

Public Consultation on the Framework Details for the Establishment of a National Do-Not-Call (“DNC”) Registry

Submitted 28 November, 2011

1... Who we are

This submission is from the Market Research Society Singapore (“MRSS”).

MRSS (<http://www.mrssingapore.org.sg/>) was established in 2000 to unite research practitioners toward common goals including the continued professionalism of the industry, cooperation among research organizations, maintaining the highest standards of research and business ethics and in particular upholding the rights of respondents because market, social and opinion research depend on public confidence.

MRSS is the national research governing body in Singapore and is officially recognised by ESOMAR, the World Association of Research Professionals. (<http://www.esomar.org/>).

MRSS has 248 members consisting of 213 nominated corporate members and 35 individual members. The vast majority of large research firms are members as well as companies that commission market research. MRSS is considered to be one of the most active research societies in Asia and organises an annual Asian Research Conference in Singapore, which attracts approximately 200 delegates and thought leaders from Singapore and around the world.

All MRSS members agree to abide by the [ICC/ESOMAR International Code on Market and Social Research](#), which has been jointly drafted by ESOMAR and the International Chamber of Commerce and is adapted or endorsed by over 63 [national and international professional research associations](#) in 50 countries.

As with most professions and industries, the Singapore research industry now operates within a global community, in which it is critical to strive for harmonisation of practices and standards and to understand and accommodate international laws and regulations. MRSS works closely with ESOMAR, the world association of research professionals, on establishing commonality in standards and guidelines and aligning our positions on emerging technologies and methodologies. As part of our joint interest in global harmonisation, **ESOMAR has reviewed and endorsed these comments submitted by MRSS.**

Founded in 1948, ESOMAR has almost 5,000 individual members worldwide on both the provider and client side as well as in public bodies and academic institutions. Since the 1940s, market, social and opinion research has been robustly self-regulated by a family of codes of conduct and practice, supported by strong compliance and disciplinary frameworks.

2... Introduction

MRSS welcomes the opportunity offered by MICA to respond to its consultation on the introduction of a DNC Registry.

We have consulted with key stakeholders in the market, social and opinion research sector in Singapore in preparing this response. We confirm that the contents of this paper are not confidential and can be attributed to MRSS.

The research sector is a critical part of Singapore's economic growth and social development. Most major commercial and policy decisions in Singapore are preceded and guided by market, social or opinion research which play a key role in helping businesses and other constituencies, including the public sector, better understand consumers, customers and citizens in developing goods and services and is essential for economic efficiency, innovation and progress.

Because of enlightened and transparent public and commercial policies, a strong infrastructure and a high level of education, Singapore is recognised as a regional hub and a centre of research excellence for both research companies and their clients.

The market and social research industry in Singapore is worth over S\$250 million p.a. and employs over 1,000 people.

3... Our submission on the DNC Registry

We applaud MICA's initiatives in establishing a DNC Registry which will bring Singapore into line with many other jurisdictions around the world.

MRSS would like to confirm our strong support of the scope of the proposal which depends on the purpose of the message, i.e. marketing:

3.1 Scope of coverage

"Generally, the DNC registry will allow individuals to register their phone numbers to opt-out of marketing telephone calls, SMS/MMS messages and faxes from organisations. Organisations will be required by law to check with the registry and ensure that they do not make telephone calls or send SMS/MMS messages or faxes to the numbers registered, unless the individual had given explicit consent to the organisation for the specific marketing message or for general telemarketing purposes.

"Marketing messages can be in the form of telephone calls to fixed line or mobile phone numbers, SMS/MMS messages, or faxes. "

Thus our feedback here focuses on Question 2.

Question 2: With reference to paragraph 3.2, do you agree that messages without commercial or marketing elements should not be included in the scope of the DNC registry? For example, messages for the purposes of promoting charitable causes, political/electoral messages, and obtaining information or opinions for market research and other types of surveys would be excluded from the DNC registry.

