



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

*Final version for publication*

## **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.

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