



smszap  
for HubSpot

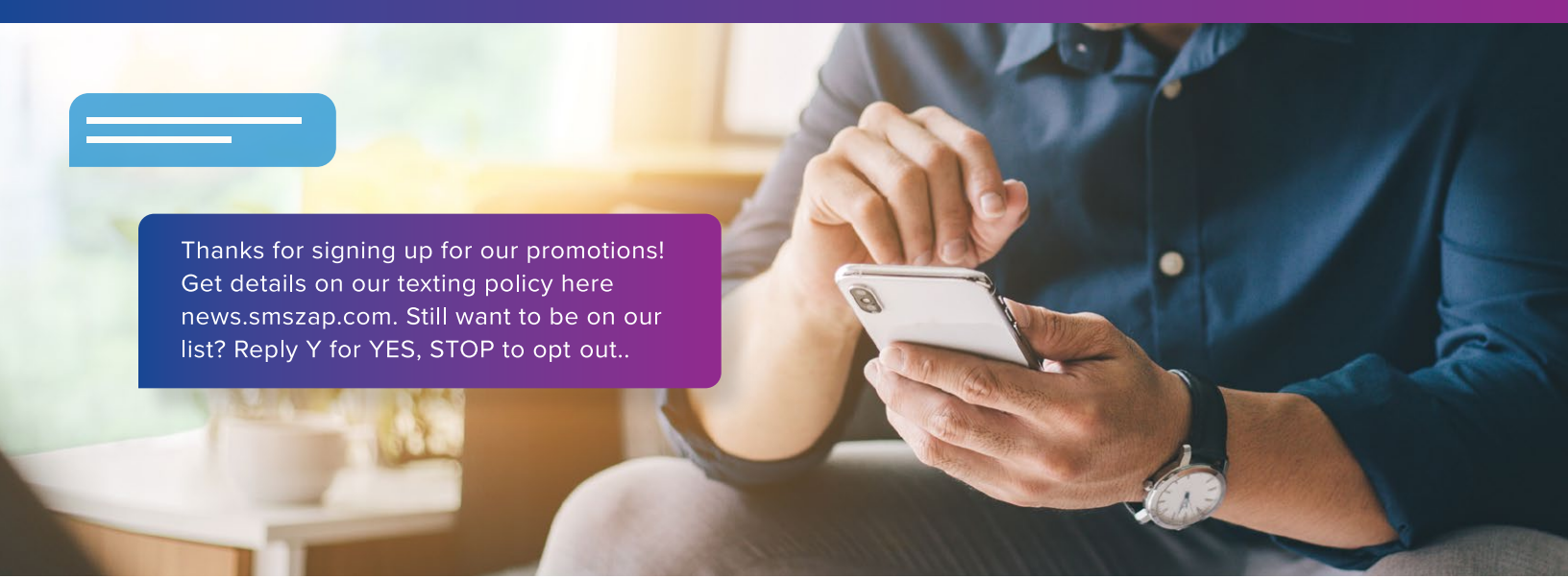
# SMS Compliance Guide

So, you're thinking about getting started with SMS? That's great! SMS marketing open rates are 5x higher than email, with response rates at a whopping 7.5x higher. With metrics like these, it's obvious why you're choosing SMS marketing as a new communication tool.

But with your new tactic comes new rules and regulations that govern SMS marketing. However, there's no reason to be afraid of SMS. We're here to make sure you get started on the right foot by taking a deep dive into the world of SMS compliance.

***Compliance is a rapidly growing and changing component of SMS Marketing. SMSZap cannot provide legal advice. If you have any questions regarding anything we outline, please consider contacting legal counsel. Let's Get Started... What is SMS Compliance?***

SMS compliance refers to text message laws and regulations that businesses must abide by when interacting with their contacts through text. While laws vary by country, the US Telephone Consumer Protection Act of 1991 sets influential precedence.



Thanks for signing up for our promotions! Get details on our texting policy here [news.smszap.com](https://news.smszap.com). Still want to be on our list? Reply Y for YES, STOP to opt out..

Text messages are similar to phone calls, which is why the TCPA started encompassing them when texting became popular. Under this law, texts can be considered spam if they are "unsolicited advertisements" that promote a business, product, good, or service to someone who has not given permission.

Simply put, you can't market to someone through text if they haven't opted in – and this is true no matter where you are or where you're sending a text. Most consumers will opt into a company's SMS communication by texting a code to a shortcode or phone number. For example:

*Join our SMS list! Text YESPLEASE to 55555.*

Consumers can also text a business's full number, enter their number on an organization's website, or provide it to a chatbot. There are numerous ways to get your contacts' number, but never forget that they must explicitly opt-in. It's also important to remember that just because you have a user's permission to email them, you still have to receive express written consent to text them. To cover your TCPA bases, be sure to add your policy, opt-in and opt-out language in your first text:

*Thanks for signing up for our promotions! Get details on our texting policy here [link]. Still want to be on our list? Reply Y for YES, STOP to opt-out.*



## Why Does Anything Of This Matter?

First off, you don't want to annoy consumers who don't want to be contacted via text. When you ignore user consent, your audience will be less engaged, your opt-out rate will skyrocket, and your SMS marketing KPIs will suffer. No marketer wants that!


However, perhaps more importantly, are monetary consequences. Violating the TCPA is illegal and can result in fines ranging from \$500 - \$1,500 per text. Add that up, and you could potentially have to pay up \$47 million in penalties like [Jiffy Lube](#) did in 2012.

