



National Implementation Report

The **Cyprus** mobile operators Code of Practice for the responsible and secure use of mobile services.

April 2010



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Executive summary

The European Framework for Safer Mobile Use by Younger Teenagers and Children (the “Framework”) is a self-regulatory initiative of the European mobile industry. It contains recommendations designed to ensure that younger teenagers and children can safely access content on their mobile phones. As of April 2010, there are 83 signatory companies implementing the Framework through the roll-out of national voluntary agreements (Codes of Conduct). A further eight mobile operators have only signed up to a national code of conduct but as such are still participating in the initiative. Codes of conduct are currently in place in 25 EU Member States and under development in the remaining two. This means that around 96 per cent of all mobile subscribers in the European Union benefit from the Framework.

This report has been prepared by mobile operators as part of a third review of the implementation of the Framework in the European Union, with a particular focus on how they have implemented the provisions of their national code of conduct. In the case of Cyprus, the report tracks compliance in relation to the Cyprus mobile operators Code of Practice for the responsible and secure use of mobile services.

Although the Cypriot Code was signed only recently (1 March 2010), both operators already offer services designed to ensure that younger teenagers and children can safely access content on their mobile phones. Cyta and MTN, the two authorised mobile operators on the island have services or support activities/initiatives that provide a safer environment for youngsters or at least an environment which parents can ‘control’.

Cyta and MTN offer services which ensure appropriate control access mechanisms for content are provided via the mobile network. The operators classify their commercial content offered via their services based on national societal standards, which are consistent with the approach in equivalent media. Classification frameworks consist of at least two categories: content which is suitable only for adult customers and other content. Regarding the Premium Rate Services (PRS), within the Cypriot market, the Commissioner for Electronic Communications and Postal Regulation (CECPR) classifies the numbering categories of these Premium Rate Services (PRS) which are generally used for the purchase of value-added services such as ringtones, entry to competitions and various types of promotions. PRS are run on special number ranges (900-XXX-XX and 909-XXX-XX for calls and 1XXX to 9XXX for Messages).

Cyta launched several campaigns and initiatives with the goal of increasing subscriber awareness, in collaboration with other organisations (e.g. the Cypriot Ministry of Education). Several actions have been carried out by Cyta with the goal of improving transparency and customer information. Cyta has published a brochure dedicated to the responsible use of mobile phones, which provides information about the use of mobile telephony in our lives.

Cyta and MTN encourage subscribers who are parents to talk to their children about how to deal with issues arising from the use of mobile services and customers can easily call both operators to report safety concerns.

Last but not least, both operators express their willingness to support the creation of appropriate legally authorised national take-down procedures for illegal content.

Introduction

This report has been prepared by mobile operators as part of a third review of the implementation of the European Framework for Safer Mobile Use by Younger Teenagers and Children (the “Framework”) in the European Union.

The Framework is a self-regulatory initiative of European mobile operators, which puts forward recommendations to ensure that younger teenagers and children can safely access content on their mobile phones. It was issued in February 2007 following the consultation of child protection stakeholders in the European Commission’s High Level Group on Child Protection. A reproduction of the Framework is available in Annex I of the report.

Fifteen signatories at group level (55 national mobile operators) initially signed up to the Framework on Safer Internet Day, 6 February 2007. As of April 2010, there are 83 signatory companies implementing the Framework through the roll-out of national voluntary agreements (Codes of Conduct). A further eight mobile operators have only signed up to a national code of conduct but as such are still participating in the initiative¹.

The recommendations of the Framework cover the following areas:

- **Classification of commercial content** — mobile operators’ own and third party commercial content should be classified in line with existing national standards of decency and appropriateness so as to identify content unsuitable for viewing by younger teenagers and children.
- **Access control mechanisms** — appropriate means for parents for controlling access to this content should be provided.
- **Education and awareness-raising** — mobile operators should work to raise awareness and provide advice to parents on safer use of mobile services, and ensure customers have ready access to mechanisms for reporting safety concerns.
- **Fighting illegal content on mobile community products or the Internet** — mobile operators should work with law enforcement agencies, national authorities and INHOPE or equivalent bodies to combat illegal content on the Internet.

