

## ***Policies for Premium Services (4xxxx)***

### ***Operative Guide Lines***

#### **Introduction**

- Saw law number 481 at 14 / 11 / 1995, about concurrency's rules and Public Service's rules.
- Saw law number 249 at 31 / 07 / 1997, about authority of telecommunication warranties
- Saw the resolution number 9/03/CIR, about national numeration plan for telecommunication area
- Saw the legislative ordinance number 259 at 01 / 08 /2003, about "The new rules of electronics telecommunication"
- Saw the legislative ordinance number 196 at 30 / 06 /2003, about "The new privacy rules" and successive amendments.
- Saw the ordinance of Telecommunication Minister number 145 at 02 / 03 / 2006, about "Rules for Premium services"
- Saw the resolution number 661/06/CONS, about "Security rules to protect young people to implement into Video Mobile Devices"
- Saw the resolution number 664/06/CONS, about "Rules to protect customers from distance contract for telecommunication services"
- Saw the resolution number 417/07/CONS, about "Rules for transparency of telephony billing"
- Saw the steps of Network Operators in GSM Europe and "European Framework for Safer Mobile Usage by Younger Teenagers and Children" (Safer Internet Day 06 / 02 / 2007)

#### **Regard the**

- The bought of Premium Services on Fixed and Mobile networks is widespread, and in many cases the Operators are using Third Parties Companies (afterwards "PROVIDERS") to sold services to the end users (afterwards "CUSTOMERS")
- It's necessary make effective the main rules of "policies for Premium services" and "Security rules to protect young people" signed by Network Operator at 16 / 02 / 2005
- The development of regulations between Network Operator Fixed and Mobile (afterwards "OPERATORS") and PROVIDERS will elevate the Security level offered to CUSTOMERS and young people in particular.

Below there are several operative guide lines to define a discipline for the Premium Services bought by CUSTOMERS (fixed and mobile) and delivered via SMS and MMS for 4xxxx services.

#### **Definitions**

- **Short Numbers:** Premium Phone Numbers (4xxxx) to permit to the CUSTOMERS to buy add value services

- **Provider:** The company that provides services or contents through dedicated short codes (the owner of short codes are OPERATORS)
- **Operator:** Licensed Company for telecommunication services.
- **IVR:** Interactive Voice Response called by CUSTOMERS using a voice call.
- **Adult Content Services:** Services reserved to adult people
- **Services:** Premium services defined by Art. 1 lett. H from ministerial Ordinance number 145/2006

# 1. Guide Lines for Advertising and Promotions for subscription contents on TV, Radio, Press and via Brochure, Internet and Wap Site

## 1.1 Normative contents of messages for promotions by subscription contents

- For subscription contents (where the PROVIDES use the short code) must be put a visible box with the follow text “in Abbonamento” (translated “Subscription Content”) (Afterwards “BOX ABBONAMENTO”)
  - The size of the text BOX ABBONAMENTO must be minimum the 33% of the size the short code.
  - The text “in Abbonamento” must be nearness or below the short code.

