

# Code of Practice (CoP) – For Entities

## A. Foreword

This Code of Practice (CoP) is formulated to comply with TRAI's The Telecom Commercial Communications Customer Preference Regulations, 2018 (6 of 2018) (TCCCP Regulations 2018).

This CoP deals with Entities involved in performing various functions as required under the said regulation and prescribes the functions to be performed by them. It also provides for the process for header registration.

For avoidance of doubt, in the case of any difference between texts, the text set out in the TCCCP Regulations, 2018 shall take precedence.

This CoP is the outcome of mandate given in TCCCPR 2018 and has evolved with the joint initiative and concurrence of all the Access Providers.

The CoP will take effect as per the provisions mentioned under the section "Effective Date" of this CoP document.

Any modification to this CoP would be well within the right of RCOM, with no liability of any financial claim or damages or any other adverse action, subject to suitable information of such changes being provided to concerned stakeholders.

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## I. Effective Date

The CoP is published to seek in consensus with TRAI for compliance with the Regulations.

This CoP will become the base document for technical solutioning and customer servicing processes once RCOM receives inputs from the TRAI, or 30 days from the date of submission to the TRAI. In case of any inputs/observations from the TRAI within this period, this CoP will be effective once such inputs/observations are addressed by RCOM.

The solutioning of architecture, processes, its development and deployment activities will commence after finalization of CoP.

The effectiveness of new ecosystem and processes would depend on its concurrent deployment and integration by all TSPs on a common date.

## II. Scope

The Scope of this CoP is to:

1. Comply with the TCCCP regulation, 2018.
2. Provide for appointment of various Entities who would perform the respective functions assigned as per TCCCP Regulations 2018.
3. Cover process for registration of 'Sender(s)' (i.e. Principal Entities or Content Providers) and their obligations, who will be assigned and allocated the headers (Voice CLIs).
4. Provide minimum set of information which will be put on DLT system for sharing amongst all Entities and stakeholders.
5. Control on Unsolicited Commercial Communication by effective implementation of the above.

## III. Appointment of Entities

RCOM, at its sole discretion, may choose to perform the functions of Entity by its own or may also choose to delegate the same to a third party.

If delegated to a third party:

- a. RCOM shall ensure proper authorization of such Legal entity through legal agreements, which shall include strict conditions for safety, security and confidentiality of the information being made available over the DLT system.
- b. RCOM shall ensure that the third party is not an individual but, a reputed legal entity (i.e. public or private listed company or proprietorship firm, as per Indian laws)
- c. RCOM may choose to appoint one third party for performing the functions of various Entities or may choose multiple third parties to perform different activities or may choose multiple third parties for an individual activity.

## IV. Types of Entities Registration and their functions

Following functional Entities shall be appointed by RCOM, either within the organization or be delegated to a third party, for performing the functions as per TRAI TCCCP Regulation, 2018. The functions and process steps to be followed by such Entities are given as follows:

### 1. Header Registrar (Entity – HR)

#### A. Broad Functions:

- a) establish and maintain header register as distributed ledger to keep headers, in a secure and safe manner, and make accessible relevant information for identifying the assignee at the time of request to carry out various functions, e.g. scrubbing function from the registered telemarketers for scrubbing, delivery function from telemarketer;
- b) carry out Header Registration Function
- c) manage record of headers throughout its lifecycle, i.e. free for assignment, assigned to an entity, withdrawn, surrendered, re-assigned etc.
- d) keep record of header(s), header root(s) reserved for specific purpose
- e) in case of voice header(s), header root(s) will refer to the dedicated number series specified for this purpose.
- f) maintain with minimum performance requirements as specified
- g) perform any other function and keep relevant details required for carrying out pre and post checks for regulatory compliance

#### B. Process steps to be followed:

- a) assign header or Header root via Header Registration Functionality, on its own or through its agents, as per allocation and assignment principles and policies, to facilitate content provider or principal entity to get new headers