The Framework recommendations are not prescriptive. Mobile operators have implemented them in different ways to reflect the diversity of their services and marketing models, as well as to cater for national societal norms and values. National codes of conduct are currently in place in 25 EU

¹ An overview of signatories per EU Member State is available at http://www.gsmeurope.org/documents/List_of_signatories_Dec_09.pdf

Member States and under development in the remaining two². This means that around 96 per cent of all mobile subscribers in the European Union benefit from the Framework.

This report sets out how mobile operators have implemented their national code of conduct in Cyprus, namely, The Cyprus mobile operators Code of Practice for the responsible and secure use of mobile services. A reproduction of the code is available in Annex II of the report.

According to the implementation report conducted by the GSMA in 2008, Cyta was the only signatory to the Safer Mobile Use Framework. In 2009 both operators, Cyta and MTN worked together to develop the national Code that was signed on the 1 March 2010. The Code covers all aspects/points referred to the framework.

The report's contents are based on information gathered from the signatories on the basis of a questionnaire in the period February-March 2010. The questionnaire addressed compliance with the recommendations of the national code of conduct. The main findings are presented below.

² Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and UK. The codes can be downloaded at http://www.gsmeurope.org/safer_mobile/national.shtml.

Implementation of national code of conduct

This part of the report contains information on how individual mobile operators have implemented the provisions of ‘The Cyprus mobile operators Code of Practice for the responsible and secure use of mobile services’. It is subdivided into five sections, which correspond to the four high level areas of the Framework and other recommendations of the national code of conduct that go beyond the scope of the Framework.

Access control mechanisms

The recommendations of the **Framework** relating to access controls are as follows:

1. *Mobile providers should not offer any own-brand commercial content which would be classified as only suitable for adult customers in equivalent media, without providing appropriate means to control access to such content under parental control.*
2. *Appropriate means to control access to content should also be applied where content is supplied by contracted providers of third party commercial content which would be classified as only suitable for adult customers in equivalent media.*
3. *Additionally, individual mobile providers should offer capabilities which can be used by parents to customize access to content by children using mobiles. These may include specific services, phones, barring or filtering, and/or billing control.*

The relevant provisions of the **national code of conduct** on access controls are as follows:

1. Controls

“The operators shall maintain measures permissible by law that will give visibility of the mobile phone usage and the services used. The operators shall facilitate, on receipt of a valid and lawful request, access to a mobile phone account, subject to all applicable data protection and privacy laws.

This shall allow among others access to the records held by the mobile operator regarding the account, including: numbers called, account balances, and the services available on the mobile phone.

Additionally, mobile providers shall allow capabilities to subscribers to customize access to mobile services. These may include specific services, phones, barring or filtering, and/or billing control.

Internet content — access controls

Operators have no control over the content that is offered or is available on the internet through unrecognised third parties, therefore are unable to ensure that such content is classified in accordance with the common classification framework referred to in this Code.” (Article 1 of the Code)

4. Internet access

The operators provide a means of access to the Internet; however, they have no control over the content or services accessed by mobile phone users through such access to the Internet.” (Article 4 of the Code)

6. Access controls for content services offered by the operators.

This section sets out the access controls, which will apply to commercial content offered via the operator. Commercial content is any content that involves a discrete commercial arrangement between the mobile operator and the party contracting with the mobile operator (the Content Provider) for the provision of content over the mobile network other than merely by the content provider’s consent of access by mobile to its Internet site.

The operators will establish an internal procedure that will classify the commercial content offered via their services. The mobile operators through their commercial contracts will enforce these classifications and offering of all Commercial Content.

Each operator will either independently or with the assistance of Content Providers, place commercial content classified as Age Restricted behind access controls. This content will only be accessible to those customers that are verified as being 18 years of age or over. Mobile operators will introduce a process by which reasonable and practical steps are taken to verify that a customer is 18 or over. The way in which the code is implemented by each of the mobile operators may vary as different technical solutions may be required to suit its specific network structure.” (Article 6 of the Code)

Mobile operators have implemented these provisions as set out below.