### EXAMPLE

**48xxx**  
IN ABBONAMENTO

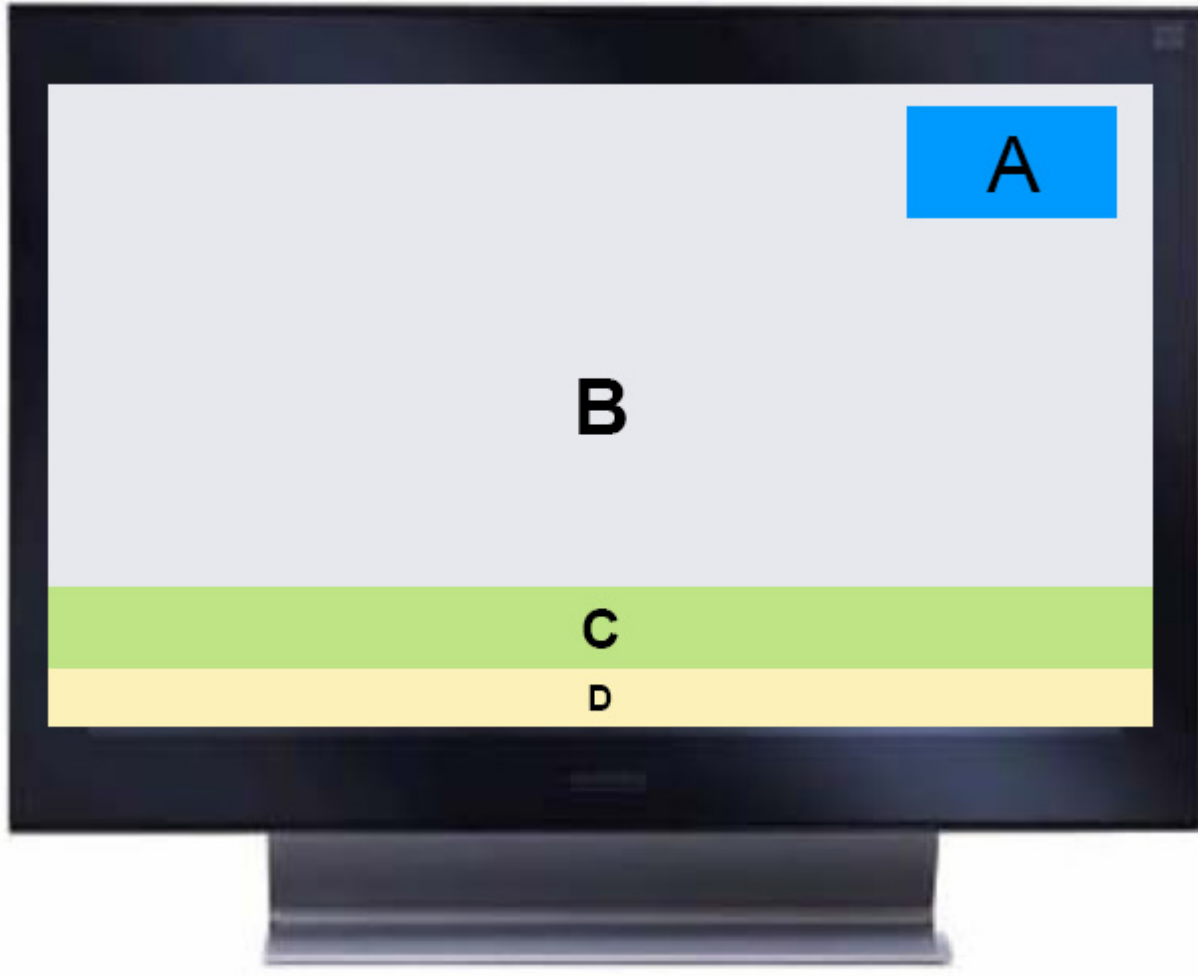
- Must be clear and readable from CUSTOMERS the follow informations:
  - Commercial Name of Service
  - Service cost and billing frequency (this text must be in bold font)
  - Caption “Servizio in Abbonamento” (this text must be in italic font) (translate “Subscription Service”)
  - Description of Service
  - Informative notes by operators
  - Notes about the cost to send SMS/MMS or to make a voice call to IVR for the activation
  - Syntax or other methods to deactivate the service
  - Customer Care Number
  - Web Site (Optional)
- Into the text of the service promotion must be clear the subscription concept, using explicitly the word subscription or subscribe, for example “Subscribe this service with 1 SMS”

