

# Finland: Ethical Rules

# BASIC SET OF NORMS FOR PROVIDING PREMIUM RATE SERVICES 25.7.2003

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# INTRODUCTION

The premium rate service market is supervised by MAPEL (the Finnish Self-regulatory Committee for premium rate services) established in 1998.

MAPEL is a trust body whose authority is based on voluntariness and self-regulation. In addition to the chairman, MAPEL consists of members who represent ethical, market-oriented and legal expertise. The committee members represent a variety of groups concerned with premium rate services. In particular, the opinion of consumers, service providers and network operators is represented. The committee is assisted by a full-time ombudsman for premium rate services.

MAPEL and the ombudsman for premium rate services together form a self-regulatory organisation for premium rate services which is meant to assist the providers of these services, consumers, network operators, authorities and media in matters concerning premium rate services. Operations and decisions of MAPEL are based on the basic set of norms for premium rate services, legislation in force and official regulations.

MAPEL and the ombudsman supervise compliance with the basic set of norms. The task of MAPEL is to create and maintain good conduct in the provision of premium rate services among those operating in the field.

MAPEL was established to deal in particular with problems experienced by consumers when using the premium rate services provided by new technologies. The basic set of norms for premium rate services was first drawn up in 1995. This is now its third edition. The basic set of norms for premium rate services sets the limits to which service providers must adhere when offering premium rate services at extra charge.

The goal of providing a basic set of norms for premium rate services by phone is to get activities connected with the services offered by all providers to adhere to a code of good conduct. In particular, these are matters connected with marketing, numbering, price information and service classification.

By complying with MAPEL's recommendations and the basic set of norms for providing premium rate services, the service providers can be sure that the services they are offering are of good quality and approved.

## DEFINITIONS

**Premium rate services** mean phone and short-message services allocated to service groups, which are offered in service categories according to the number series, based on the technical regulations of the Finnish Communications Regulatory Authority.

A premium rate service can also be a service which functions in a normal subscriber number and is charged separately in the phone bill.

**The service provider** provides the content of the service and is in a contractual relationship with a network operator. The service provider can, for example, be a company, an organisation or a network operator.

**A network operator** means a collective body, which maintains a telecommunication network and/or is responsible for invoicing its usage.

# I THE FINNISH SELF-REGULATORY COMMITTEE FOR PREMIUM RATE SERVICES

## **1 chapter Composition of MAPEL**

### **1 § Members of the committee**

The board of the Finnish Teleforum Society chooses the members of the committee. The election is held after the annual general meeting of the Finnish Teleforum Society. The term of office of the committee begins after the board has elected the committee. The term of office of a member continues until the Finnish Teleforum Society elects a new committee or a substitutive member is elected to replace a resigning member.

### **2 § Chairman and deputy-chairman**

The board of the Finnish Teleforum Society elects the chairman of the committee. If necessary, the deputy-chairman of the committee is elected by the committee. The chairman of the board of the Finnish Teleforum Society cannot function as the chairman or deputy-chairman of the committee.

### **3 § Ombudsman for premium rate services**

The ombudsman for premium rate services is elected and appointed by the board of the Finnish Teleforum Society in collaboration with MAPEL.

## **II PROVIDING PREMIUM RATE SERVICES**

## **2 chapter General rules**

### **4 § Commitment to self-regulation**

The service provider makes a commitment to adhere to this basic set of norms and to pay, if necessary, the self-regulation fee set by the Finnish Teleforum Society and by which the self-regulation is financed.

### **5 § Content of services**

Services and marketing of them should not be contrary to the law and should not encourage unlawful actions.

The service provider is responsible for the content of the service and liabilities and obligations connected with it, as well as for its technical quality. The services must be user-friendly and well defined, and the calls should not be prolonged unnecessarily.

The service provider and network operator confirm together which service group the offered service belongs to. The service provider is responsible for ensuring that the offered service matches the group agreed upon.

## **6 § Provision of information and removal of services from the network**

On the basis of a decision made by the committee, a network operator can remove a service that goes against these norms or relocate it to another service group if the service provider does not correct the faults concerned within a certain time. In cases where the service breaks the law or displays illegal characteristics, it can be removed without delay.

The network operator with whom the service provider has an agreement is obliged to provide the authorities, MAPEL and consumers with contact information on the service provider if requested.