General	Both operators clarify that they have no control over the content or services accessed by mobile phone users through such access to the Internet.
Cyta	<p>Content from Vodafone live! Cyta’s customers who wish to use/download content from Vodafone live! are asked to verify that they are over the age of 18 and so are able to use content that is suitable for people over 18.</p> <p>Premium SMS. Content for premium SMS that is classified as unsuitable for people under the age of 18 is accessible only via a certain numbering range. CYTA offers barring facilities to the premium SMS service.</p> <p>Monthly usage limit facility. Parents can have billing control of their children’s mobile bill by using the Monthly Usage Limit facility, through which they can determine how much use they intend their children to make of their mobile telephone line. Deciding the size of monthly telephone bill in advance ensures that parents avoid the possibility of an unpleasant surprise at the end of the month! The limit is per line and applies to monthly call charges, excluding all subscription fees (e.g. for facilities, monthly line rental).</p> <p>Automated Billing Information. By calling 80006090, a customer is informed about the current amount for calls made from the phone (s)he is calling for a given period.</p>

	<p>CytaVodaMenu. Cytamobile Vodafone customers can have easy access to information about their outstanding balance by using the CytaVoda Menu (an application on the SIM card).</p> <p>Barring facilities. For all premium rate services (also for the sensitive ones), a barring system is available. The same barring system applies to the third party content.</p>
MTN	<p>Content. MTN is not currently hosting any content from either third parties or its own, thus no access control mechanisms are required at present.</p> <p>Premium SMS. Content for premium SMS/Numbers that are classified as non suitable for people under the age of 18 are only accessible via a certain numbering range (900xxxxxx). For all premium rate services a barring system is available by default. The parent/adult is well aware about the deactivation of the barring for premium services as a deposit needs to be paid so that the access to premium services is restored.</p> <p>Automated billing information-SMS invoice service. The SMS invoice service allows subscribers to receive information about their previous invoice amount, unbilled amount, inclusive of SMS and inclusive of minutes.</p> <p>E-bill service. MTN subscribers have an easy and secure, internet based access to billing and call details information. The activation of the service is free of charge. https://ebill.mtn.com.cy/mymtn/authenticate.aspx</p>

Raising awareness and education

The recommendations of the **Framework** relating to awareness-raising and educational activities are as follows:

4. *Mobile providers should provide advice and effective access to information regarding the use of mobile phone services and measures which can be taken by parents to ensure safer use by their children.*
5. *Mobile providers should encourage customers who are parents to talk to their children about how to deal with issues arising from the use of mobile services.*
6. *Mobile providers should ensure customers have ready access to mechanisms for reporting safety concerns.*
7. *Mobile providers should support awareness-raising campaigns designed to improve the knowledge of their customers, through organisations such as the INSAFE³ network.*
8. *For these measures to work effectively, policy makers should play a role in improving children's awareness through updated educational material and approaches. This should include parent and child-friendly information on safer use of mobiles and the internet.*

³ INSAFE is a network of national nodes that coordinate Internet safety awareness in Europe.

The relevant provisions of the **national code of conduct** on raising awareness and education are as follows:

10. Information and advice

Mobile operators will provide advice to customers - including children and parents - on the nature and use of new mobile devices and services and support other relevant media literacy activities designed to improve the knowledge of consumers.

Information on the Code will be available on the web site of each mobile operator.” (Article 10 of the Code)

Mobile operators have implemented these provisions as set out below.