## 1.2 TV Advertisements and TV Promotions

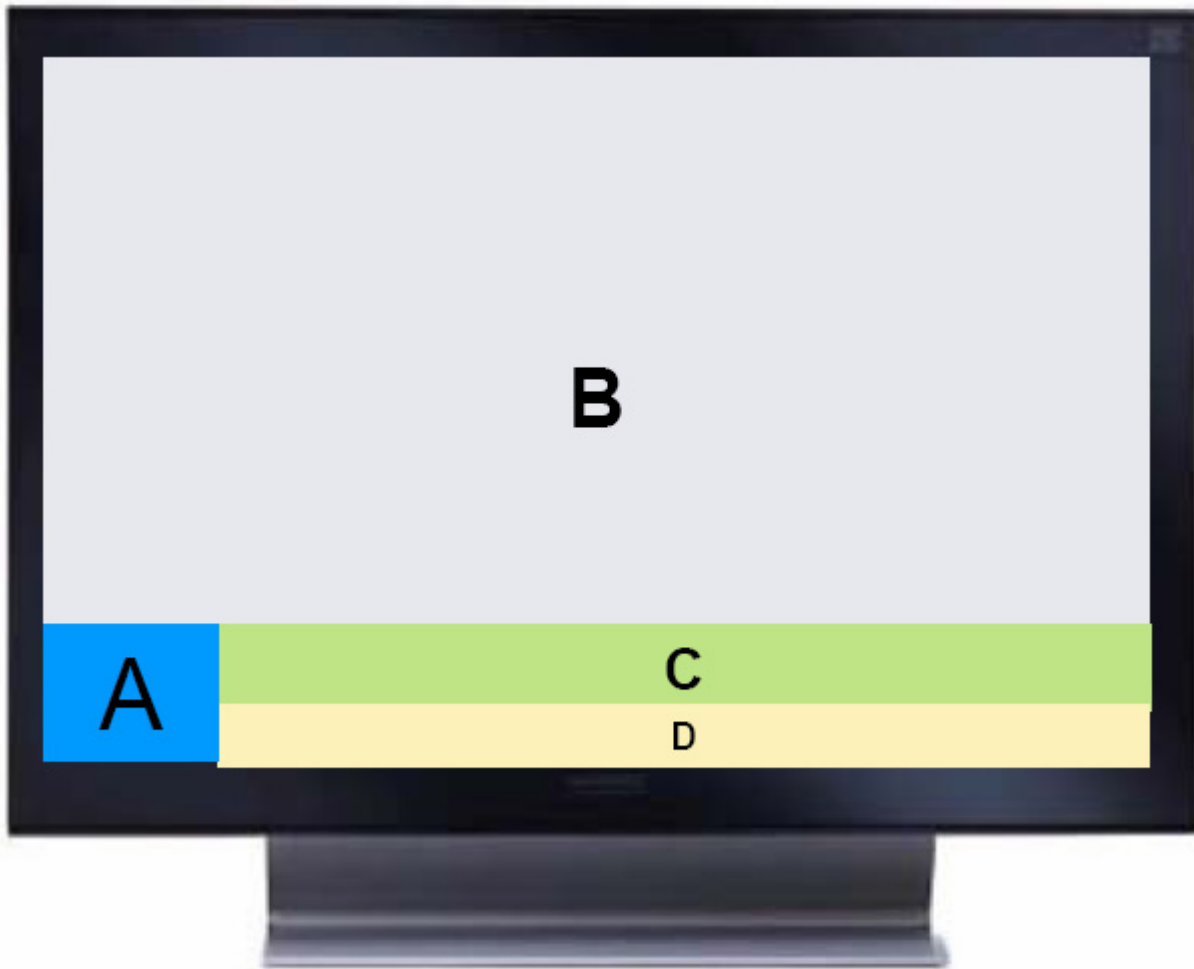
- Terms and Conditions must be visible all time of the TV advertisement or TV promotion
- BOX ABBONAMENTO must be visible all time of TV advertisement or TV promotion (in case of subscription service)

- Terms and Conditions must be visible at the lower part of the screen and it must use the font ARIAL and size 16
- Before Terms and Conditions Box must be present the price of the service and it must use the font ARIAL and size 16 in BOLD
- Into the TV Audio messages must be clear the subscription concept, using explicitly the word subscription or subscribe, for example “Subscribe this service with 1 SMS”

EXAMPLE OPTION 1



EXAMPLE OPTION 2



LEGEND

**A:** BOX ABBONAMENTO

**B:** Creativity Space

**C:** BOX terms and Conditions and Price of Service

**D:** Legal information, this must be displayed using ARIAL with size 16 and with a speed to permit to CUSTOMERS a clear readability.