#### Process for Allocation and Assignment Principles and policies:

- i. No absolute right or ownership of Sender on the header(s). In case of any dispute or otherwise, under pure discretion of RCOM, the assignment of header(s) can be revoked, with or without notice. RCOM, under its discretion, can disallow allocation of any specific headers as well.
- ii. The assignment of header(s) will as per commercial terms prescribed by RCOM.
- iii. For the purposes of sending calls to its own subscribers, RCOM will not need to undergo registration process. As an RCOM connection, by itself, is part of service opted by customer, RCOM can send Service and Transactional calls to its own customers without seeking separate consent.

b) carry out pre-verifications of documents and credentials submitted by an individual, business entity or legal entity requesting for assigning of the header.

**Process for Pre-verification Checks and request for assignment of header:**

i. The Sender must submit request for header registration by filling up a Customer Application Form (CAF), mention the header(s), and enclose copy of KYC documents (for both sender entity and its authorized signatory).

• In case of Government agencies directly approaching Entity-HR or the TSP, the KYC documents will not apply. A letter/email from official email ID will suffice. In case a Registered Telemarketer (RTM) approaches on behalf of Government agencies then, an undertaking would have to be furnished by said RTM that the header will be used for said Government agencies Calls only. The said header will be registered in name of Government agency. RTM will have to furnish an Authorization Letter from the Government agency.

ii. The applicant should also declare purpose of making calls through such header(s).

iii. If the declared purpose is of sending stock related tips etc, further authentication steps as mentioned in sub-point c) below shall be followed.

iv. RCOM/Entity-HR will aim to provide digital modes also for collection of this information and registration of Sender(s) and/or Header(s), for a seamless experience and faster processing.

c) carry out additional authentications in case of a request for headers to be issued to SEBI registered brokers or other entities specified by Authority by directions, orders or instructions issued from time to time

**Process for Additional Authentications – SEBI related**

i. No header shall be used for making calls related to investment advice or tip, unless it has gone through authentication as provided for in this step. All Sender(s) should confirm if the header being sought for allocation is to be used for making calls relating to investment advice or tip. If yes, then following steps to be followed:

ii. The Sender should be a SEBI registered investment advisor or broker or sub broker or portfolio manager or merchant banker and should provide its SEBI registration document. RCOM/Entity-HR shall cross-check the same with the SEBI website. In case details do not match, header registration request shall be declined.

d) Process steps for De-registration of Sender and/or Header

Post successful checks and documents availability, as per above clauses, the Entity-HR will register the Sender and/or assign the header/header root and make respective entries in the system.

e) Process steps for De-registration of Sender and/or Header

The Entity-HR will temporarily or permanently de-register a Sender and/or Header in following scenarios:

- In case of repeated complaints as defined in the complaint handling CoP
- In case limited period mentioned in the Authorization letter provided by Government agency or Corporate/well-known brand.
- On direction from LEAs, Regulators or other competent authorities
- Any other scenarios, as defined by RCOM from time to time.

Such de-registration of Sender or Header(s) should be immediately informed to the respective Sender on their registered email id, along with process of re-allotment as defined by RCOM from time to time.

f) Above process steps as defined from sub-point a) to e) are to be followed in case a Sender or Telemarketer seeks allocation of telecom resource for voice calls. Resources for voice calls should be given to Entity from number series (Wireline i.e. 140) allocated to TSPs for telemarketer for making promotional calls.