Cyta	<p>CYTA publishes several flyers to inform customers about safer usage of mobile telephones. http://www.cyta.com.cy/doc/Booklet.pdf</p> <p>CYTA encourages customers who are parents to talk to their children about how to deal with issues arising from the use of mobile services and the internet. http://www.cyta.com.cy/doc/Booklet.pdf</p> <p>CYTA has developed a procedure to be followed when a customer wishes to report anything regarding safety issues when calling the 132 (customer service line).</p> <p>Every year Cyta publishes an activity book for children entitled, ‘Playing, having fun and learning with Telis’, which is distributed to all pre-school and primary school children throughout the island. The book contains educational and recreational material approved by the Ministry of Education and Culture. This year, CYTA plans to inform young children about the precautions someone should take for his/ her safety when using mobiles and the internet, via this children’s magazine.</p> <p>Since 2001, Cyta has made presentations to primary, secondary and technical schools on the subject ‘The Internet: A Tool for All’ with the aim of educating students about electronic communications and promoting correct Internet usage. During the 2007-2008 school year, Cyta made 71 visits to schools and a total of 6,887 pupils and teachers attended the Cyta presentations. Between 2001 until 2008, Cyta made over 330 visits to schools where the presentations were attended by 35,500 pupils and teachers.</p> <p>Cyta also gives presentations on ‘The Internet and Our Children - Safe and Responsible Use’, which are aimed primarily at parents with the purpose of informing them about correct Internet use, its traps and dangers, and how to deal with them. From 2006 until 2008 some 805 parents attended these presentations. http://www.cyta.com.cy/sponsorships_en.htm</p>
MTN	<p>MTN is reviewing various means of communicating the available controls and mechanisms that can be provided to parents to ensure safer use by their children.</p> <p>MTN utilises every opportunity (face to face interaction or via the Customer Call Centre) to encourage parents to talk to their children about how to deal with issues</p>

arising from the use of mobile services and the Internet.

MTN encourages the reporting of safety concerns by parents and welcomes suggestions and open discussion through all channels of communication available with subscribers, i.e. Customer Call Centre and every day interaction via shops.

MTN is open to discuss and be involved in awareness-raising campaigns through various organisations; these activities will commence in 2010.

Classification of commercial content

The recommendations of the **Framework** relating to commercial content classification are as follows:

9. *Mobile providers and content providers support classification frameworks for commercial content based on national societal standards and consistent with approaches in equivalent media. Classification of content, whether accessible through telecommunications or not, should be consistent with national societal standards regarding decency, appropriateness and legislation. Classification frameworks should consist of at least two categories: content which is suitable only for adult customers and other content.*
10. *Mobile providers should ensure that their own-brand commercial content is appropriately classified based on existing national classification standards in the markets where they operate.*
11. *Through their contractual relationships with professional third party content providers, mobile providers should ensure, after consultation, that these providers classify their commercial content under the same national classification approach.*
12. *For these measures to work effectively, policy makers, trade associations and other interested parties should support mobile provider initiatives to ensure commercial content providers classify their content against national societal standards.*

The relevant provisions of the **national code of conduct** on the classification of commercial content are as follows:

5. Premium rate services

The Commissioner of Electronic Communication and Post Office Regulation (CECPR) authorises and supervises the premium rate services within the Cyprus market. In addition, Commissioner classifies the numbering categories of these Premium Rate Services (PRS) which are generally used for the purchase of value-added services such as ringtones, entry to competitions and various types of promotions. Costing more than standard calls and Messages, PRS are run on special number ranges (900-XXX-XX and 909-XXX-XX for calls and 1XXX to 9XXX for Messages). All providers of PRS must adhere to the Regulation of the Commissioner. The operators through their commercial contracts will enforce this Regulation.” (Article 5 of the Code)

7. A) Classification of commercial content

The Operators classify their commercial content offered via their services based on national societal standards and consistent with the approach in equivalent media. Classification of content, whether accessible through telecommunications or not, should be consistent with national societal standards regarding decency, appropriateness and legislation. Classification frameworks should consist of at least two categories: content which is suitable only for adult customers and other content.

Operators shall ensure that their own brand commercial content is appropriately classified based on existing national classification standards (Cyprus Radio Television Authority). Through their contractual relationships with professional third party content providers, mobile operators shall demand that these providers classify their commercial content under the same national classification approach. (Article 7a of the Code)

Mobile operators have implemented these provisions as set out below.