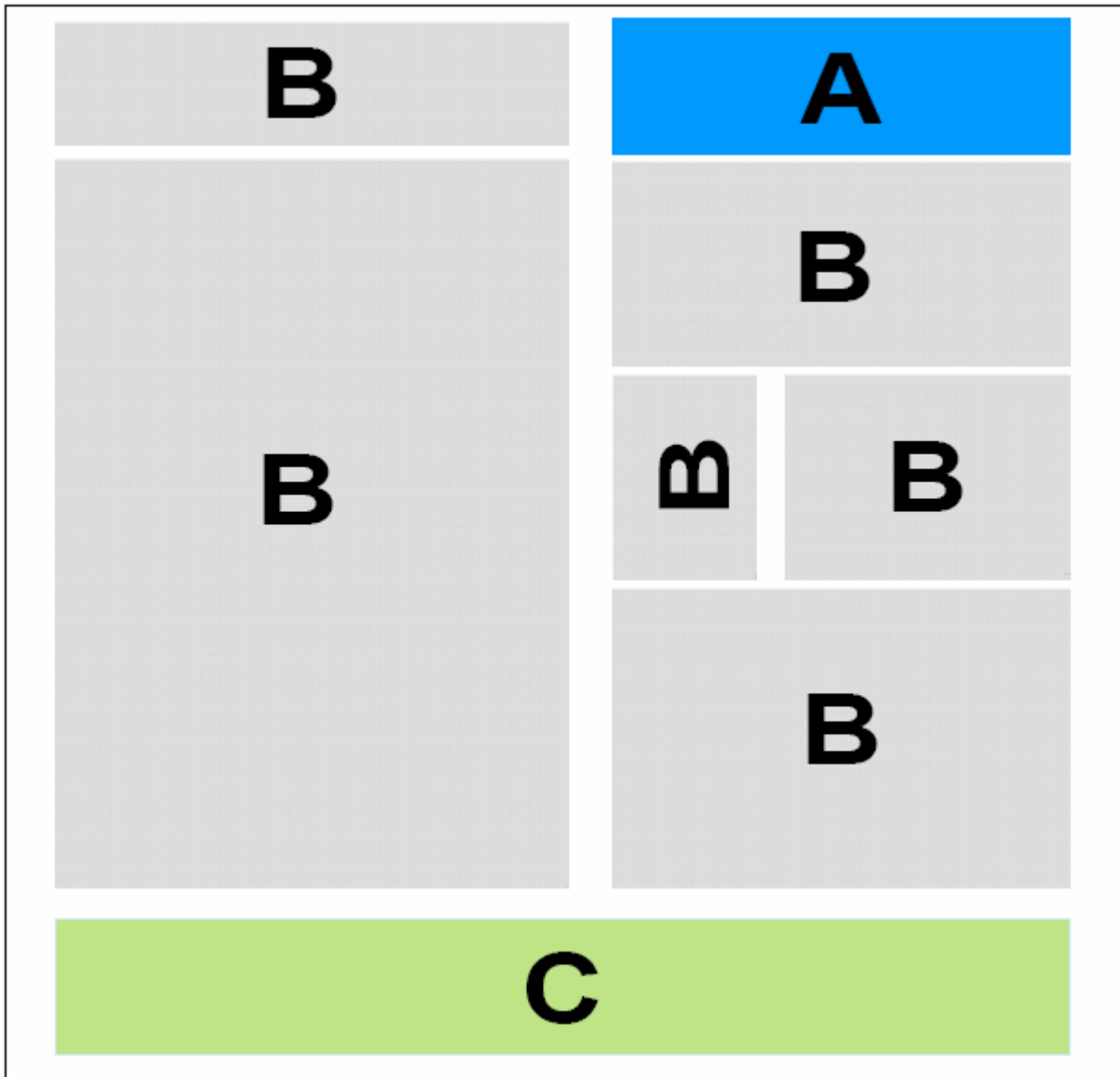
### **1.3 Radio Advertisements and Radio Promotions**

- For the Radio Advertisements and Radio Promotions must be communicated the following information:
  - Commercial Name of Service
  - Service cost and billing frequency
  - Audio Message “Servizio in Abbonamento” (translate “Subscription Service” only for Subscription Services)
  - Description of Service
  - Customer Case Number and/or Content Provider Web Site
- Into the Audio Message of the service promotion must be clear the subscription concept, using explicitly the word subscription or subscribe, for example “Subscribe this service with 1 SMS”

#### 1.4 Press Advertisements, Press Promotions and Brochure

- Terms and Conditions must be visible and in the lower part of the page
- Before Terms and Conditions Box must be present the price of the service in BOLD
- BOX ABBONAMENTO must be visible

#### EXAMPLE



#### LEGEND

- A: BOX ABBONAMENTO will be positioned everywhere in the page
- B: Creativity Space
- C: BOX terms and Conditions and Price of Service

## 1.5 Internet Advertisements and Internet Promotions

- Terms and Conditions must be visible without scroll the web page the display size considerate is 1024x768
- BOX ABBONAMENTO must be visible and linked to a page with Cost and Service Information and the BOX ABBONAMENTO must be positioned before of Submit Button.

