

Code of Conduct

For the Protection of Children in the Field of Mobile Communications in Latvia

Riga, 30 June 2008.

1. Preamble

1.1. Alongside the development of mobile phone technologies, the range of services related to the use of mobile phones has also increased. Users can use various paid services and data transmission services (they can send images, watch TV broadcasts, view Internet home pages etc.). These services are used by an increasing number of users, including children. Since, one can gain access to Illegal Information and to Harmful Information for Children by using these services, it is necessary to make every effort to protect Users, especially Children, from receiving Illegal and Harmful Information. For the aforementioned reasons, the Latvian mobile communication service providers (hereinafter – the Mobile Communication Service Providers) sign this Code of Conduct for the Protection of Children in the Field of Mobile Communications in Latvia (hereinafter - the Code of Conduct).

1.2. The Code of Conduct incorporates general behaviour regulations developed in conformity with the Latvian regulatory enactments, which the Mobile Communication Service Providers undertake to observe for the protection of children in the field of mobile communications. Provisions of the Code of Conduct apply to the Public Information Services, which are provided by the Mobile Communication Service Providers or Public Information Service Providers which have signed cooperation agreements with the Mobile Communication Service Providers.

1.3. The Mobile Communication Service Providers apply the Code of Conduct as far as it is technologically and legally possible. The Code of Conduct does not provide for liability of the Mobile Communication Service Providers for controlling the content of the services used by the Users or the information sent and received by the Users.

1.4. The Code of Conduct does not prohibit the Mobile Communication Service Providers from determining and introducing additional safety measures for achieving the goals mentioned in the Code of Conduct separately, unless these measures contradict the Code of Conduct.

1.5. The Provisions of the Code of Conduct are interpreted in the context of Latvian regulatory enactments.

1.6. The Mobile Communication Service Providers acknowledge that this Code of Conduct is not the code of ethics in the sense of clause 7 of the Law on Public Information Services of the Republic of Latvia.

1.7. The Code of Conduct is a public document which can be signed by any Mobile Communication Service Provider.

2. Terms Used in the Code of Conduct

2.1. **Child** means a person under the age of 18.

2.2. **Public Information Services** means remote services provided at the User's individual request, usually requiring payment, for using the mobile telephone network; for example when buying pictures, video clips, films, music, mobile phone games etc.

2.3. **Public Information Service Provider** means a company that provides Public Information Services.

2.4. **User** means a physical person who uses the Mobile Communication Services and Public Information Services.

2.5. **Illegal Information** means information that is prohibited from being distributed or made accessible in any other way and which contains incitement to start a war or military conflict, incitement to overthrow the government by force or to change the political system by force, to end the independence of the Latvian state, to destroy its territorial integrity or to commit any other crime, incitement of terrorism, incitement of hatred for reasons of race, ethnicity or nationality; or contains information on sexual acts of bestiality, violence, necrophilia or of a pornographic nature, the description or depiction of child pornography; or any other information that is illegal according to the laws of the Republic of Latvia.

2.6. **Harmful Information for Children** means information, which is not prohibited for access by adult Users, but which causes harm to the physical, spiritual or moral development of Children, including:

1) Information of a pornographic or erotic nature, including material where contextually unjustified sexual behaviour is depicted, with the accent on detail, or nudity is depicted, especially in a sexual context, with the accent on detail;

2) Contextually unjustified information where a violent and cruel action is depicted, pain and terror, especially the depiction of violence related to the use of weapons, torture, sexual violence, with the accent on detail (wounds, suicides etc.), or information which incites violence, glorifies violent and cruel actions, justifies criminal activities, causes the impression of impunity etc;

3) Contextually unjustified information regarding the use of addictive substances (alcohol, drugs, tobacco products), for example, user instructions, or encouragement to use addictive substances;

4) Information encouraging gambling;

5) Information encouraging self-harm or suicide;

6) Information containing aggressive language, swear words, or foul expressions;

7) Contextually unjustified information with regards to the use of weapons or military equipment;

8) Information that abuses the trust of Children or their lack of experience;

9) Information, which discredits the authority of parents, guardians and teachers.

2.7. Access Control Methods means an aggregation of methods that prevent the unauthorised access of Adult content (passwords, PIN codes, special equipment provided for this purpose etc.).

2.8. Age Determination Methods means methods enabling the age of the User to be determined.

3. Responsibility of Mobile Communication Service Providers and Public Information Service Providers

3.1. The Public Information Service Providers and Mobile Communication Service Providers that offer Public Information Services must comply with the Information classification determined in clauses 2.5 and 2.6 of the Code of Conduct.

3.2. The Mobile Communication Service Providers are responsible for the content of the Public Information Services that are provided by the Mobile Communication Service Providers. The Mobile Communication Service Providers must not offer Public Information Services that contain Illegal Information and must not provide Public Information Services that contain Harmful Information for Children without providing the appropriate protection devices, as far as it is technically possible.

3.3. The Mobile Communication Service Providers are not responsible for such content of the Public Information Services that is provided by Public Information Service Providers; however, the Public Information Service Providers with whom the Mobile Communication Service Providers have concluded cooperation agreements are responsible for observing the corresponding regulatory enactments and provisions of this Code of Conduct.

