

Voice-based, text-charged

Notice of Special Conditions

This Notice is being issued to inform all providers involved, or intending to be involved, in the provision of voice-based, text-charged services that Special conditions apply. Level 2 providers are required to comply with the PhonepayPlus Code of Practice, and the Special conditions set out below, which are imposed under paragraph 3.11.1 of the Code.

Under paragraph 3.11.3 of the Code, “a breach of any special condition in respect of a high risk service imposed under paragraph 3.11.1 shall be a breach of the Code”.

Voice-based, text-charged services are defined as follows:

A voice-based, text-charged service is any premium rate service that is a voice-based virtual chat service or a voice-based sexual entertainment service (live or recorded) and is charged through use of one or more reverse-billed SMS messages ('voice-based, text-charged services').

Special conditions

Imposed under Annex 2, Paragraph 1.1(g): the denying of access by users under the age of 18 years old to a high risk service or by all users where the relevant handset is not verified as being owned by someone aged 18 years old or over;

VBTC1 Any users who attempt to access the service from a handset not verified as being owned by someone aged 18 or over must be denied access to the service and receive no further promotional contact for that service.

VBTC2 All services promoted to, and/or accessed by, previous users of the same service must, on each occasion of subsequent or repeat use, ensure that users are age-verified prior to allowing access to the service.

Imposed under Annex 2, Paragraph 1.1(k): information that is required to be given to callers in promotional material or at various stages before and during provision of a high risk service (including as to receipts);

VBTC3 All promotional and/or marketing material for the service must provide clear and comprehensible information to enable the consumer to know:

- a) how the service is accessed,
- b) the total cost to the consumer of obtaining the whole service, including all costs relating to the SMS as well as any additional charges for joining the service or accessing the voice element,

- c) any other service conditions or restrictions which could affect the consumer's decision to access the service.

VBTC4 Any price-per-minute information provided must be significantly less prominent than the information providing the total cost to the consumer.

VBTC5 Only numbers allocated by Ofcom for use as PRS may be provided to consumers for access to the service.

VBTC6 All services promoted to, and/or accessed by, previous users of the same service must, on each occasion of subsequent or repeat use, ensure that users are given clear pricing information prior to allowing access to the service.

Imposed under Annex 2, Paragraph 1.1(f): steps to be taken to ensure that a high risk service is not used by or promoted in such a way as to make it particularly attractive to persons under the age of 18 years old or younger;

VBTC7 Where services contain adult content they must be provided only on shortcodes designated for adult services by Mobile Network operators.