### EXAMPLE



- The Price of Service must be always shown before the Activation Button (Picture 2)
- The activation process must be implemented using one of following options:

#### **OPTION A: Activation with PIN/PASSWORD**

- CUSTOMERS fill in the module with his/her mobile phone number and click the button Confirm/Send (Picture 1)
- CUSTOMERS receive back an free SMS with the text “Per ricevere il contenuto e confermare l’attivazione del servizio <nome servizio> inserisci il PIN <PIN> o PASSWORD <PASSWORD> nella pagina web di conferma” (translate “To receive the content and confirm the service activation of <Service Name> insert the follow PIN <PIN> or PASSWORD <PASSWORD> into the Confirm Web Page”)
- CUSTOMERS fill in the module in the Confirm Web Page and click the Activation Button (Picture 2)
- CUSTOMERS receive back a free SMS with Activation’s Confirm (see 2.1)
- CUSTOMERS receive the content via SMS/MMS



## PITCURE 1

Risoluzione video 1024x768

Il tuo numero telefonico

Scegli l'operatore

A

CONFERMA

C

No scroll to 1024x768

## PITCURE 2

Risoluzione video 1024x768

Hai scelto "Nome Contenuto"

Per ricevere il contenuto inserisci la password che ti e' stata inviata sul tuo cellulare.

Hai inserito il numero 34x-xxxxxxx

Inserendo la Password dichiari di aver LETTO ed ACCETTATO le "info e costi" e le condizioni generali di contratto e privacy notice

3 Euro settimana

Password

CONFERMA

C

No scroll to 1024x768

## LEGEND

**A:** BOX ABBONAMENTO

**B:** Creativity Space

**C:** BOX terms and Conditions and Price of Service

### **OPTION B: Confirm Activation with SMS**

- CUSTOMERS fill in the module with his/her mobile phone number and click the button Confirm/Send (Picture 1)
- CUSTOMERS receive back an free SMS with the text “Per ricevere il contenuto e confermare l’attivazione del servizio <nome servizio> invia SI al 48xxx” (translate “To receive the content and confirm the service activation of <Service Name> write an SMS with YES to 48xxx”)
- CUSTOMERS send an SMS with the syntax defined above
- CUSTOMERS receive back a free SMS with Activation’s Confirm (see 2.1)
- CUSTOMERS receive the content via SMS/MMS

In case the activation to the service happen through the OPERATORS Site and than the CUSTOMERS is recognized with Login/Password and than the MSISDN is known the first 3 point of the Options A and B aren’t necessary.

The free SMS with Activation’s Confirm is mandatory (it must be sent before the first Premium Content)

## 1.6 WAP Advertisements

- The WAP Page for a subscription Service always must contain this informations:
  - Commercial Name of Service
  - Service cost and billing frequency
  - Caption “Servizio in Abbonamento”
  - Description of Service
  - Terms and Conditions (link to page)
- The link to buy the service/subscription always must be below this informations.
- After the activation the CONSUMERS must receive a free SMS with Activation’s Confirm (see 2.1 paragraph)

### EXAMPLE

**Nome servizio**

Clicca per attivare il  
<servizio>  
e scarica la tua  
suoneria. Il servizio  
e' in abbonamento  
e ogni settimana  
ricevi una suoneria  
al costo di 3 Euro

Termini&Condizioni

Servizio  
<Operatore> in  
collaborazione con  
<Provider>

● Suoneria

## **1.7 Subscription Advertisements with promotional contents**

- In case PROVIDERS use a promotional free content to promote the subscription service the Commercial Offer Communication must be explicit, must be clear the Terms and Conditions and the Offer's Cost
- It's possible use the Word Gratis or its synonymous (Free etc) only:
  - The Content is completely free with no other cost for the CONSUMERS (besides the cost of Wap browsing or contract profiles, request message and so on)
  - In the phrase of Free Content must be explicit why it's free with the cost of subscription service and duration of the subscription. In the specific case the word Gratis must be before or after the Subscription text
- The Cost of service and the BOX ABBONAMENTO must be always present as defined into the previous paragraphs (1.1, .1.2, 1.3, 1.4, 1.5, 1.6)

## **2 Activation, Deactivation and usage of a subscription service**

### **2.1 Welcome Message**

- All subscribers must be receive a Free SMS or MMS (before the Premium Content Download) with this informations:
  - Commercial Name of Service
  - Text “Abbonamento Attivato” (translate Activated Subscription)
  - Free Text Description
  - Service Cost
  - Billing frequency
  - Sintax/methods for Deactivation
  - Customer Care Number

### **2.2 Informative SMS with Monthly frequency**

- All subscribers must be receive a free monthly sms as reminder of the active service and with Customer Care Number

### **2.3 Period of Billing for pre-paid services**

- The Billing request to subscriber must be do inside the Period of competence (ex. in the week) in case the subscriber cannot pay in the week for any problems (no credit, SIM disabled etc) the cost cannot be postpone at the next week.

