[IT] Agcom Adopts a Regulation on Parental Control

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On 22 July 2011, the *Autorità per le garanzie nelle comunicazioni* (Italian Communications Authority - Agcom) adopted Regulation no. 220/11/CSP on parental control (hereinafter "the Regulation"). The Regulation establishes technical measures aimed at preventing minors from viewing films that have been denied clearance for their projection or representation in public or that have been rated as unsuitable for minors under eighteen years and adult content, in accordance with Article 34, paragraphs 5 and 11, of the Audiovisual Media Services and Radio Code, adopted with legislative decree no. 44/2010. The Regulation was adopted through co-regulatory procedures.

For the development of the new rules, Agcom has established a technical board, with the cooperation of the Department of Communications of the Ministry of Economic Development, the Higher Institute of Communications and the Committee for the implementation of the self-regulatory code on media and minors. The technical board has also been open to other stakeholders.

The board was established on 6 May 2010 with deliberation no. 88/10/CSP. After an almost year-long discussion, the new Regulation has introduced a parental control feature that specifically and selectively inhibits access, from first use, to adult content.

Article 1 requires that audiovisual media service (AVMS) providers offer, for programmes that are subject to the Regulation, a parental control feature capable of prohibiting access to certain selected content from first use and for each subsequent use. The user must be able to deactivate the parental control measure through a secret and personal code.

Under Article 2, the viewing of adult content is possible only by entering a secret, specific, personal and individualised code. The preset PIN put in place by the access device producer must be changed at first usage.

Article 3 relates to the obligation of AVMS providers to make the public aware of the function of the parental controls and the procedures for setting the secret code that enables viewing. The user can decide to eliminate the parental control feature and then re-enable it at any time.

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Article 4 concerns the obligation of AVMS providers to provide a description of the parental control feature available on their websites together with adequate and comprehensive information on the classification of audiovisual content.

AVMS providers, according to Article 5, are obliged to adapt their technical procedures to bring them into accordance with the Regulation within six months after its entry into force. For this purpose, providers will have to employ the utmost diligence in their dealings with producers and/or importers of decoders so as to ensure compliance with the provisions of the Regulation.

Article 6 deals with devices already installed and available on the market. With regard to these devices, AVMS providers have an obligation to inform and make the users aware of the possibility of setting a PIN.

Finally, Article 7 envisages the establishment, after a separate deliberation by Agcom, of a specific technical board, open to the participation of representatives of internet service providers and AVMS providers, in order to define specific rules relevant to connected TV and web-TV.

Deliberation no 220/11/CSP - Regolamento in materia di accorgimenti tecnici da adottare per l'esclusione della visione e dell'ascolto da parte dei minori di film ai quali sia stato negato il nulla osta per la proiezione o la rappresentazione in pubblico, di film vietati ai minori di diciotto anni e di programmi classificabili a visione per soli adulti ai sensi dell'articolo 34, commi 5 e 11, del Testo unico dei servizi di media audiovisivi e radiofonici

http://www.agcom.it/Default.aspx?DocID=6866

Regulation concerning technical measures aimed at preventing minors from viewing films that have been denied clearance for their projection or representation in public or that have been rated as unsuitable for minors under eighteen years and adult content, according to Article 34, paragraphs 5 and 11, of the Audiovisual Media Services and Radio Code

Deliberation no. 88/10/CSP - Costituzione del tavolo tecnico per l'adozione della disciplina di dettaglio sugli accorgimenti tecnici da adottare per l'esclusione della visione e dell'ascolto da parte di minori di contenuti audiovisivi classificabili a visione per soli adulti ai sensi dell'articolo 9 del decreto legislativo 15 marzo 2010, n. 44

http://www.agcom.it/default.aspx?DocID=4258

Establishment of a technical board for the adoption of the implementation rules on the technical measures to be adopted in order to prevent minors from viewing

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adult content as defined by Article 9 of legislative decree no. 44/2010

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