Cyta	All content offered via Cyta's services is classified according to the national guidelines and sensibility. Cyta adopted WAAT Media standards for classifying content for Vodafone Live! The content is classified in two categories: content for '18 plus' and 'other'.
Cyta and MTN	Cyta and MTN follow the OCECPR guidelines where adult premium SMS and adult services via telephony have to be provided through a certain number range (9XXX). CYTA and MTN enforce the legislation by adding provisions to this effect in the contracts signed with third-party content providers. In case of non compliance, a termination of the contract is foreseen.

Fighting illegal content on mobile community products or the Internet

The recommendations of the **Framework** related to combating illegal content on mobile community products or on the Internet are as follows:

13. *Mobile providers will continue to work with law enforcement authorities in executing their legislative obligations regarding illegal content.*
14. *Mobile providers will support national authorities in dealing with illegal child images and, through the INHOPE⁴ hotline network or equivalent approaches, will facilitate the notification of this content where hosted on mobile community products or on the internet.*
15. *Mobile providers will adopt, or support the creation of, appropriate legally authorized national take-down procedures for such illegal content, including a commitment to liaise with national law enforcement.*
16. *For these measures to work effectively there should be legal clarity on the nature of content which is illegal and law enforcement authorities (or delegated organisations) should be able*

⁴ INHOPE is the International Association of Internet Hotlines.

to confirm where individual items of content are illegal. This will require the allocation of proportionate law enforcement priority and resources. National governments' support for this is vital.

The relevant provisions of the national code of conduct on fighting illegal content are as follows:

2. Person to person communications

Person to person communications refers to the sending or receiving of communications between two mobile phone/customers.

The operators shall make their malicious or offensive communications reporting procedures and policies available to their customers.

The operators shall respond to all customer reports of malicious or offensive person to person communications in a prompt and responsible manner and advise customers of the next appropriate steps.

The operators shall advise and encourage these customers to forward any complaints to the appropriate authorities.

The operators shall fully co-operate with the appropriate authorities in investigating and prosecuting offences.” (Article 2 of the Code)

3. Unsolicited commercial communications (Spam)

Spam is any unsolicited, unwelcome and/or indiscriminate commercial communication used for direct marketing purposes, including the bulk distribution of messages, where the recipient has no existing or prior relationship with the sending third party. In the case of mobile phone customers, such messages may take the form of unwanted voice, video, sms, mms and emails.

The operators shall maintain reporting lines for customers to report or forward suspected cases of Spam to them.

The operators shall encourage customers to report cases of indiscriminate commercial communication, including bulk distribution of messages, to the appropriate authorities for further investigation where appropriate.” (Article 3 of the Code)

7. Legislative Context

The operators remain subject to all relevant legislation, regulatory and statutory requirements that govern the provision of mobile services within Cyprus and the EU

7. B) Illegal content

Mobile operators shall work with law enforcement agencies to deal with the reporting of content that may break the law. Where operators providing telephony services are hosting

*messaging content, such an operator shall have in place notify and take down provisions.”
(Article 7 of the Code)*

Mobile operators have implemented these provisions as set out below.

Cyta and MTN	<p>Both CYTA and MTN work with law enforcement authorities in executing their legislative obligations regarding illegal content.</p> <p>CYTA and MTN both support national authorities in dealing with illegal child images and facilitate the notification of this content where hosted on mobile community products.</p> <p>CYTA and MTN are always willing to cooperate with the national authorities and provide any relevant information or put into practice any measures that may be helpful to them in an attempt to protect the people from illegal content.</p>
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Other

This section addresses compliance with the recommendations of the national code of conduct that go beyond the scope of the Framework. These provisions are as follows:

Not applicable

Mobile operators have implemented these provisions as set out below.

Not applicable

Conclusion

Both operators recognise how important this initiative is and understand that there will always be something more needed to be done regarding this issue. Youngsters' safety should never be neglected.

Today, the two authorised operators of the Cyprus market take precautions to make mobile usage safe for young people and as a result comply with the Framework. Both operators mutually developed the 'The Cyprus Mobile Operators Code of Practice for the Responsible and Secure use of Mobile Services'.