## **3 chapter Marketing of services**

### **7 § Content of advertisements**

It is forbidden to be gender-offensive in the advertising of services. Advertising must be according to good conduct and adhere to the general moral conception of the society.

Advertising must not give the consumer the impression that he/she will get a greater amount or variety of information than is really provided by the service concerned.

### **8 § Protection of minors**

It is forbidden in advertising to exploit the credulity or inexperience of children and young people, nor may advertising put their obedience to the test. Advertising which is directed towards children and young people, or which may influence them, must not contain anything, either textual or pictorial, which could possibly cause mental, moral or physical harm.

### **9 § Price information**

In advertisements, the unit price subject to taxation (Euro/min + date, Euro/call + date or Euro/message) must always be shown clearly in close proximity to the phone number and in easily readable form. If the price has a minimum price, it must also be indicated.

The smallest allowed font size for indicating prices in printed material is 8 points. However, the price must be displayed in an easily readable form.

### **10 § Phone number information**

The first four digits of advertised service numbers must be written together and be separated by a space from the other digits in the number. For example: 0200 1234567.

If services are being offered from normal subscriber numbers instead of from service numbers, the area code must be distinguished from the other digits by brackets. This also applies to mobile numbers. For example: (09) 1234567 or (040) 1234567.

## **11 § Information on service provider**

The advertisement must always show the name of the service provider and necessary contact information. The name of the service provider must be the same as is given in the company's trade register, or it can also be a registered auxiliary business name. No abbreviations are allowed. Service providers must apprise the network companies which act as their contract partner of both their trade register names and any registered auxiliary business names that will be used in marketing the service.

The address should be so comprehensive that it enables the postal route without any further guessing or extra detection work. The address must contain the complete postal code and address. The postal address may also be an unambiguous and generally accepted abbreviation.

Electronic advertising must also clearly state the price and producer information of the service (Internet, TV, radio, telephone, telefax).

## **12 § Separately billed services**

If the service is billed separately from the telecommunication bill, this must be announced in advertisements and at the beginning of the service.

## **4 chapter Classification of services**

### **13 § Classification of service groups**

Services with a surcharge are classified according to their content in groups defined by the Finnish Communication Regulatory Authority. The service group can be seen from the first part of the service number. The service groups are the following:

#### **I General, non-profit services**

General non-profit services often complement other services or operations offered by the service provider.

- I.1 Services meant for companies and business enterprises
- I.2 Timetables and information
- I.3 Advice and ordering services at inexpensive rates, e.g. taxi and bank services

#### **II Advice and ordering services**

Services which can be used for acquiring information, products or services over the phone without having to go anywhere or use some other form of communication.

- II.1 Ordering services and paying for goods
- II.2 Personal expert services
- II.3 Marketing campaigns

- II.4 Information services
- II.5 Sale of advertising space
- II.6 Marketing surveys and Gallup polls
- II.7 Donations for charity

### III Recreational services

Services intended for recreational use and services linked to entertainment.

- III.1 Chatlines (those which cannot be classified in regard to their contents as erotic contact services)
- III.2 Entertainment-oriented expert services
- III.3 Games
- III.4 Marketing campaigns
- III.5 Voting
- III.6 Other entertainment services

### IV Adult entertainment

- IV.1 Adult entertainment services

## **14 § Pronouncement of placement in service classification groups**

The service provider has the right to submit to the committee the matter of which service group the service in question belongs to. The committee must deal with the matter as urgent. The pronouncement can also be requested from the ombudsman. The committee is not bound by the ombudsman's statement. There is no right of appeal concerning the ombudsman's statement.

## **15 § Expert and consulting services**

Consulting and expert services directed towards companies, but with content, which is also, clearly of use to private persons, belong to group II.2. otherwise to group I.1.

Expert services in which the expertise concerned is unproven or not generally acknowledged, belong to group III.2. However, expert services of this kind, which are related to sex, belong to group IV.2.

The above-mentioned requirement on expertise also covers so-called crisis and help lines.

Game tips given by an expert belong to group III.2.

Weather forecasts given by a meteorologist belong to group II.4. Other prediction services are placed in the entertainment groups.

## **16 § Information and press releases**

Press releases from companies and public corporations and inexpensive services provided by the authorities are classified as general non-profit services. The commercial sale of information belongs to group II.

Also, the sale of information relating to entertainment or recreation (e.g. sport) is classified as an advice and ordering service, and is placed in group II.4 when its purpose is to provide factual information and not tips, predictions or simply amusement.