If you consistently disregard it, you can land yourself a personal lawsuit from unhappy customers. No matter which way you slice it, ignoring SMS compliance is a bad idea.

## So, How Do I Stay Compliant?

Remember: If you have any persistent concerns about starting a compliant SMS strategy, seek legal counsel. With that said, some guidelines can help you send compliant texts:

- **Always, always, always**, receive expressed consent to text your users.
- Include a CTA or welcome message that outlines your terms surrounding conditions, privacy, texting frequency, and more. Ideally, this should be in your first message.
- Cap your frequency to prevent users from receiving too many text messages in a short period. Platforms like SMSZap can help automate this.
- Provide an automated way for them to opt-out. If you're using SMSZap, this is as simple as allowing them to text "stop" at any time to unsubscribe. If you don't have an automatic process, you'll have to do it manually.
- Match your content to intent. If they've opted in to receive promotional deals from you, don't send them collateral about unrelated services.
- Text them during regular hours. Again, with SMSZap's send time management, this can be automated, so you're never sending someone a message at 3 a.m.

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- Be personal. After people have opted-in, you can include their first name in messages.
  - Keep messages as short as you can. Sometimes your message may need to be longer than usual, depending on its context.
  - Do not send texts promoting sex, hate or violence, alcoholic, firearms, or tobacco (SHAFT). This is a universal restriction for all content, no matter what country you're sending to and from. For bars or similar establishments, you can promote a happy hour special, but you can't encourage people to drink. Just be sure your users are old enough to drink based on your country's laws!

## Wait, There Are Different Rules and Restrictions by Country?

There are two universally-recognized components to keep in mind before sending a message: not sending SHAFT content to users and receiving expressed user consent. While these guidelines are global, other regulations will depend on the country. Here are some interesting laws and rules from various regions of the world.

***Note: SMSZap supports these. Other platforms may support other countries' restrictions and regulations.***



### North America

- In the US, there is a maximum of roughly 300 daily number of messages.
- Alphanumeric IDs, which allow you to set your brand name as the Sender ID, are not supported in the US.
- Local US carriers block repetitive URLs and keywords in messaging
- Gambling content should be age-gated and only promote content like event location in the US.
- Religious and political content is prohibited in Mexico.

- Operators forbid social invites in Mexico.
- SMS texts are limited to 10 SMS/minute for both inbound and outbound messages in Mexico.



## South America

- Political and religious content is not allowed in Brazil.
- Brazil does not support Unicode (an international character encoding standard for assigning letters and other characters to a number that could be read by a computer).
- Alphanumeric IDs are not allowed in Colombia.
- Colombia does not support Unicode.



## Europe


- Local French carriers can block high volume marketing and one-way content, so using shortcode numbers for these purposes is suggested.
- For all marketing traffic, you must add "STOP au 36179" at the end of every French SMS.
- If using alphanumeric IDs in France, make sure to send them from 8:00 to 20:00 local time from Monday to Sunday.
- There are no daily limitations for the United Kingdom messaging.
- Unicode is supported in the United Kingdom.
- Alphanumeric IDs are allowed in Switzerland.
- Switzerland supports Unicode.
- There are no known restrictions on sender IDs to Spain, and alphanumeric IDs and Unicode are supported.
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## Asia

- Political and religious content is not allowed in Egypt.
- Sender IDs must be registered with network operators in Egypt.
- SMS traffic to Indonesia should always be personalized.
- Unicode is not supported in Indonesia.
- Transactional traffic and messages containing keywords such as "Verify", "PIN", or "Code" may be filtered in Indonesia.
- To send volumes exceeding 100,000 messages per month, you may need to pre-register a customized sender ID in Indonesia.
- Religious, racist, and gambling content of any kind is forbidden in Indonesia.
- In the Philippines, only the characters found on a typical QWERTY keyboard are permitted.
- Gambling and election promoting a candidate are not allowed in the Philippines.
- You cannot send messages to anyone on India's National Do Not Call Register.
- More than six messages to the same number within an hour will be blocked in India.
- Only domestic brands can use Alphanumeric IDs in India.
- Illegal content, such as gambling and adult-related content, is not allowed on all Korean networks.
- Spamming or sending suspicious messages can result in your account being suspended by local authorities in South Korea.
- Alphanumeric IDs are not allowed and will be replaced with global numeric sender IDs.
- All SMS traffic in Malaysia must include company name/brand/identity in the SMS content, otherwise, a penalty might be imposed.
- Adult, political, religious, gambling, or racial content is not allowed in Malaysia.

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- Operators in Vietnam heavily filter non-registered sender IDs and content from them.
  - Gambling content is not allowed and content promoting online games or Apps is subject to approval in Vietnam.
  - In Vietnam, any messages sent with the same content to the same destination number within a 20-second interval would be classified as spam.
  - Singapore SMSZap numbers can not be used to advertise commercial purposes, send messages over 160 characters, or transferred to any third party.
  - Singapore has a national Do-Not-Call Registry, which also extends to text messaging.



## Australia and New Zealand

- Alphanumeric IDs are allowed in Australia.
- All Australian SMS must have clear sender information.
- Social invites and marketing are not allowed when sending SMS traffic to New Zealand.
- Gambling-related messaging is forbidden in New Zealand.
- Starting an SMS marketing strategy is exhilarating but can seem overwhelming when tackling SMS compliance. With these guidelines, you can send your first text confidently!

**If you're still hesitant, the experts behind SMSZap built the platform to make compliance simple. Reach out today to learn more about the tool.**



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