This report refers to all the services that the operators provide and the operators' activities, which ensure compliance with the Framework. More specifically, both operators have adopted national numbering law, classifying commercial content offered via their mobile network in two categories, content which is appropriate for adults, and that which is not. Parents who wish their children not to have access to adult content can do so by barring facilities offered by both operators. Additionally, both operators take necessary steps to inform their customers on the safe use of mobile and work with law enforcement authorities in executing their legislative obligations regarding illegal content.

When reading this report, one should have in mind that the code was only recently signed. Cyprus is a small market and mobile operators are still gathering experience in developing services/activities for the safety of youngsters. Having said this, operators have done a lot in a short time.

However, they understand that there is never enough one can do in order to ensure youngsters' safety. New services, new activities and new initiatives are planned for the future. Also, they understand that the mobile environment could be safer and friendlier with other stakeholders' involvement — something that will be done within the next year.

Annex I

European Framework for Safer Mobile Use by Younger Teenagers and Children

February 2007

European mobile providers and content providers have developed national and corporate initiatives to ensure safer use of mobiles including by younger teenagers and children. These already cover most EU Member States.

Signatory European mobile providers, with support from signatory content providers, now propose an EU-wide common framework to reflect these developments and to encourage all relevant stakeholders to support safer mobile use. This framework will be subject to national implementation by signatory providers.

We recognize:

- mobile services offer an additional way to consume content (still and video images, music, chat, etc.) already offered in other ways - typically by the same providers.
- the importance of parental oversight: accordingly, mobile providers should endeavour to empower parents with information and tools to facilitate their oversight.
- any initiatives to classify content should be based on national societal standards regarding decency, appropriateness and legislation.
- a framework-based approach to industry self-regulation will be effective in adapting to the fast moving environment of mobile technology and services – it will be future proof.

European Mobile Providers – A Responsible Approach

It should be noted that:

Mobile providers only control commercial content they produce themselves or which they commission from professional third parties.

They exert indirect and retrospective control over commercial content in certain other situations, provided there is a contractual relationship with professional third parties.

They are not in a position to control content which is freely accessible on the internet, since there is no relationship between the mobile provider and the content provider.

However, as responsible companies, mobile providers recognise the need to work with customers, parents and other stakeholders, including child protection organizations, in order to promote the safety of younger teenagers and children using mobile services.

Mobile providers offer content which may use pre-pay, post-pay or hybrid approaches to billing. This framework is intended to provide for safer mobile use by younger teenagers and children across different billing approaches.

Recommendations on Safer Mobile Use

Access Control Mechanisms

- 1 Mobile providers should not offer any own-brand commercial content which would be classified as only suitable for adult customers in equivalent media, without providing appropriate means to control access to such content under parental control.
- 2 Appropriate means to control access to content should also be applied where content is supplied by contracted providers of third party commercial content which would be classified as only suitable for adult customers in equivalent media.
- 3 Additionally, individual mobile providers should offer capabilities which can be used by parents to customize access to content by children using mobiles. These may include specific services, phones, barring or filtering, and/or billing control.

Raising Awareness & Education

- 4 Mobile providers should provide advice and effective access to information regarding the use of mobile phone services and measures which can be taken by parents to ensure safer use by their children.
- 5 Mobile providers should encourage customers who are parents to talk to their children about how to deal with issues arising from the use of mobile services.
- 6 Mobile providers should ensure customers have ready access to mechanisms for reporting safety concerns.
- 1 Mobile providers should support awareness-raising campaigns designed to improve the knowledge of their customers, through organisations such as the INSAFE network.
- 7 For these measures to work effectively policy makers should play a role in improving childrens' awareness through updated educational material and approaches. This should include parent and child-friendly information on safer use of mobile and the internet.

