character. Consecutive use of spaces is not allowed.

- "(quotation marks: code HEX 22)

In an Alias, only two quotation marks can be present: one as an opening and one as a closing. The former cannot precede a space and the latter cannot follow a space.

And. common currency symbols can be used:

- € (euro: two-character code HEX 1B 65)

- £ (lira: code HEX 01)

- $ (dollar: code HEX 02)

f. common mathematical symbols can be used:

-% (percentage: HEX code 25)

- ((opening round parenthesis: HEX code 28)

-) (closing round parenthesis: code HEX 29)

- + (plus: HEX 2B code)

- - (minus or even hyphen: 2D HEX code)

- = (same: 3D HEX code)

g. the following internet symbols can be used:

- @ (snail or "at": code HEX 00)

- _ (underlined or "underscore": HEX 11 code)

- # (hash or "hash": code HEX 23)

- & (and: HEX code 26)

- * (asterisk or "star": HEX 2A code)

3.8 Aliases cannot start or end with a space character (SP).

3.9 The Alias is determined in compliance with current legislation on the use of trademarks.

4. Management of Aliases

4.1 The Aliases associated with Customers / Company by the Company Messaging Service Provider are contained in the database managed by AGCom, limited to the services it directly managesprovided, bearing for each Alias:

i) Alias;

ii) the associated E.164 number;

iii) the name of the Company Customer who is granted the use
of the Alias;

iv) the related Tax Code;

v) the VAT number;

vi) the methods for contacting this subject and, limited to those actually available, in particular:

      vi.1) address,

      vi.2) telephone number, if any, in order of preference of the assistance service clients,

      vi. 3) fax,

      vi. 4) email,

      vi. 5) PEC

      vi. 6) website address, if any,

vii) date on which the Alias is given in use to customers

viii) date of termination of the Alias, when no longer in use.

4.2 The information referred to in the superior art. 4.1. are updated, for new activations, first of the start of the use of a new Alias and within the following 24 working hours in the   case   of termination.

4.3 The loading of information is done in incremental mode, that is, they come only communicated the Aliases that the service provider intends to use for its ownCompany Customer or the Aliases that their Company Customer no longer intends to use through theservice provider itself. The Alias system only allows you to add records. Thesethey can be of two types: "adding" an Alias or "removing" an Alias. Consequentially,the database of the Alias system keeps the history of all operations. The Customer is responsible for the correctness of the communication to TATA of the data that must be entered in the Register of Aliases of the AGCom.

4.4 To communicate a change in the data entered relating to an Alias, such as a change in the contact point of the Company Customer, it is necessary to enter two records in the Alias system. Thethe first (of the "removal" type) indicates to the system the Alias to be removed, ie the record whose information is to be updated 6. The second record (of the "add" type) indicates to the system the Alias to be added, ie it contains the updated data. These two records can be contained in the same file, assuming that the remove record precedes the add one.

The file can be of type ".csv" or ".xml". In particular, the fields of the record are:

<Alias>, <number>, <customer_social reason>, <customer_sigla_fiscal_country>,

<customer_fiscal_code>, <customer_vat_value>, <customer_seat_address>, <customer_contact>, <action>.

It should also be noted that the name of the company messaging service provider as well as the date and time of the "receipt" of the record by the Alias system are not sent but are automatically detected by the Alias system.

All record fields are required and must contain Unicode UTF-8 encoded characters.

5. Measures for the protection of the final customer

5.1 The end customer who receives an SMS / MMS message having as sender an Alias deemed unexpected, misleading or spam, can contact the Customer Care of their mobile operator reporting the case and communicating the following necessary to the Operator information to enable him to carry out the necessary checks:

a) numbering of the final Customer recipient of the SMS / MMS;

b) Alias that appears as the sender of the message (SMS / MMS);

c) day, date and time of receipt.

5.2 The Operator's Customer Care, by querying the database managed by AGCom, receives the information relating to the Company Customer who sent the message and communicates it to the final Customer in order to allow him to protect his interests if necessary. Customer Care reserves the right to communicate the results of further checks to the final customerpossibly necessary to satisfy the requests of the final customer.