



**CODE OF PRACTICE
FOR
“SHORT MESSAGING SERVICE-CELL BROADCAST
(SMS-CB) SERVICE”**

**BHUTAN INFOCOMM AND MEDIA AUTHORITY
ROYAL GOVERNMENT OF BHUTAN
OLAKHA
THIMPHU: BHUTAN**

Table of Content

TABLE OF CONTENT

<u>1.</u>	<u>DEFINITION</u>	<u>1</u>
<u>2.</u>	<u>GENERAL PROVISIONS</u>	<u>2</u>
<u>3.</u>	<u>UNRESTRICTED MESSAGES</u>	<u>3</u>
<u>4.</u>	<u>RESTRICTED MESSAGES</u>	<u>3</u>
<u>5.</u>	<u>COMMERCIAL USAGE</u>	<u>3</u>
<u>6.</u>	<u>INFORMATION TO GENERAL PUBLIC</u>	<u>4</u>
<u>7.</u>	<u>SERVICES THAT ARE ALLOWED TO BE BROADCASTED</u>	<u>4</u>
<u>8.</u>	<u>TARIFF</u>	<u>5</u>
<u>9.</u>	<u>PENALTY</u>	<u>5</u>

In order to “encourage investment and foster technological innovation in the ICT services industry” as required by Section 24 (e) of the Bhutan Information, Communications and Media Act 2006 (“the Act”), the Office of the Bhutan InfoComm and Media Authority (BICMA) hereby issues the “ *Code of Practice for Short Messaging Service-Cell Broadcast (SMS-CB) Services*”.

This Code is issued as per Section 34 (1) (2) of the Act to guide the Mobile Service provider(s) while implementing such services for both national public warning system as well as for commercial usage and also to protect the interests of the end-users while consuming such services.

This Code come into effect from **01 August, 2011** and shall remain in force until any further changes made b y the Authority.

1. Definition

For the purpose of this Code;

- a) “*Authority*” means the Bhutan InfoComm and Media Authority;
- b) “*SIM Card*” means the Subscriber Identification Module (SIM) card to be inserted inside the mobile cellular phone;
- c) “*Subscribers*” means any individual or company who subscribes to the service of any mobile cellular service providers;
- d) “*Mobile Cellular Service Provider*” means any licenced mobile telecommunications service provider.
- e) “*Cell Broadcast*” means delivery of message to multiple users in a specified area without the knowledge of the mobile numbers

f) *“Content Provider” means an organization or individual that creates information, educational or entertainment content in the form of text or data intended for cell broadcasting.*

g) *“End user” mean any mobile cellular subscribers who could receive any services from the mobile cellular service providers.*

2. General provisions

In order to protect the interest of the end users, the Service Provider shall ensure, at all time, that the information broadcasted are timely, pertinent, accurate and not seen as public nuisance.

The Service Provider shall observe the following general conditions:

- Be solely responsible and held responsible for SMS-CB content ;
- Provide end users the choice to unsubscribe to SMS-CB services;
- Broadcast messages only to the intended recipients by geographical area;
- Seek approval of the Authority, before broadcasting any message of doubt;
- Not broadcast any picture or movie of any format;
- Ensure that their system is resistant to hackers, spoofers and spammers;
- Ensure that the end user is not charged for receiving such services;
- Ensure that the content providers bears the cost of broadcasting such service, as approved by the Authority;
- Does not provide right to broadcast, on their behalf, such services to any individual, group of individuals or a company; and
- Ensure to educate and create awareness on Cell Broadcast System (CBS) including activation of the Cell Broadcast services.

3. Unrestricted Messages

After authenticating the source of the message, the Service provider can only broadcast:

- a) Any messages of National interest;
- b) Any cautionary messages during emergencies such as earthquake, flood and industrial disasters , explosions and terrorist attack; and
- c) Messages to warn the general public of public health epidemic, endemic, public safety and national security.

4. Restricted Messages

The Service Provider is not allowed to broadcast any message that will:

- a) carry any political agenda/messages;
- b) hurt the society/religious sentiments;
- c) create disharmony within the society;
- d) threaten the national security ;
- e) unnecessarily alarm the general public ;
- f) create public nuisances; and
- g) Promote any individual or group of individuals' interest.

5. Commercial usage

The Service Providers shall ensure that, any promoting/ advertising product or service:

- a) Be thoroughly reviewed and broadcasted only to the end-users of an intended geographical area; and
- b) Be in accordance with the Advertisement policy, Rules on Contents and any other relevant Rules/Regulations of the government.

6. Information to general public

The Service Provider shall educate end-users on:

- a) Activation/usage of such services;
- b) Importance of such services during the times of emergency;
- c) Availability of choice to the subscribers or un-subscriber to such services ;
and
- d) Charging methodology for availing such services.

7. Services that are allowed to be broadcasted

Besides above mentioned services, the Service Provider is also allowed to broadcast the following services:

a) Sports Information

Information on national sporting event like football, archery, tennis, cricket, athletics etc

b) Airport service

Information on flight schedule information as well as airport pick-up and drop

c) Traffic Information

This includes information on traffic jams, road maintenance timing, and road blockage and also on the parking availability within main town area.

d) Weather Information

This includes information on weather conditions in various Dzongkhags and geogs.

e) Tourist Information

This includes information on cultural events like tshechu and trekking route.

f) Operator Information

This includes the announcement of tariff changes; launch of new products and services, network coverage and any other information of general public interest.

g) Forex Information

This information includes the daily Foreign Exchange currency rate.

h) Public notification/announcement

This information includes public notification/announcements made by any government and public or private agencies for the notice of general public's interest.

8. Tariff

The Service Provider shall:

- a. not be allowed to charge for any unrestricted messages specified in clause 3, of this Code; and
- b. Obtain rate approval for broadcasting for all those services specified above, except for those services specified in clause 3, from the Authority.

9. Penalty

Failure to abide to any section of this Code will be dealt as per the provision of the Act.