

Code of Conduct Appendix- Time2chat Offer

(Conversational SMS service usage)

Foreword

This document groups together the rules that the Operator undertakes to comply with or to ensure compliance with by Business Customers, any subcontractors and, more generally, any person involved in the sending of SMS messages as a commercial service.

Furthermore, compliance with these rules does not release the Operator from compliance with the laws, regulations and decisions of the competent authorities in force at the time the service is provided.

The Operator undertakes to include the following obligations in the contracts concluded with Business Customers.

1. Main Principles for the Use of the Offer

As part of the provision of the Time2chat offer to its Business Customers, the Operator undertakes to:

- Respect the defined and promoted uses for each of the number bands dedicated to this offer.
- Favour this solution for conversational uses.
- Use this offer and its associated numbering resources for sending SMS messages.
- Not to promote brands other than the one previously assigned to the resource since the pooling of numbers is strictly prohibited.
- To use in the sender field only the Long Number(s) assigned to the Business under the contract.
- Not to have more than one technical intermediary between it and the Business

In this context, the following services are not allowed:

- SMS services to M2M SIM Cards;
- Interpersonal communications;
- The sending of Binary SMS messages;
- Randomly transmitted SMS services;
- SMS services whose purpose is verification and/or authentication of a mobile line.

2. Fairness of the Service

The Operator undertakes for itself and for its Customers not to create, in the context of written or oral messages and information in all their forms, confusion in the mind of the Users of the Offer and not to damage Orange's reputation.

The Operator undertakes to comply with Articles L.121-1 to L.121-4 and L.132-1 to L.132-9 of the Code de la Consommation and prohibits any unfair commercial practice, which is in particular misleading and aggressive.

Fairness to Users

Notwithstanding the foregoing, the Operator undertakes for the messages carried under the Offer (both for itself and for its Business Customers):

- Not to send messages with an interpersonal connotation that may mislead the User;
- That the identification by the User of the Business is not ambiguous, by specifying at the beginning of the message the trade name of the Business;
- To offer the User the possibility to reply to the Business or to contact it again;
- The Operator informs the User of the paid nature of the products associated with the promoted service;
- To use the word 'free service' in the message only if all the content and products promoted in the message are free of charge and to comply with the other conditions of the Code de la Consommation, in particular as regards pricing information;
- That the service advertised to the User, in particular with regard to content delivered by SMS, is real;
- To include information in accordance with the recommendations of the CNIL concerning rights of access, modification and opposition.

Fairness to Third Parties

The Operator further undertakes for the SMS message sent under the Offer:

- To compete fairly and, in particular, to refrain from intervening in any way with the intention of undermining the proper functioning of the Offer.
- Not to impersonate any third party in connection with the Offer, which may include smishing and similar practices.

3. Damage to Image - User Protection

Each Party undertakes to respect and to ensure that the Business, its employees and service providers respect the image and reputation of the other Party, in particular with regard to the quality of the services and networks made available to Users, and not to cause confusion between its services and those of the other Party in the minds of Users.

Thus, in the context of the Offer, the Operator undertakes:

- Not to send messages that violate applicable laws
- To comply with regulations for specific content to comply with ARPP rules on service promotion
- Not to convey messages of a violent, hateful or pornographic nature which are likely by their nature to undermine respect for the human person and his or her dignity, equality between women and men and the protection of children and adolescents; this prohibits content for adults and in the "charm" category, prohibited for under 16s.
- Not to send messages encouraging the committing of crimes and/or offences or inciting the use of prohibited substances or suicide;
- Not to forward messages the content of which is contrary to public policy or morals.

Furthermore, the Operator undertakes to send messages only on working days between 08:00 and 22:00 except for specific uses (e.g. responses to customer requests outside working hours such as deliveries, etc.) for which messages may be sent outside the above-mentioned period.

4. Human rights

The Operator further undertakes for the SMS message sent under the Offer:

- To make available to Users the information referred to in Article 6.III - 1 of the Law of 21 June 2004.
- To comply with the arrangements put in place to meet this obligation without any additional charge to the User. In particular, the Operator shall have to put in place a system to enable Users to identify the sender of the message via the following information:
 - o The Business's trade name
 - o A means of contact for the Business: Customer service number or email address
 - o The Business's website (if any)

- To also make available to Users the means to exercise their right to object and no longer receive messages from the Business. This request must be processed as soon as possible by the Operator and by the owner of the database used to send the message, if applicable.

The choice of the identification and opposition system put forward by the Operator may be either the sending and management of the keywords CONTACT or STOP, or the implementation of a specific link present in the first SMS-MT received by the User. It should be noted that regardless of the system put forward by the Operator, if a user sends the keywords CONTACT or STOP, the request must be taken into account and processed by the Operator.

5. Unsolicited messages - Fraud prevention

It is specified in particular that the Operator undertakes to comply with the provisions of Article L34-5 of the Code des Poste et Communications Électroniques and to make the same commitment to its customers using its SMS routing service to mobile networks.

The operator undertakes to:

- deliver messages only if the Users have previously authorised the Business to send messages, with the exception of messages in response to a user request via an MO-first;
- not to generate messages in a random way, whatever the nature of these messages.
- not to send messages impersonating third parties, in particular for the purpose of fraudulent practices;
- to comply at all times with the regulations in force for online payments.

In particular, the Operator undertakes:

- To comply with the provisions of Article L34-5 of the code des Postes et Communications Électroniques and to ensure that its Business customers using its SMS routing service to mobile networks make the same commitment, for which the Business Customer is responsible and for which it shall be the sole guarantor vis-à-vis the other Party.
- To provide Orange with a specific point of contact as regards these obligations, that can provide the other Party and/or the User making a complaint with all the information needed for a response, and if necessary supply evidence showing that an unsolicited message does not exist.

The Operator undertakes to inform Orange immediately of any security issue or non-compliance (in particular hacking, fraud, etc.) found by it directly in the operation of the Routing service or brought to its attention by any third party. If there is a security issue linked to acts of hacking, fraud or smishing, the Operator undertakes to carry out a blacklisting of the smishing URLs of which it is aware or which Orange has communicated to it.