3.4. The Mobile Communication Service Providers do not control the Internet content and do not classify the content of the Internet home pages in accordance with the provisions of this Code of Conduct, except for cases in which the Internet home pages contain Public Information Services that are offered by the Mobile Communication Service Provider or the Public Information Service Provider that has concluded the cooperation agreement with the Mobile Communication Service Provider. In this case, the Mobile Communication Service Providers act in conformity with the Code of Conduct.

4. Measures for Protecting Children from Receiving Harmful Information

4.1. In order to protect Children from receiving harmful information, the Mobile Communication Service Providers, independently or jointly with the Public Information Service Providers, implement the appropriate Age Determination Methods and Access Control Methods, for example:

When offering Public Information Services that contain Harmful Information for Children on the Internet, they ask a question about the age of the User, only allowing access to

such Public Information Service when confirmation has been received that the User is an adult;

At the request of the User, they will not allow calls to be made from the User's connection number to any paid telephone numbers or use of the surcharge SMS services.

4.2. The Mobile Communication Service Providers inform the Users of the opportunity to install the relevant filtering software that restricts Children's access to harmful information on the computer, as well as about other possible means, including: access control devices, which provide parents and guardians with the opportunity to independently restrict access to the Public Information Services that contain Harmful Information for Children.

4.3. The Mobile Communication Service Providers inform the Users about the Public Information Services, their content and the ways of protecting Children from Public Information Services that contain Harmful Information for Children.

4.4. The Mobile Communication Service Providers provide the opportunity for Users to inform the Mobile Communication Service Providers about those Internet home pages on which Public Information Services are offered that contain Harmful Information for Children.

4.5. The Code of Conduct does not prohibit the Mobile Communication Service Providers from independently developing other forms of information classification, in addition to the information classification mentioned in this Code of Conduct, if this is required for the convenience of the Users.

5. Measures for Restricting the Distribution of Illegal Information

5.1. The Mobile Communication Service Providers cooperate with the rights protection institutions in the elimination of the distribution of Illegal Information, as far as it is legally and practically possible.

5.2. When providing Internet home page and software support services (*web hosting*), the Mobile Communication Service Providers do not control the information available on the Internet. In cases where the Mobile Communication Service Providers establish that, when using services on the Internet home page and software support (*web hosting*), Public Information Services are provided that contain Illegal Information, they shall take measures to prevent the distribution of the Illegal Information on the Internet.

5.3. The Mobile Communication Service Providers shall support the initiative of state institutions in introducing such procedures that would provide legal mechanisms for restricting the distribution of Illegal Information.

6. Other Provisions

6.1. The provisions of the Code of Conduct with regards to Mobile Communication Service Providers shall enter into force on 1 July 2008.

6.2. The Mobile Communication Service Providers are responsible for making the Code of Conduct provisions binding for the Public Information Service Providers with which cooperation agreements are concluded up to 1 January 2009.

6.3. Any amendments to the Code of Conduct shall be made in writing and shall come into force when signed by all Mobile Communication Service Providers on whom the Code of Conduct is binding.

6.4. The Mobile Communication Service Providers shall publish amendments to the Code of Conduct and its Appendices on their Internet home pages.

6.5. The persons who have signed the Code of Conduct, or have joined it later, are listed in the Appendices to the Code of Conduct.

Latvijas Mobilais Telefons SIA

Unified Registration No.
50003050931

Ropažu iela 6, Rīga, LV-1039

/Signed/

Alfs Janevics

Vice President in Financial
Affairs

Member of the Board

30 June 2008

Bite Latvija SIA

Unified Registration No.
40003742426

Duntes iela 17a, Rīga, LV-
1005

/Signed/

Fred Hrenchuk

General Director, BITE Latvia

15.07.2008

Tele2 SIA

Unified Registration No.
40003272854

Mūkusalas iela 41 b, Rīga,
LV-1004

_____ 2008

To the Code of Conduct for the Protection of Children
in the Field of Mobile Communications in Latvia

**List of the Mobile Communication Service Providers,
Who Joined the Code**

| Name | Registration Number | Legal Address |
|-----------------------------------|---------------------|---------------------------------------|
| 1. Latvijas Mobilais Telefons SIA | 50003050931 | Ropažu iela 6, Rīga, LV-1039 |
| 2. Bite Latvija SIA | 40003742426 | Duntes iela 17a, Rīga LV-1005 |
| 3. Tele 2 SIA | 40003272854 | Mūkusalas iela 41 b, Rīga, LV-1004 |

Latvijas Mobilais Telefons SIA

Unified Registration No.
50003050931

Ropažu iela 6, Rīga, LV-1039

/Signed/

Alfs Janevics

Vice President in Financial
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Member of the Board

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15.07.2008

Tele2 SIA

Unified Registration No.
40003272854

Mūkusalas iela 41 b, Rīga,
LV-1004

_____ 2008

Ruta Kuze

Head of the President's Office

/Signed/

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Office of the President/*

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