Code of Conduct concerning the provision of corporate messaging services containing codes alphanumeric (Aliases) as senders ('Code')

Mexedia S.p.A. agg.to 2023

Foreword

This Code of Conduct is drawn up pursuant to Article 5, paragraph 4, of the resolution of the Communications (AGCom) 42/13/CIR " *Standards for testing alphanumeric indicators for caller identification in SMS/MMS used for corporate messaging services*'.
(Resoluti ") and proposes to regulate the establishment, assignment and use of Aliases within the corporate messaging services and to define the rules to protect the users of these services.

Messaging services

The messaging services are the services provided by an authorised provider pursuant to the Resolution in favour of a Customer/Company, natural or legal person, that intends to reach its End Customers through SMS or MMS messages, communicating its own offers of products or services, or service information and, depending on the case, requesting the same End Customers to reply to the communication sent. Messaging services that provide for a message to be sent to End Customers are commonly referred to as "MT" ("*Mobile Terminated*") messaging services, while messaging services that provide for a response from End Customers, "MO" ("*Mobile Originated*") messaging services. MT services may be provided through the use of Aliases as an alternative to the use of the CLI. This Code will deal exclusively with business messaging services through the use of Aliases.

It is understood that the party using the service, as better specified below, uses the service for the achievement of its own social informative or advertising purposes and, consequently, it is the party that determines in the first instance the purposes and means of the processing of personal data, being to all intents and purposes the data controller of the sending actions.

It follows that the user of the service has an obligation to adopt the provisions of data protection in order to guarantee the lawfulness of the processing operations carried out. By way of example and not exclusively: in the case of advertising actions, it is obliged to send them on the basis of specific consents of the data subjects collected in a manner that complies with regulatory obligations.

1. Definitions

For the purposes of this Code, consistent with the aforementioned resolution, these are defined as:

a)
Customer/Compa
ny

The natural or legal person using or requesting to use a corporate messaging service, by subscribing to an offer from a corporate messaging service provider;

b) Final
Customer

The natural or legal person who uses or applies to use a publicly accessible electronic communications service for purposes not related to his or her employment, business or professional activity;

c) Corporate messaging

SMS/MMS type communications, in single or bulk mode, to End Customers by a Customer/Company, such as Companies or Organisations, for social, informative and advertising purposes;

d) Corporate messaging service provider

Legal entity authorised under Art. 25 of the CCE that provides on the basis of specific contracts with Customers/Company the corporate messaging service through the use of Aliases towards End Customers (cf. Art. 4 para. 1);

(e) Access service provider

Authorised legal entity within the meaning of Article 25 of the ECA that provides mobile services, including the messaging service, to the End Customer;

f) CLI - Calling line identification

Identification of the called line by means of the number defined by ITU-T Recommendation E.164 and nationally by the National Numbering Plan (Del. 52/12/CIR as amended) associated with the same line;

(g) Aliases

String of alphanumeric characters transmitted in the field provided for sending the sender/CLI in SMS/MMS communications not longer than 11 characters as indicated in Annex A to this Code;

2. Principles underpinning the Code

The Code aims to guarantee the proper development of corporate messaging services by ensuring the rights of customers/companies on the one hand and end customers on the other hand and fair *player* of competition between the sectors.

In this context, *player* the sector intends to set common rules of conduct with the aim of growing the market by respecting the rights of the final customers to whom the messages are addressed. In this respect the *player* of sector will adopt their best experience and diligence to ensure t h e correct use by customers/companies of the Aliases.

3. Establishment of Aliases

Aliases consist of a set of alphanumeric strings no longer than 11 characters, the details of which a r e s e t o u t in Annex A to this code.

4. Assignment of Aliases

Aliases are assigned on the basis of the current trade mark regulations.

The Business Messaging Service Provider shall take utmost diligence in order to avoid that parties who do not own rights to a given Alias may use Aliases whose legitimate use is vested in third parties under trademark law. To this end, in the first place, Corporate Messaging Service Providers shall adopt procedures for authenticating the Customer/Company by means of credentials in such a way as to ensure that the Customer/Company who has subscribed to a corporate messaging service offer is actually the person who accesses the messaging system and uses the Aliases.

Furthermore, corporate messaging service providers will do their best to include in their contracts with Customers/Companies special clauses in which they make Customers/Companies take responsibility for the use of only Aliases that they legitimately have, and to this end they may also make the Customer/Company sign a self-declaration.

Customers/Companies found to have used Aliases in an unlawful manner will be barred from using the relevant Aliases.

5. Assignment of Generic Aliases

The Resolution prohibits the use of Aliases already used for other Customers/Companies and which do not differ significantly from Aliases already used. In this context, the assignment of generic Aliases is permitted provided that

Customers/Companies undertake in their contracts with corporate messaging service providers to include in the text of the message a reference to their own company name or brand legitimately used in order to be recognisable to the End Customer.