## **17 § Ordering services and paying for goods**

Ordering services belong mainly to the advice and ordering services groups with the following exceptions:

Ordering services for adult-entertainment are classified as group IV.

Ordering service-type marketing campaigns that can be considered as being aimed at children are also placed in the entertainment group (III.4).

## **18 § Sale of advertising space**

The sale of space for personal advertising and announcements, such as in personal and dating columns, for example, does not belong to the advice and ordering group but is placed in the entertainment and adult-entertainment groups, depending on the nature of the marketing of that particular service.

The concept of advertising space also includes electronic media, e.g. phone dating and contact services.

## **19 § Marketing surveys and Gallup polls**

Gallup polls organised by authorities, public corporations and market research companies belong to the advice and consulting service group (II.6).

Mass voting, independent of the character of the Gallup poll, is classified as entertainment (III.5).

## **20 § Chatlines**

It is forbidden to use any professional speakers on lines classified as belonging to the entertainment group, since communication must be solely between the users of the service. The services in this group must not have any erotic content; neither may they be advertised as having such.

Chatlines other than those fulfilling the conditions mentioned above belong to the adult-entertainment group.

## **21 § Spiritual services**

Spiritual services, except for ordering services, are placed in the entertainment group.

## **22 § Anonymous services**

Anonymous services mean short-message services, which enable the customer to send through the service provider a message to another person without any indication in the message of the sender's name or phone number.

A company that offers anonymous services must transmit, along with the anonymous message to the recipient, its contact information with such precision that the recipient can contact that company if he/she wishes.

The contact information can be transmitted to the recipient of the anonymous message immediately before or after sending the anonymous message.

## **5 chapter Pricing, invoicing and maximum of duration**

### **23 § Pricing of services**

Pricing can be done freely and is defined by the service provider. Pricing of services should follow the generally accepted rules.

If it possible to call the service at a normal phone call charge, tariff change is forbidden during the call.

### **24 § Price information at the beginning of services**

Services charged on a time basis

At the beginning of services which cost two Euros per minute and belong to groups I and II and services which cost at least one Euro per minute and belong to service groups III and IV, there should be price information included, and this information must not cost the caller more than the normal price of a local phone call.

Services charged on an event basis

At the beginning of services in all service categories costing at least two Euros, there should be price information included.

If the price of the service increases by more than 50 per cent during six (6) months, the service price must be given at the beginning of the service for at least three (3) months after the price has been increased. This stipulation applies to all services groups.

### **25 § Changing of service price**

If the price tariff changes during the service, the consumer must be informed of the new price.

### **26 § General non-profit services**

The service price should be reasonable from the point of view of the consumer, otherwise the service is classified as belonging to service group II.

### **27 § Invoicing of services**

If the invoicing is done in some other way than by telecommunication billing, the way of invoicing and the service price must be given in price information at the beginning of the service. This price information must not cost more than the price that is set in § 24 about the price of price information.

### **28 § Maximum duration of services**

The maximum duration of a service in service groups III and IV is 30 minutes if the call is not prolonged specifically by the caller's action.

## **6 chapter Special rules**

### **29 § Dial-up programs**

This paragraph concerns surcharged service numbers through which the user can be put in contact with the number set of the service provider for using the Internet services.

The service provider should ensure that the consumer is informed about all matters related to contact before he/she makes the decision whether to use the service.

Before every contact, the program must display the price information of the chosen phone number long enough for the user to study it. The information must be the first thing displayed on the consumer's screen so that it can be easily read.

The dial-up program cannot be connected to the net without action by the user. The program must not form a default Internet connection by itself.

Before every connection, the consumer must be queried on his/her age and willingness to contact the service provided by the service provider.

The price information should not only be included in the general conditions of usage but must be presented separately and clearly specified.

If the consumer uses several phone lines, the service provider gives an all-round price of the connection.

The service provider must prevent the user from browsing Internet contents other than the actual Internet services offered by the service provider while the surcharged Internet connection is open.

The service provider must inform the operator before connecting the service of all those Internet addresses where the chargeable service number in question is used for creating the connection.

### **30 § Adult-entertainment services**

A service provider belonging to the adult-entertainment service group must train his/her employees to recognise whether a person calling the service is under 18 years of age, in which case the call must be interrupted immediately.