Classification of Commercial Content

- 8 Mobile providers and content providers support classification frameworks for commercial content based on national societal standards and consistent with approaches in equivalent media. Classification of content, whether accessible through telecommunications or not, should be consistent with national societal standards regarding decency, appropriateness and legislation. Classification frameworks should consist of at least two categories: content which is suitable only for adult customers and other content.
- 9 Mobile providers should ensure that their own-brand commercial content is appropriately classified based on existing national classification standards in the markets where they operate.
- 10 Through their contractual relationships with professional third party content providers, mobile providers should ensure, after consultation, that these providers classify their commercial content under the same national classification approach.

- 11 For these measures to work effectively policy makers, trade associations and other interested parties should support mobile provider initiatives to ensure commercial content providers classify their content against national societal standards.

Illegal Content on mobile community products or on the Internet

- 12 Mobile providers will continue to work with law enforcement authorities in executing their legislative obligations regarding illegal content.
- 13 Mobile providers will support national authorities in dealing with illegal child images and, through the INHOPE hotline network or equivalent approaches, will facilitate the notification of this content where hosted on mobile community products or on the internet.
- 14 Mobile providers will adopt, or support the creation of, appropriate legally authorized national take-down procedures for such illegal content, including a commitment to liaise with national law enforcement.
- 15 For these measures to work effectively there should be legal clarity on the nature of content which is illegal and law enforcement authorities (or delegated organizations) should be able to confirm where individual items of content are illegal. This will require the allocation of proportionate law enforcement priority and resources. National governments' support for this is vital.

Implementation, Stakeholder Consultation & Review

- 16 Signatory mobile providers and signatory content providers will work towards implementation of this common European framework through self-regulation at national level in EU Member States. The target for agreement of national self-regulatory codes, consistent with this framework, is **February 2008**
- 17 Mobile providers will regularly review child safety standards on the basis of the development of society, technology and mobile services in cooperation with European and national stakeholders such as the European Commission, INHOPE and INSAFE.

Annex II

The Cyprus mobile operators Code of Practice for the responsible and secure use of mobile services.

Introduction

Cyta and MTN have developed this Code of Practice for application in the Cyprus market with regards to their mobile operations.

Mobile services for the purpose of this Code refer to voice, data, messages, multi-media, mobile Internet access and video telephony services.

The Code establishes the standards which the operators will adhere to on the issues of:

- Controls
- Malicious or offensive person to person communications
- Unsolicited commercial communications (Spam)
- Internet access
- Premium Rate Services
- Access Controls for Content Services
- Legislative Context
- Enforcement

- Implementation and administration
- Information and advice

The Code represents the minimum agreed common commitment of the mobile industry. Individual operators may introduce additional measures that are consistent with the Code.

1. Controls

The operators shall maintain measures permissible by law that will give visibility of the mobile phone usage and the services used. The operators shall facilitate on receipt of a valid and lawful request access to a mobile phone account subject to all applicable data protection and privacy laws.

This shall allow among others access to the records held by the mobile operator regarding the account, including: numbers called, account balances, and the services available on the mobile phone.

Additionally, mobile providers shall allow capabilities to subscribers to customize access to mobile services. These may include specific services, phones, barring or filtering, and/or billing control.

Internet Content – Access Controls

Operators have no control over the content that is offered or is available on the internet through unrecognised third parties, therefore are unable to ensure that such content is classified in accordance with the common classification framework referred to in this Code.

2. Person to Person communications

Person to person communications refers to the sending or receiving of communications between two mobile phone/customers.

The operators shall make their malicious or offensive communications reporting procedures and policies available to their customers.

The operators shall respond to all customer reports of malicious or offensive person to person communications in a prompt and responsible manner and advise customers of the next appropriate steps.

The operators shall advise and encourage these customers to forward any complaints to the appropriate authorities.

The operators shall fully co-operate with the appropriate authorities in investigating and prosecuting offences.

3. Unsolicited Commercial Communications (Spam)

Spam is any unsolicited, unwelcome and/or indiscriminate commercial communication used for direct marketing purposes, including the bulk distribution of messages, where the recipient has no existing or prior relationship with the sending third party. In the case of mobile phone customers, such messages may take the form of unwanted voice, video, sms, mms and emails.