MRSS concurs with the proposed exclusion of legitimate market and social research surveys from the new regulations.

3.3 *“For clarity, the purpose of the message instead of the type of organisation that sends or causes to send the message will determine whether the message is covered under the national DNC registry. Registration with the DNC registry will also not block calls or messages for the purpose of obtaining information and opinions for market research or other types of surveys, as long as the message does not contain a marketing element.”*

Legitimate market, opinion and social research in Singapore as advocated and monitored by MRSS takes place under strict ethical and privacy rules that protect confidentiality and prohibit any selling via face-to-face surveys, telephone interviews, email, SMS or any other avenue.

In line with the definition of market research in the ICC/ESOMAR International Code:

“Market research, which includes social and opinion research, is the systematic gathering and interpretation of information about individuals or organisations using the statistical and analytical methods and techniques of the applied social sciences to gain insight or support decision making. The identity of respondents will not be revealed to the user of the information without explicit consent and no sales approach will be made to them as a direct result of their having provided information.”

Market, social and opinion research leads to a better understanding of the behaviour, needs, attitudes, opinions, motivations or other characteristics of a whole population or a particular part of a population. Participants are chosen at random and remain anonymous. Researchers need access to representative samples to ensure the quality and integrity of the research.

Article 1d of the Code states: “Market research shall be clearly distinguished and separate from non-research activities including any commercial activity directed at individual respondents (e.g. advertising, sales promotion, direct marketing, direct selling etc.)”

Legitimate research in Singapore takes place under strict ethical, transparency and privacy rules that protect confidentiality and prohibit any selling. For instance, under Article 7c of the ICC/ESOMAR International Code, when collecting personal information from respondents researchers shall ensure that respondents are aware of the purpose of the collection; and respondents are aware of any quality control activity involving re-contact.

They must also ensure that personal information collected and held shall be:

- collected for specified research purposes and not used in any manner incompatible with these purposes;
- adequate, relevant and not excessive in relation to the purpose of the research for which they are collected and/or further processed; and
- preserved no longer than is required for the purpose for which the information was collected or further processed.

They are required to ensure that respondents’ personal identity is withheld from the client and may only share identifiable personal information with the client if:

- i) the respondent has explicitly expressed this wish and/or
- ii) the respondent has given their explicit consent and

iii) on the understanding that no commercial activity (as defined in Article 1d) will be directed at them as a direct result of their having provided information.

The MRSS also has a Professional Standards Committee to ensure that its researcher and client members adhere to the highest standards of quality and ethical integrity and protect the rights of respondents.

We would like to ensure that the scope covers the whole range of research purposes including social and opinion research, which are often conducted for public bodies and the development of social policies and as input for educational and public services. We would also like to ensure that the type of research is not confined to surveys and can also include other methods such as qualitative research.

We therefore request that the wording of 3.3 be amended to state: "*purpose of obtaining information and opinions for market, social and opinion research.*"

4... Next steps

MRSS looks forward to discussing how the DNC register will be implemented. In particular, we are aware of traders deceptively using the guise of research as a means of generating sales or fundraising.

These methods are known to researchers as "sugging" or selling under the guise of research, and "frugging", fundraising under the guise of research, two problems which might be exacerbated by the DNC initiative.

These practices are unethical and undermine consumers' confidence and trust in research on which market, social and opinion researchers depend.

MRSS is committed to discouraging this practice and would be pleased to discuss how this fraudulent and deceptive practice can be prohibited as it impacts the good name of research.

Legitimate research in Singapore as advocated and monitored by MRSS takes place under strict ethical and privacy rules that protect confidentiality and prohibit any selling via face-to-face surveys, telephone interviews, email, SMS or any other avenue. MRSS also excludes from our membership any research company that has a link to telemarketing or other aspects of direct marketing and responds quickly to any complaint regarding respondent rights, especially those regarding data confidentiality.

The ICC/ESOMAR International Code stipulates that companies do not misrepresent their market research activities.

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