## **2. Consent Template Registrar (Entity-CsTR) and Consent Registrar (Entity-CR)**

### **A. Broad Functions:**

a) establish and maintain consent register as distributed ledger to keep consent, in a secure and safe manner, and make accessible relevant data for the Scrubbing Function.

b) establish Customer Consent Acquisition Facility (CCAF), to record recipient's consent to receive commercial communications from the sender or consent acquirer; the method of acquiring consent to be standard across all TSPs.

c) establish Customer Consent Verification Facility (CCVF) for the purpose of facilitating:

i. customers to verify, modify, renew or revoke their consent in respect of commercial communications through a web interface.

ii. Access Providers to verify the consent in case of complaint

d) keep consent for each consent acquirer, in a manner that client data of entity is adequately protected

e) keep record of revocation of consent by the customer, whenever exercised, in an immutable and non-reputable manner

f) synchronize records, in real time, among all consent ledgers available with participating nodes in Consent Acquisition Functionality in an immutable and non-reputable manner

g) maintain with minimum performance requirements as specified

h) perform any other function and keep relevant details required for carrying out pre and post checks for regulatory compliance

### **B. Process steps to be followed**

**a) Record consent** via Customer Consent Acquisition Functionality on Consent Register, on its own or through its agents, to facilitate consent acquirers to record the consent taken from

the customers in a robust manner which is immutable and non-reputable and as specified by relevant regulations;

### **Process Steps for Recording Consent**

i. The sender will share the consent template which should explicitly convey the purpose, with the consent template registrar (Entity-CsTR), which is to be presented to the customer for acquiring consent and clearly mention purpose of the consent and details of the sender (Header).

ii. The Entity-CsTR will cross check the consent template with purpose, Header and sender and approve/disapprove the same for the registration. In case of rejection, the sender to share the revise template. Entity-CsTR will assign a unique ID to each approved consent template.

iii. TSPs under their discretion, can cause deregistration of some/particular consent template(s) based on any specific content through keywords or otherwise.

iv. The Entity-CsTR will register and record the approved consent template along with sender and header name in its register (will replicate at Header Registration)

v. TSPs/Entity-CsTR may charge sender for such template registration as per their commercials.

**b) Presenting content** of consent acquisition template to the customer before taking consent; and

**c) Taking agreement** to the purpose of consent and details of sender; and

### **Process Step for Presenting content of consent acquisition, taking agreement and authentication**

i. The sender may have multiple consent templates registered with Entity-CsTR.

ii. Sender will initiate a trigger to Entity-CR along with registered consent template ID and MSISDN (individual or in batches) for presenting the same to the consumer seeking his consent.

iii. Entity-CR will share the registered consent template containing details of the sender and Header (Principal Entity name/brand name).

**e) record revocation of consent** by the customer via revoke request in a robust manner which is immutable and non-reputable and as specified by relevant regulations.

### **Process Step for recording revocation of Consent:**

The revocation of consent can happen through various modes mentioned below:

i. calling on customer care number; or Interactive Voice Response System (IVRS); or

ii. Web portal with authentication through OTP; or

iii. Any other means as may be notified by the Authority from time to time.



If in case, more than specified percentage of customers don't give consent out of the total consent presented in a day, the activity done by the sender could be suspicious. Hence, a warning notice should be sent to the sender. Post the notice, Entity-CR will monitor future conversion of consent for the said consent template and take suitable necessary action as agreed between TSP and Entity –CR.

**The detailed process on revocation of consent is covered in CoP– Process for Registration, modification and Deregistration of Preferences and Recording and Revocation of Consent, and its provisions would be binding on Entity-CR and Sender(s)/Consent Acquirers.**

### **3. Content Template Registrar**

#### **A. Broad Functions:**

- a) Content Template Registrar (Entity-CTR) to carry out content template registration function
- b) keep records of registered templates in immutable and non-reputable manner
- c) maintain with minimum performance requirements as specified
- d) perform any other function and keep relevant details required for carrying out pre and post checks for regulatory compliance

#### **B. Process Steps to be followed:**

- a) to check content of the template being offered for registration as a transactional template

