

Code of Conduct for Value Added Services provided through mobile phones and for the protection of minor users
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The present Code is agreed upon between the Mobile Network Operators operating in the Greek Territory (hereinafter referred to as "Mobile Operators"). The subject of the said Code is the provision of Value Added Services in relation to matters concerning protection of minor users.

The aforementioned Operators:

- Taking into consideration:

1. The increase of the use of mobile phones by consumers and particularly by minor users in the Greek Territory.
2. The increase of the use of Value Added Services by mobile phone subscribers.
3. The need for information of the aforementioned subscribers about the Value Added Services provided through mobile phones.
4. The right of minors to normal physical and mental development, as such right is defined both in the Greek and in the International Legislation.
5. The fact that normal development of the minors, which is mainly a responsibility of their parents or guardians, may be supported by means of reliable and detailed information concerning Value Added Services, the content of which may harm the normal mental development of the minors.

6. The complex character of simultaneous protection of conflicting fundamental human rights, such as protection of minors, personal data protection, the right to information, the right of free development of personality, and the right of freedom of speech.

- Taking into account the Greek and European Laws in force

Conclude the present Code of Conduct for the self-regulation of Mobile Operators and for the protection of minor users concerning Value Added Services and they undertake the obligation to update and adjust the present Code to include new services.

The present Code specifies the minimum obligations of Mobile Operators concerning the protection of minor users, and does not prevent them from taking further measures, provided, and to the extent, that such measures do not conflict with the present Code.

Article 1

Definitions

1.1 Code of Conduct or Code: the present Code for the self-regulation of Mobile Operators concerning Value Added Services and protection of minor users.

1.2 Mobile operator: The telecommunication company providing mobile telecommunication services to the public.

1.3 Value Added Services: the services made available / provided through electronic communication networks or through specific numbering systems, which allow users to have access to information or services, as defined with the decision of EETT no. 206/29-01-2001, as the said decision applies to the National Numbering system.

1.4 Value Added Services for adults: Services, the content of which is not intended for minor users, that is, for users under 18 years of age, given that such content may negatively affect their physical, moral and/or mental development.

1.5. Third parties: Any physical or legal entity, providing information and services to the end user himself through mobile telecommunication networks, to which such entity is granted access by virtue of a contract with Mobile Operators.

1.6 Value Added Service Providers – The Mobile Operators, when providing Value Added Services themselves, and the Third Parties.

Article 2

Obligations of Mobile Operators

Mobile Operators:

2.1 Shall include in the contracts signed between them and Third Parties at least the general principles of the present Code.

2.2 Shall undertake the obligation to present the present Code, in the form valid at any point of time, in their website – if they have one – or to inform their subscribers with the use of any other appropriate means about the existence and the content of the present Code.

Article 3

Value Added Services of Mobile Operators (Self-provided services)

3.1 The Mobile Operators signing the present Code or enter the Code in the future, shall provide to their subscribers, for the Value Added Services provided by the Mobile Operators themselves, complete, detailed, valid and

easily accessible information concerning the content of such Value Added Services, especially if such content is rated as a Value Added Service for adults, as well as clear information concerning registration/removal of the user to/from the said services.

3.2 Mobile Operators undertake the commitment that when they provide Value Added Services themselves, such services:

- a) Will not offend any political or religious beliefs, human dignity and sex equality, and/or will not contain racism or violence.
- b) Will not encourage any person, or suggest to any person, to proceed to the performance of a penal offence, the use of prohibited substance or the committing of suicide.
- c) Will not endanger national security or public order, or will not conflict with the laws or morals.
- d) Will not cause, promote or encourage racial discriminations, hatred or violence.
- e) Will not encourage any behavior harmful to safety and/or to the protection of environment.
- f) Will not exploit the natural easy trusting of minors or the lack of experience of young people.
- g) Will not be misleading concerning the content or the cost of the service provided.

3.3 Value Added Services for adults, whenever and wherever these are communicated, must be easily recognizable as such by the subscribers.

3.4 Mobile Operators will provide to their subscribers access to the content of Value Added Services for adults only after the provision of information concerning the nature of such services, in accordance with the then applicable legislation.

Article 4

Relations between Mobile Operators and Third Parties

4.1 Third Parties provide Value Added Services, for which Mobile Operators only provide access to their network; that means that Mobile Operators do not intervene in the content provided, and conclusively do not have any responsibility for the content of such services.

4.2 By virtue of the present Code, Mobile Operators undertake the following commitments:

- a) To include in their agreements with Third Parties terms obligating such parties to provide Value Added Services, the content of which does not conflict with the provisions of the present Code of Conduct, and specifically of Article 3.2.
- b) To advise the Third Parties, with which they cooperate, to provide complete, detailed, reliable and easily accessible information to the subscribers (with the use of all appropriate means), concerning the content of the Value Added Services they provide, especially if such content is rated as adult.
- c) To include in their agreements with Third Parties terms obligating such parties to inform the subscribers, with the use of any appropriate /lawful means, about the charges for the Value Added Services provided by them.
- d) To incorporate in their agreements with Third Parties terms obligating such parties to include in the advertising promotion of the Value Added Service a clear written statement of the charges and to clearly provide adequate information to the consumers concerning charges, both in cases of Press or TV advertisements and in case the advertising campaign is performed with the use of electronic, non-television means, in accordance with the provisions of the laws in force applicable.
- e) To inform the Third Parties about the present Code, enforceability.

Article 5

Personal Data Protection – Communication Privacy

5.1 Mobile Operators undertake, for the Value Added Services provided by themselves, the obligation to comply with the applicable laws and especially with the laws concerning personal data protection and communication secrecy.

5.2 Mobile Operators undertake the commitment to incorporate in their agreements with Third Parties terms obligating such parties to comply with the applicable laws and especially with the laws concerning personal data protection and communication secrecy.

Article 6

Third Party Requests

6.1 Any party having lawful interest (physical or legal entity) may, if such party believes that one or more Mobile Operators violate some of the terms of the present Code, submit to the said Operator/s an eponymous written request.

6.2 The Mobile Operator/s, to whom the aforementioned written request is addressed, shall examine the received request(s) or proposal(s) and reply to them, provided such requests/proposals meet the aforementioned preconditions, and comply with any requests considered reasonable, in accordance with the terms hereof and with the applicable laws.

Article 7

Validity of the Code of Conduct

7.1 The present Code is applicable subject to the provisions of the applicable laws concerning the committed parties; the said legislation prevails in any case.

7.2 The present Code applies to all Mobile Operators signing the above text, and it shall be modified after the unanimous written agreement.

7.3 Future technological developments in the telecommunications sector and their resulting effect on the protection of minors in relation to all Value Added Services provided will create the need for changes concerning the measures to be taken. For this reason, the undersigned companies undertake the commitment to regularly proceed with the updating of the Code.

In witness thereof, the present document was executed in four (4) identical originals, and each Contracting Party received one original.