SMS Opt-In Disclosure Requirements

To support US and Canada SMS messaging compliance requirements, your SMS opt-in experience must clearly reference both your Terms & Conditions and Privacy Policy. These references must be presented at the point where users provide consent to receive text messages.

Requirements

Your SMS opt-in form, website form, signup page, checkout page, appointment booking page, or any other SMS consent mechanism should include the following:

- A clear statement that users are consenting to receive SMS messages.
- The types of messages users can expect to receive (for example: updates, reminders, support, order notifications, or promotional messages).
- Message frequency disclosure (for example: "Message frequency may vary").
- "Message and data rates may apply."
- Opt-out instructions (Reply STOP to unsubscribe).
- Help instructions (Reply HELP for assistance).
- A statement indicating whether consent is a condition of purchase, if applicable.
- Live links to your Terms & Conditions and Privacy Policy.

The Terms & Conditions and Privacy Policy must be published as live webpages on your website and remain accessible to users.

Example Disclosure Language

By submitting this form and providing your mobile phone number, you consent to receive SMS messages from [Company Name], including updates, notifications, customer support communications, and promotional messages, where applicable. Message frequency may vary. Message and data rates may apply. Reply STOP to opt out and HELP for assistance. Consent is not a condition of purchase.

By opting in, you agree to our Terms & Conditions and Privacy Policy.

Terms & Conditions: https://yourdomain.com/sms-terms

Privacy Policy: https://yourdomain.com/privacy-policy

Additional Guidance

- The disclosure must appear near the phone number field or immediately adjacent to the submission button.
- Users should not be required to search for the Terms & Conditions or Privacy Policy.
- Screenshots, PDFs, downloadable files, or unpublished webpages should not be used in place of live website URLs.
- SMS consent language should be specific and should not be combined with unrelated marketing disclosures.
- Generic statements such as "Sign up for updates" or "Subscribe to hear from us" are insufficient without the required SMS disclosures.

SMS Terms & Conditions

By providing your mobile phone number and opting in to receive text messages from [Company Name], you consent to receive recurring SMS and MMS messages related to your interactions with our business. Message types may include account notifications, appointment reminders, order updates, customer support communications, promotional offers, and other relevant business information.

Message frequency may vary depending on your interactions with us.

You can opt out of receiving text messages at any time by replying STOP to any message. After opting out, you may receive a final confirmation message confirming your request.

For assistance, reply HELP to any message or contact us at:

Email: [support@company.com]

Phone: [Company Phone Number]

Message and data rates may apply. Charges are determined by your mobile carrier and your individual mobile plan.

Consent to receive text messages is not a condition of purchase.

This sample template is provided for guidance purposes only and does not constitute legal advice.
It is recommended to consult with legal professionals to ensure full compliance with applicable laws and regulations.

By subscribing, you represent that you are the authorized user of the mobile number provided and agree to notify us if your mobile number changes.

We reserve the right to modify or discontinue our SMS messaging program at any time. Any changes to these Terms & Conditions will be posted on our website.

Please review our Privacy Policy at:

[Insert Privacy Policy URL]

Privacy Policy

Effective Date: [Insert Date]

[Company Name] respects your privacy and is committed to protecting the personal information you provide when interacting with our website, services, and SMS messaging program.

Information We Collect

We may collect personal information that you voluntarily provide, including:

• Name

• Email address

• Mobile phone number

• Account information

• Communication preferences

• Information submitted through our website, forms, or customer support interactions

How We Use Your Information

We may use your information to:

• Provide requested products and services

• Send account notifications, updates, and customer support communications

• Send SMS messages to users who have provided consent

• Improve our products, services, and customer experience

• Maintain security, prevent fraud, and comply with legal obligations

SMS Privacy

No mobile information will be shared with third parties or affiliates for marketing or promotional purposes. All categories of information sharing described in this Privacy Policy exclude text messaging originator opt-in data and consent. This information will not be shared with any third parties.

Information Sharing

We may share personal information with service providers, vendors, or contractors that perform services on our behalf, such as technology providers, customer support platforms, and business operations partners. These parties are contractually obligated to protect your information and may only use it to provide services to us.

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Data Retention

We retain personal information only for as long as necessary to provide services, comply with legal obligations, resolve disputes, and enforce our agreements.

Your Rights

Depending on your jurisdiction, you may have the right to request access to, correction of, or deletion of your personal information.

Contact Us

If you have any questions regarding this Privacy Policy, please contact:

[Company Name]

Email: [privacy@company.com]

Phone: [Company Phone Number]

Address: [Business Address]

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