#### **Process Steps for checking Content offered for registration**

- i. Sender will share with Entity-CTR the proposed template to be registered under the category of transactional or service call. Further, the sender will also provide consent
- ii. template id (as provided during registration) for the proposed template of service calls. The template should carry both fixed and variable portion, distinctly identified. Sample Templates with fixed and variable portions will be prescribed and shared with senders during Registration.
- ii. Sender to ensure not to send any objectionable, obscene, unauthorized or any other content, calls or communications infringing copyright and intellectual property right etc., in any form, which is not permitted as per established laws of the country. TSPs to be indemnified for any such misuse by telemarketer/sender/aggregator through relevant clause in the agreement.
- iii. Entity-CTR to check the content of the service call templates and transactional calls templates submitted by the sender and cross-check the service calls template with the purpose defined in the approved consent template.

iv. TSPs under its discretion, can disallow registration or cause deregistration of any content template based on any specific keywords or otherwise.

**b) to identify fixed and variable portion(s)** of the content in the offered transactional template and service calls template with identification of type of content for each portion of variable part of the content, e.g. date format, numeric format, name of recipient, amount with currency; reference number, transaction identity;

#### **Process Steps**

i. Entity-CTR is required to ensure the above.

**c) to de-register** template or temporarily suspend use of template

#### **Process Steps**

i. Entity-CTR will de-register/ temporarily suspend use of a content template (transactional or service) in case of following scenarios:

- 1) In case of repeated complaints, as defined in the complaint handling CoP.
- 2) In case of non-usage of the template for a period of 180 days.
- 3) As per inputs arising from CoP Detect or otherwise as per discretion of TSP

d) to generate one-way hash for fixed portion of content of template and ways to extract fixed portion and variable portion(s) from actual message for carrying out pre and post checks of actual content of actual message offered for delivery or already delivered

**e) assigning unique template identity** to registered template of content

#### **Process Steps for assigning unique template identity:**

Entity-CTR to assign unique id to each template against each registered sender id and update the system. The unique ID shall be generated by the DL\_Content Template module.

### **4. Telemarketer Functional Entity Registrar (Entity-TFER)**

i. TSP itself or through an entity (Entity-TFER) will register Telemarketer functional Entities i.e. TM-SF, TM-DF, TM-AF and TM-VCF and arrange execution of respective agreements with them, as per the format specified by TSP. TSPs should endeavor to restrict TM-SF entities to a miniscule single digit number, to ensure confidentiality of information.

ii. These Telemarketer functional entities will perform respective functions as mentioned hereinafter.

iii. It is in complete discretion of TSP to appoint and register one or multiple entities as TM-SF.

iv. TSP may formulate process and scenarios for de-registration of Telemarketer Functional Entities

## **A. Functions of Entity-TM-SF**

### **Process Steps for processing Scrubbing**

- i. The Telemarketer or Sender submits target numbers, headers and template for the scrubbing function.
- ii. For Scrubbing function can be for either category of calls i.e. promotional.
- iii. The Scrubbing function would mean checking of customer's preference or consent, depending upon the calls being promotional. The TSP may choose, at its own discretion, to have Scrubbing function and Content Template verifier function, to be done simultaneously, through a single entity or a single system.
- iv. The Telemarketer or Sender will provide the MSISDNs and content of call along with the category of content (i.e. promotional) to the TM-SF as per the format prescribed by the TSP/TM-SF.
- v. The TM-SF will scrub the promotional call with the Preference register and the Consent Register (including checking the preferred time slots and types of days for delivery).
- vi. TM-SF will make available relevant details of scrubbed list to corresponding OAPs for carrying out reverse mapping of virtual identities to real identities for further delivery
- vii. Protection of Data during scrubbing:

The Tokens generated by the TM-SF will not disclose the real identities (i.e. MSISDNs) to the Telemarketer/Sender. TM-SF will share the OAP Token with OAP and TAP Token with TAP and share the Token with Telemarketer/Sender. These Token are to be used by respective OAP and TAP for ascertaining the content of message and actual list of MSISDNs on which the promotional calls to be made. OAP may charge the Sender/Telemarketer for the scrubbing and decrypting of token, through TM-SF or directly.