### **2.4 SMS Universal Sintax of Deactivation**

- All Subscription Services must be deactivated with the word STOP as body of SMS to:
  - Activation ShortNumber
  - As answer of a SMS Sender or MMS Sender of the service
- The syntax STOP block immediately the service and the billing
- In case the ShortNumber is a shared ShortNumber the subscriber receive an SMS for all services activated.

### **2.5 Activation and Deactivation using IVR**

- All services activated via IVR must insert deactivation option in the first level menu (see 3.4)
- All services activated via fixed network must be deactivated using the same method or via phone to the Operator Customer Care or phone to the Provider Customer Care.

### **2.6 Automatic Deactivation of Services**

- In case of Number Portability all services must be automatically deactivated.
- In case of expiration of the customer number all services must be automatically deactivated

### **2.7 Sender Identification**

- The Sender of SMS/MMS sent to CUSTOMERS must be always known and unambiguous with one and only one Content Provider

## **2.8 Customer activation and registration**

- For all cases is mandatory track the SUBSCRIBERS request of activation and in case the OPERATORS require it, send it to the OPERATORS

## **3 Content Provider Customer Care**

### **3.1 Unique Customer Care Number**

- Only one Customer Care Number must be enable for all Content Provider Services
- The cost of Customer Care call must be max of 0,15 Euros per minutes with a single call charged of 0,15 Euros per call, this costs must be explicit before the call is done using a pre-message call text (free)
- Otherwise the call will do to a geographical number billed with the standard operator tariff for geographical call

### **3.2 Customer Care timetable**

- The services must be available 7 day per week, 24 hours per day, via IVR
- The direct line must be guarantee 7 day per week, between 9 am to 9 pm

### **3.3 Number of Customer Care Operators**

- The Customer Care must guarantee at least 30 concurrent calls (using IVR)
- The Service Level must be:
  - The Max wait for a direct operator call must be 30 seconds for the 80% of the total calls in the 24 hours

### **3.4 Integration with IVR**

- at the first level of IVR menu always must be present the deactivation option
- If the subscriber select the deactivation option, he must be choose between:
  - Automatic recognitions of active services for subscriber with the possibility to deactivate directly via IVR
  - The syntax STOP to deactivate a service via SMS
- The possibility of a Operator Direct Line cannot be farther than the second level menu

### **3.5 Web Assistant Customer Care**

- On the OPERATORS web site must be present the list of all Short codes with the Customer Care Numbers
- On the PROVIDERS web site must be present a link (Aiuto, Help, Assistenza) where the SUBSCRIBERS can find information at least on:
  - Services Deactivation
  - Form to ask information
  - Help area divided for categories of support
- PROVIDERS are engage to answer within 2 working days

## **4 Services with a Personal and Sensible Content**

### **4.1 Classification of Sensible Content**

- PROVIDERS and OPERATORS will cooperate to manage Sensible Content using a unique and shared categorization with the commitment of GSMe (2) (ordinance 661/06/CONS). The classification must be take 60 days after the subscription of this document.
- Access to Sensible Content is defined below (see 4.3)
- The classification of content should be part of contract between OPERATORS and PROVIDERS

### **4.2 Informative area for Sensible Content**

- Customers could access to Sensible Contents only after understand and accept the Sensible Content Informative Area
- For the WAP Browsing is mandatory a welcome page with Sensitive Content Informative Area and a link/button to accept the conditions.

### **4.3 Areas with PIN request**

- The access to Sensible Areas are protected by PIN, see ordinance 661/06/CONS
- The PIN will be send to adult people, owner of the phone contract, that request it
- For subscription service, the operator must verified the PIN before the subscription will start.

### **4.4 Other utilities to prevent access to Sensible Content**

- Parents of young people, curators of young people could request the access inhibitions to Sensible Content
- The request will be done via Operator Customer Care or via other Operator Services
- If the Block of Sensible Content is done, the customer cannot receive SMS or MMS or WAP Sensible Content

## **5 Conditions Acceptance and Implementation Timeline**

- This guide lines are undersigned from OPERATORS and PROVIDERS if they want do this.
- OPERATORS supported this guide lines must implement all necessary utilities.
- OPERATORS will provide within commercial contract with PROVIDERS penalties clause fot non-fulfillments PROVIDERS
- OPERATORS must integrate this guide lines within the commercial contract signed before and do this guide lines operative inside 4 months after