

UK MOBILE OPERATORS ANNOUNCE INDEPENDENT CLASSIFICATION BODY

Q&A

1. What is ICSTIS?

ICSTIS – the Independent Committee for the Supervision of Standards of Telephone Information Services – is the industry-funded regulatory body for all premium rate charged telecommunications services. Established in 1986, it regulates the content and promotion of premium rate services through its Code of Practice. Its role is to prevent consumer harm, by requiring clear and accurate pricing information, honest advertising, and appropriate and targeted promotions.

Premium rate services offer information and entertainment via phone, fax, PC (e-mail, Internet, bulletin board), mobile (SMS/WAP) or digital interactive TV. Services range from sports, voting and sex lines to competition, directory enquiry, chat and business information services. At least 40,000 services are in operation at any one time with services based on premium rate worth around £1 billion a year.

As the regulator for premium rate services ICSTIS's vision is that anyone can use these services with absolute confidence.

2. What is the Independent Mobile Classification Body ("IMCB")?

In January 2004, the mobile operators in the UK published a Code of Practice for the self-regulation of new forms of content on mobiles.¹

One of the commitments in the Code was that the mobile operators would appoint an independent classification body to provide a framework for classifying commercial content² that is unsuitable for customers under the age of 18.

The IMCB will perform this function.

3. What is the relationship between ICSTIS and IMCB?

IMCB is a wholly owned subsidiary of ICSTIS Ltd, the corporate body that provides the infrastructure for ICSTIS. ICSTIS's Committee will also act as the Independent Mobile Classification Body.

The staffing arrangements will be a matter for ICSTIS/IMCB. However, the funding of each will be kept completely separate so that there is no cross-subsidy of the activities of either body.

¹ A copy of the operators' Code can be found at: http://www.orange.co.uk/about/regulatory_affairs

² **Commercial content** – means content provided by commercial content providers to their mobile customers. Mobile operators act as the delivery and access provider and thus exercise an element of commercial control over the content delivered. Commercial content includes pictures, video clips, mobile games. It does not include content accessed via the Internet - where mobile operators are providing only the connectivity.

4. What powers does the IMCB have?

The IMCB operates under a contract between the mobile operators and the IMCB. It has no powers conferred on it by law. It has been established in accordance with the UK Code of Practice for the self-regulation of new forms of content on mobiles (published by the mobile operators in January 2004). Its terms of reference are described below.

5. What are its terms of reference?

a) The Classification Framework

The IMCB will establish a framework for classifying **commercial content** that is unsuitable for customers under the age of 18. By default all other content will be unrestricted. The framework will be consistent with standards used in other media and only treat as **18** content that would receive an 18 classification for the equivalent material in, for example, magazines, films, videos and computer games.

The framework covers new types of content, such as still, video and audio/visual material and mobile gaming. It does not cover traditional premium rate voice or premium rate SMS (texting) services, which will continue to be regulated only under the ICSTIS Code of Practice. It also does not apply to the general Internet.

b) Advice

The IMCB will not be required to classify individual items of commercial content. It will be responsible for providing the classification framework against which commercial content providers will self-classify their content. Nevertheless, it will provide non-binding advice to content providers.

c) Complaints

In the first instance complaints from the public about the classification of commercial content will be directed to the customer's mobile operator to resolve. Where a mobile operator and a content provider cannot agree on the correct classification of a piece of commercial content, the IMCB will have processes for resolving such disputes.

In the event that the IMCB decides that a piece of content has been mis-classified, the content provider will be given notice, subject to an appeal process, to make appropriate changes. The mobile operators, through their commercial arrangements, will be responsible for requiring content providers to comply with IMCB decisions.

d) Publication

The IMCB will publish its decisions and will maintain a web site with information about the classification framework and other relevant material.

6. What sort of content will be covered?

The IMCB will be providing a framework for classifying material such as video clips of erotic content or mobile games with high levels of violence.