

**[NTC MEMORANDUM CIRCULAR NO. 03-03-2005,
March 15, 2005]**

RULES AND REGULATIONS ON BROADCAST MESSAGING SERVICE

Pursuant to R.A. 7925, E.O. 546, series of 1979, and in order to address consumer complaints, welfare and protection, the following rules and regulations on broadcast messaging service are hereby promulgated:

SECTION 1. Scope

1.1 All Public Telecom Entities and content providers operating within the Republic of the Philippines shall adhere to the requirement prescribed in this circular.

1.2 This circular shall cover commercial and promotional advertisements, surveys sent via Broadcast/Push messaging service.

1.3 This circular shall not cover emergency, distress, public service information messages, network advisories and consumer welfare and protection related advisories.

SECTION 2 . Definition of Terms

2.1 Broadcast Messaging Service - allows one to send the same SMS/MMS messages to a large number of mobile phones.

2.2 Commission - refers to the National Telecommunications Commission

2.3 Commercial Advertisements - advertisements for the purpose of soliciting business and to generate revenue.

2.4 Content Provider - an organization that creates and maintains databases containing information from an information provider.

2.5 Multimedia Messaging Service (MMS) - allows users to send and receive messages containing images, videos, audio and text.

2.6 Opt-in - the subscriber has requested to be included on the specific list to receive direct marketing through SMS or MMS.

2.7 Opt-out unsubscribing from future unsolicited commercial and promotional advertisements, surveys and other Broadcast/Push messages.

2.8 Promotional Advertisements - advertisements designed to increase visibility or sale of a merchandise or product.

2.9 Public Telecom Entities - any person, firm, partnership or corporation, government or private, engaged in the provision of telecom services to the