The operators shall maintain reporting lines for customers to report or forward suspected cases of Spam to them.

The operators shall encourage customers to report cases of indiscriminate commercial communication, including bulk distribution of messages, to the appropriate authorities for further investigation where appropriate.

4. Internet Access

The operators provide a means of access to the Internet; however, they have no control over the content or services accessed by mobile phone users through such access to the Internet.

5. Premium Rate Services

The commissioner of electronic communication and post office regulation (CECPR) authorises and supervises the premium rate services within the Cyprus market. In addition, Commissioner classifies the numbering categories of these Premium Rate Services (PRS) which are generally used for the purchase of value-added services such as ringtones, entry to competitions and various types of promotions. Costing more than standard calls and Messages, PRS are run on special number ranges (900-XXX-XX and 909-XXX-XX for calls and 1XXX to 9XXX for Messages). All providers of PRS must adhere to the Regulation of the Commissioner. The operators through their commercial contracts will enforce this Regulation.

6. Access Controls for Content Services offered by the Operators

This section sets out the access controls, which will apply to commercial content offered via the operator. Commercial content is any content that involves a discrete commercial arrangement between the mobile operator and the party contracting with the mobile operator (the Content Provider) for the provision of content over the mobile network other than merely by the content provider's consent of access by mobile to its Internet site.

The operators will establish an internal procedure that will classify the commercial content offered via their services. The mobile operators through their commercial contracts will enforce these classifications and offering of all Commercial Content

Each operator will either independently or with the assistance of Content Providers, place commercial content classified as Age Restricted behind access controls. This content will only be accessible to those customers that are verified as being 18 years of age or over. Mobile operators will introduce a process by which reasonable and practical steps are taken to verify that a customer is 18 or over. The way in which the code is implemented by each of the mobile operators may vary as different technical solutions may be required to suit its specific network structure.

7. Legislative Context

The operators remain subject to all relevant legislation, regulatory and statutory requirements that govern the provision of mobile services within Cyprus and the EU.

7a. Classification of Commercial Content

The Operators classify their commercial content offered via their services based on national societal standards and consistent with the approach in equivalent media. Classification of content, whether accessible through telecommunications or not, should be consistent with national societal standards regarding decency, appropriateness and legislation. Classification frameworks should consist of at least two categories: content which is suitable only for adult customers and other content.

Operators shall ensure that their own brand commercial content is appropriately classified based on existing national classification standards (Cyprus Radio Television Authority).

Through their contractual relationships with professional third party content providers, mobile operators shall demand that these providers classify their commercial content under the same national classification approach.

7b. Illegal content

Mobile operators shall work with law enforcement agencies to deal with the reporting of content that may break the law. Where operators providing telephony services are hosting messaging content, such an operator shall have in place notify and take down provisions.

8. Enforcement

To be compliant with this Code of Practice, the operators must adhere to the following commitments:

- Publish this Code on their website
- Maintain and revise appropriate controls
- Establish and/ or maintain a malicious or offensive communications reporting line for person to person communications
- Maintain reporting processes for suspected cases of Spam in conjunction with assisting the appropriate bodies
- Review and update this code as an industry when appropriate over time
- Provide assistance to law enforcement agencies in the pursuit of criminal investigations.
- Introduce appropriate access controls for content services in accordance with the provisions set out in the Code of Practice.

9. Implementation and Administration

The mobile operators take responsibility for the implementation and administration of this Code. They will keep the Code under review and make changes, where this is deemed necessary, for the Code to remain relevant to customers. Each mobile operator will enforce the terms of the Code through its agreements with content providers. The Code will be implemented on March 01, 2010.

10. Information and advice

Mobile operators will provide advice to customers - including children and parents - on the nature and use of new mobile devices and services and support other relevant media literacy activities designed to improve the knowledge of consumers.

Information on the Code will be available on the web site of each mobile operator.

Photios Savvides

Bassel Jamaledine

Chief Executive Officer

Chief Executive Officer

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