6. Assignment of Aliases referring to public bodies and institutions

Aliases referring to public bodies and institutions are reserved exclusively for those same bodies or institutions and may not be associated with other entities.

7. Uploading Aliases to the AGCom-managed database

Before sending a message with Aliases, Corporate Messaging Service Providers will take care of uploading the Aliases used by Customers/Companies to the database managed by AGCom (for brevity also 'Alias System').

The following information will indicatively be entered into the database:

• Aliases and associated E.164 numbering;

• Customer/company name, VAT number/tax code;

• Customer/company contacts: single contact data between telephone number, fax number, e-mail address;

• Cessation of use of the Alias when it is no longer in use;

The name of the corporate messaging service provider and the date and time of the records are automatically detected by the Alias System.

The actual specific information to be associated with each Alias may be updated following any changes in the technical-operational modalities of the Alias System.

8. Use of Aliases by Customers/Company

The use of Aliases is allowed to Customers/Companies that have subscribed to a corporate messaging service offer with Corporate Messaging Service Providers who have obtained in use one or more numbers E.164 of the PNN to be associated with the Aliases, in compliance with Art. 3(2) of the Resolution.

Several different corporate messaging service providers may subscribe to a corporate messaging service offer with the same Customer/Company.

Each Customer/Company must have a unique number associated with it. Several Aliases may be associated with this numbering as long as they are used by the same Customer/Company.

9. Termination of use of Aliases by Customers/Company

A given Alias will remain active as long as the contract between the corporate messaging service provider and the Customer/Company is in force, except if, during the term of the contract, it is the Customer/Company itself that informs the Provider that it no longer wishes to use a given Alias.

Within 24 hours following the termination of the contract between the Corporate Messaging Service Provider and the Corporate Customer or the receipt by the Corporate Messaging Service Provider of notice that it no longer wishes to use a particular Alias, the Provider shall notify the Alias System of the termination of the use of the Alias.

10. Protection of Final Customers

The End Customer who receives an SMS/MMS message with an Alias as sender that is considered unexpected, misleading or spam, may contact the Customer Care of their mobile telephone operator, reporting the case and providing the operator with the following necessary information in order to carry out the necessary checks:

a) numbering of the end customer;

b) Alias appearing in the message sender;

c) day, date and time of reception;

Customer Care, by querying the database managed by AGCom, receives the following information about the Customer/Company that sent the message and communicates it to the End Customer:

• Customer/Company name;

• Aliases used;

• customer/company contacts;

In the event of a request from the competent authorities for message tracking data, the messaging service provider will deliver such data as quickly as possible in order to ensure the purposes of justice.

11. Subsequent versions of the Code

The corporate messaging service provider reserves the right to set up new and more advanced versions of this Code in order to better meet the business needs of *player* the sector and the better protection of end-customers' rights, hand in hand with the evolution of corporate messaging services containing Aliases and the related regulation, which is currently still in an experimental phase.

ANNEX A

PERMITTED CHARACTER SET FOR ALIASES

With reference to paragraph 6.2.1 "GSM 7 bit Default Alphabet" of the technical standard "Digital cellular telecommunications system (Phase 2+); Universal Mobile Telecommunications System (UMTS); LTE; Alphabets and language-specific information", 3GPP TS 23.038 version 11.0.0 (2012- 10) Release 11, only the following is admissible for the constitution of aliases.

1. the lower and upper case letters of the international alphabet:

ABCDEFGHIJKLMNOPQRSTUVXYWZ (HEX codes 41 to 5A respectively)

abcdefghijklmnopqrstuvxywz (HEX codes 61 to 6A respectively)

2. The accented lowercase letters in the Italian keyboard:

èéùìò (HEX codes 04 to 08 respectively) à

(HEX code 7F)

3. The digits 0 to 9

0123456789 (HEX codes 30 to 39 respectively)

4. Common punctuation marks:

SP (space: HEX code 20)

! (exclamation mark: HEX code 21) '

(apostrophe: HEX code 27)

, (comma: HEX code 2C)

. (point: HEX code 2E)

(two points: HEX code 3A)

; (semicolon: HEX code 3B)

? (question mark: HEX code 3F)

the preceding characters may not be preceded by the space character. Consecutive use of spaces is not permitted

"(inverted commas, HEX code 22)

In an Alias, only two inverted commas may be present: one as opening and one as closing. The first cannot precede a space and the second cannot follow a space.