## **B. Functions of Entity-TM-DF**

To deliver calls to OAP, in a secure and safe manner, during specified time slots and types of days of delivery in accordance with the preferences and consents of the customer(s)

## **C. Functions of Entity-TM-AF**

- a) carry out aggregation function
- b) keep record of all numbers aggregated for complaints resolution and traceability
- c) authenticate source of the calls submitted for delivery by header assignee or by aggregator and ensure their identity is part of content of call/message for traceability
- d) maintain with minimum performance requirements as specified
- e) perform any other function and keep other relevant details which may be required for carrying out pre and post checks for regulatory compliance

## **D. Telemarketer for voice calling function (TM-VCF)**

- a) to carry out voice calling function
- b) take necessary measures to protect Preference Register and Consent Register data during voice calling, e.g. using virtual identities to make voice calls on a secure Internet Protocol (IP) based Virtual Private Networks (VPN) with OAP and not disclosing real identities to any other entities than authorized to know it;
- c) maintain with minimum performance requirements as specified
- d) perform any other function and keep other relevant details which may be required for carrying out pre and post checks for regulatory compliance.

## **V. Consequence Management**

1. In case of default/breach in functions to be performed by respective Entities registered/appointed by RCOM, strict action shall be taken against the same which may include warning notice, show cause notice, penalty, temporary or permanent termination etc.
2. RCOM shall formulate an internal process on above.

## VI. Information handover on DLT to Entities and/or other TSPs

**Following information should be handed over by a TSP to the DLT system:**

### 1. Sender

- a) Sender Registration ID
- b) Header(s)
- c) Sender Name and Address

### 2. Header

- a. Header(s)
- b. Date-Time of registration
- c. Purpose (Transactional, Service, Promotional or Government)
- d. Linked Telemarketer
- e. Authorisation details

### 3. Consent Template

- a) Consent Template registration unique number
- b) Consent template format including fixed and variable portion
- c) Sender Registration ID

### 4. Consent Register

- a) Customer Number
- b) Consent Template registration unique number
- c) Date/time of OTP message generation
- d) Date/time of OTP validation and consent recording
- e) Validity of consent, if any

### 5. Content Template

- a) Sender Registration ID
- b) Consent Template registration unique number
- c) Content Template
- d) Fixed portion and Variable portion
- e) Linked Telemarketer

## VII. Amendment to CoP

This CoP can be amended by RCOM at any given point in time subject to following:

- a) It is understood that the CoP stipulates various requirements which are interlinked with CoPs of other TSPs as well. Considering the same, wherever the amendment can lead to change in information sharing with other TSP and/or billing, processing etc. with other TSP, such amendment shall be shared with a two-week advance intimation before implementing the same.
- b) Wherever there is any material change for any existing Sender(s) which impacts performance of its obligations, an advance notice of at least 7 calendar days along with changes and its effective date for such existing Sender(s), shall be given on their respective registered email-id.

## VIII. Publication of CoP

This CoP shall be published by RCOM on its website. A digital copy of the same shall be sent to below, on their appointment/registration:

- a) Entity - HR
- b) Entity – Consent Template Registrar
- c) Entity - Consent Registrar
- d) Entity - Content Template Registrar
- e) Entity – Content Template Verifier
- f) Entity- Telemarketer functional Entity registrar
- g) All registered Sender(s)
- h) All registered Telemarketers
- i) All registered Aggregators

Further, on any amendment to the CoP, same shall be published by RCOM on its website.

## IX. Definitions

In this Code of Practice, unless the context otherwise provides, the Definition of various terms used under different clauses of the document will be according to the Definitions given under Regulation 2 of the Telecom Commercial Communications Customer Preference Regulations, 2018.

## X. Version History

S.No.	Date	Version	Details