[IT] Public consultation on the parental control system in the electronic communications field

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With the decision No. 160/21/CONS published on 7 June 2021, the Italian Authority for Communications (Agcom) launched a public consultation on the parental control system in the electronic communication field, pursuant Article No. 7-*bis* entitled “Protection system for minors from the risk of cyberspace”, provided by the Law Decree No. 28 of 30 April 2021.

The abovementioned rule lays down that the electronic communication supply contracts – including television operators - must provide free and “activated by default” parental control systems, able to filter inappropriate content for minors and to block content reserved for an adult audience.

The operators must guarantee appropriate forms of advertising of the implemented systems.

In case of violations of the described duties, Agcom gives notice to the operator to cease its conduct and give back any sums unjustifiably charged to users, indicating in any case a deadline of not less than sixty days.

Although the provision sets relevant regulatory duties, it doesn’t set any details; for this reason, the public consultation aims to give some indications for implementing the measures through some dedicated Guidelines which, starting from the framework of the rights and obligations already provided for by current legislation, provide some clear indications on the conduct to be followed and on the supervisory activity exercised by the Authority.

In particular, the decision points out that the Guidelines are necessary from a technical point of view, because of the diversity of the solutions implemented, potentially capable of creating different levels of protection for minors.

Moreover, the Guidelines aim to define the mode in which Agcom will exercise its supervisory powers.

The public consultation will be open for 120 days.

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Delibera n. 160/21/CONS - Avvio del procedimento istruttorio finalizzato all'attuazione dell'art. 7-bis del decreto-legge 30 aprile 2020, n. 28 in materia di "Sistemi di protezione dei minori dai rischi del cyberspazio

https://www.agcom.it/documents/10179/22914048/Delibera+160-21-CONS/9530d62d-44d8-42b8-8ea4-e62ddfd2162a?version=1.0

Agcom, Resolution n. 160/21/CONS

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