5. Common currency symbols

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

£ (lira: code HEX 01)

$ (dollar: code HEX 02)

6. Common mathematical symbols

% (percentage: HEX code 25)

((open round bracket: code HEX 28)

) (closed round bracket: HEX code 29)

+ (plus: HEX code 2B)

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

= (equals: 3D HEX code)

7. Symbols used on the Internet:

@ (snail or 'at' : HEX code 00)

_ (underscore or 'underscore' : HEX code 11) #

(hash or 'hash' : HEX code 23)

& (and: HEX code 26)

* (asterisk or 'star': HEX code 2A)

Ultimately, the list of permitted characters and the relevant ETSI hexadecimal encodings to be used in SMS/MMS transmission as well as the relevant UTF-8 hexadecimal encodings to be used in communication to the Authority's database are:

Character	Encoding ETSI	Encoding UTF-8	Character	Encoding ETSI	Encoding UTF-8	Character	Encoding ETSI	Encoding UTF-8
D	00	40	8	38	38	Z	5A	SA
£	01	C2 A3	9	39	39	a	61	61
$	02	24		3A	3A	b	62	62
è	04	C3 A8	,	3B	3B	c	63	63
é	05	C3 A9		3D	3D	d	64	64
ù	06	C3 B9	?	3 F	3 F	e	65	65
I	07	C3 AC	A	41	41	f	66	66
ò	08	C3 B2	B	42	42	g	67	67
_	11	5F	C	43	43	h	68	68
SP	20	20	D	44	44	i	69	69
!	21	21	E	45	45	j	6A	6A
'	22	22	F	46	46	k	6B	6B
#	23	23	G	47	47	I	6C	6C
%	25	25	H	48	48	m	6D	6D

&	26	26		I	49	49		n	6E	6E
'	27	27		J	4A	4A		o	6F	6F
(	28	28		K	4B	4B		p	70	70
)	29	29		L	4C	4C		q	71	71
*	2A	2A		M	4D	4D		r	72	72
+	2B	2B		N	4E	4E		s	73	73
,	2C	2C		O	4F	4F		t	74	74
-	2D	2D		P	50	50		u	75	75
.	2E	2E		Q	51	51		v	76	76
0	30	30		R	52	52		w	77	77
1	31	31		S	53	53		x	78	78
2	32	32		T	54	54		y	79	79
3	33	33		U	55	55		z	7A	7A
4	34	34		V	56	56		à	7F	C3 A0
5	35	35		W	57	57		€	1B 65	E2 82 AC
6	36	36		X	58	58				
7	37	37		Y	59	59				

Accordingly, the table of usable characters organised according to the ETSI encoding is as follows.

	b7	0	0	0	0	1	1	1	1
	b6	0	0	1	1	0	0	1	1
	b5	0	1	0	1	0	1	0	1
b4 b3 b2 b1 HEX		0	1	2	3	4	5	6	7

b4	b3	b2	b1	hex	0	1	2	3	4	5	6	7
0	0	0	0	0	@ 40		SP 20	0 30		P 50		p 70
0	0	0	1	1	£ C2 A3	_ 5 F	! 21	1 31	A 41	Q 51	a 61	q 71
0	0	1	0	2	$ 24		" 22	2 32	B 42	R 52	b 62	r 72
0	0	1	1	3			# 23	3 33	C 43	S 53	c 63	s 73
0	1	0	0	4	è C3 A8			4 34	D 44	T 54	d 64	t 74
0	1	0	1	5	è C3 A9		% 25	5 35	E 45	U 55	e 65	u 75
0	1	1	0	6	ù C3 B9		& 26	6 36	F 46	V 56	f 66	v 76
0	1	1	1	7	ì C3 AC		' 27	7 37	G 47	W 57	g 67	w 77
1	0	0	0	8	ò C3 B2		(28	8 38	H 48	X 58	h 68	x 78
1	0	0	1	9			) 29	9 39	I 49	Y 59	i 69	y 79
1	0	1	0	A			* 2A	: 3A	J 4A	Z 5A	j 6A	z 7A
1	0	1	1	B		1)	+ 2B	; 3B	K 4B		k 6B	
1	1	0	0	C			, 2C		L 4C		l 6C	
1	1	0	1	D			- 2D	= 3D	M 4D		m 6D	
1	1	1	0	E			. 2E		N 4E		n 6E	
1	1	1	1	F				? 3F	O 4F		o 6F	à C3 AO

SP corresponds to the space character

1) is not a character but indicates the code (HEX 1B) to be prefixed to indicate the characters in the Extension table.

In particular, the HEX 1B 65 encoding corresponds to the character €, whose UTF-8 encoding is E2 82 AC. The character € is the only usable character in the Extension table. In each cell, the first line shows the character related to the encoding according to 3GPP TS 23.038 version 11.0.0 (2012-10)

The second line shows the relevant UTF-8 encoding to be used in communications to the AGCOM DB