[HU] Recommendation on Effective Technical Solutions Issued by the Media Council

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According to paragraph 6 of Article 10 of the new Media Act, which came into force on 1 January 2011, linear media service programmes that may seriously impair the physical, mental or moral development of minors, particularly because they involve pornography or extreme and/or unnecessary scenes of violence (Category VI programmes), may be published only if the media service holds the programme in an encrypted form and can only be accessed via a digit code available only to subscribers over the age of eighteen, or that uses another effective technical solution to prevent viewers or listeners under the age of eighteen from accessing the media service. Also in the case of on-demand media services that fall into the category mentioned above (Category VI programmes) or programmes that may impair the physical, mental or moral development of minors, particularly because they are dominated by graphic scenes of violence or sexual content (Category V programmes), the Media Act prescribes media service providers and distributors the use of an effective technical solution in order to prevent minors from accessing programmes with such content.

On the basis of the authorisation by the Media Act, the Media Council of the National Media and Communications Authority (hereinafter referred to as “Media Council”) published a Recommendation on 22 June 2011 with the aim of informing media service providers and distributors about the effective technical solutions available for the protection of minors from harmful media content (hereinafter referred to as “Recommendation”). The Media Council also involved concerned media service providers and distributors in the creation of the Recommendation by holding a public hearing on 7 June 2011. The Recommendation was issued primarily for media service providers but its provisions contain valuable and useful information for parents too.

In order to filter out harmful contents universally, the Recommendation provides solutions for each technical platform. It details the effective technologies, solutions and methods to be used in the analogue and digital cable television services, in the digital satellite, digital terrestrial and internet protocol television services as well as in linear and on-demand media services provided in mobile communications networks or on the Internet. In the case of digital cable television services, for example, only digital decoders (Set-Top-Boxes) with a child safety lock with at least a four-digit parental code shall be used. The Recommendation

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also prescribes that after the third keying in of the wrong parental code, if the STB allows for it, the system shall automatically prevent the user from accessing the chosen channel or programme for a period of ten minutes at least.

The Recommendation calls attention to the fact that such technical solutions may be reliable only if the media service providers and distributors are able to monitor continuously how efficient a method or technology is and develop it further. According to the Recommendation the efficacy of the protection of minors from harmful content can be increased by providing information to the users about the accessibility and use of special technical equipment and measures as well as by progressively developing the media literacy of minors, parents and educationalists. The Recommendation emphasises that besides media service providers, the authorities have to take an active part in teaching adults to use different effective technical solutions.

The Recommendation is not legally binding, however, due to the fact that the Media Council is authorised by the new Hungarian Media Act to issue such recommendations, its provisions are applicable and can be referred to in individual cases and decisions.

A Nemzeti Média- és Hírközlési Hatóság Médiatanácsának ajánlása a kiskorúak védelmében a lineáris és lekérhető médiaszolgáltatások esetén alkalmazandó hatékony műszaki megoldásokra, 2011. június 22.

http://www.mediatanacs.hu/uploads/9/11/1308744432ajanlas_hatekony_muszaki_megoldasokra_2011_06_22.pdf

Recommendation by the Media Council of the National Media and Communications Authority on the effective technical solutions used in linear and on-demand media services for the protection of minors, 22 June 2011

Médiatanács: Hatékony műszaki megoldások a gyermekek védelmében, 2011. június 23.

http://www.mediatanacs.hu/hirek.php?hir_id=668

Media Council: Effective technical solutions for the protection of children, 23 June 2011

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