[DE] Online gaming platform’s youth protection system approved

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In October 2020, the *Kommission für Jugendmedienschutz* (Commission for the Protection of Minors in the Media – KJM) confirmed the decision of the *Freiwillige Selbstkontrolle Multimedia-Diensteanbieter e.V.* (voluntary self-monitoring body for multimedia service providers – FSM) that the MagentaGaming gaming platform’s youth protection system meets the requirements of the *Jugendmedienschutz-Staatsvertrag* (state treaty on the protection of minors in the media - JMStV) of the German *Länder*. The KJM concluded that the FSM had not exceeded its discretionary power by approving the system at the request of the platform’s operator, Telekom Deutschland GmbH.

The KJM, as an organ of Germany’s *Landesmedienanstalten* (state media authorities), is responsible for monitoring compliance with the provisions of the JMStV applicable to broadcasters and telemedia providers. This is necessary to ensure a common level of youth protection across the country.

MagentaGaming is a cloud-based gaming service that can be used on any device. The suitability of the platform’s youth protection system was assessed by the FSM on the basis of the regulated self-regulation mechanisms established under the JMStV. The FSM is a non-profit organisation recognised by the KJM as a self-regulatory body for the telemedia sector. One of its tasks is to assess the suitability of youth protection systems in order to ensure the effective protection of minors on the Internet. According to Article 11 JMStV, such systems are suitable if they permit age group-differentiated access to telemedia and provide for state-of-the-art identification. They must also be user-friendly and allow for autonomous use by consumers.

In the case at hand, the FSM particularly examined whether the youth protection system used by MagentaGaming was capable of detecting age-restricted games on the platform and preventing unauthorised users from accessing them. It considered that the platform’s settings, including an age rating system for games and a PIN for adult content, were suitable and expedient. It also looked at whether the youth protection system was able to recognise services that might be harmful to the development of children and young people. The system used by Telekom Deutschland GmbH enabled every profile to have its own individual age setting and PIN, so access for every user could be limited to games that had been

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checked and were suitable for their age. The FSM concluded that children and young people could therefore be protected from content that might harm their development and that, overall, the youth protection system met the requirements of the JMStV.

Following receipt of the FSM's evaluation, the KJM – as required by law – checked the FSM's decisions, ensuring that it had not exceeded its discretionary power in assessing the youth protection system's suitability.

The KJM concluded that the FSM had acted within its powers, therefore its decision should be considered lawful. The youth protection system of the MagentaGaming online gaming platform operated by Telekom Deutschland GmbH therefore met the requirements of the JMStV.

Pressemitteilung der KJM

https://www.kjm-online.de/service/pressemitteilungen/meldung/geeignetes-jugendschutzprogramm-fuer-gaming-plattform-magentagaming

KJM press release

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