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## Videotex ethics and codes of conduct in an IVIA perspective

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### Background

The expansion of videotex services in many countries follows the line of making such services available to quantitatively larger and larger user populations. What was in the beginning meant as types of services for professionals only, now aim at the general public. Naturally, the french Minitel is the pioneer here, to-day with over 5 million terminals in France only. Projects with the same dedication, aiming at both professionals and home users, are now being started in a number of countries.

As the general availability for videotex spreads, the need for certain types of usage regulations becomes important. There is a need to determine nationally about such things as service responsibility, user integrity, network availability etc. There is also a need to determine what types of sanctions that might be applicable in case of system mis-use.

Such needs have already become evident in different national perspectives. A number of countries have defined codes of conduct for their national videotex services. IVIA (International Videotex Industry Association) has been informed about the existence of such codes from several member countries.

### Contacts across borders

Videotex is now becoming more and more international. The national systems are being connected, and services are being made available across borders. In Europe, an agreement was reached in April 1990, where representatives of 14 countries declared their wish to support compatibility between national videotex systems.

As this occurs, it is becoming interesting to try to get an overview over similarities and differences between national codes of conduct. It might be desirable to investigate if norms can be defined that are of a certain **general** nature, norms that combine what at present is applied nationally.

Some rules about the use of national videotex systems are surely of a pure national nature. Such rules are more or less directly related to national legislation, legislation that differs from country to country.

If certain rules of conduct, however, can be found to be of a general nature, they may be applicable in many countries. To be effective it is then important that such rules are analysed as sharply as possible, that they are accepted broadly, and that information about them is spread in an efficient manner. Naturally, also updating of these rules are important, so that the use of videotex in different countries have the chance to refer to the same codes of conduct.

### **Definition of an IVIA code policy**

An analysis would thus be valuable which aims at defining an IVIA policy, containing an international overview over generally applicable aspects on codes of conduct. This analysis could contain the following activities:

- Definition of an IVIA opinion about such code content that is of a general nature. What types of code content ought to be recommended for IVIA member countries, and what could remain national?
- How are such recommendations related to other types of international conventions, i.e. the United Nations human rights convention concerning freedom of speech, International conventions about Intellectual Property, ICC (International Chamber of Commerce) International Code of Advertising Practice, and ICC International Code of Sales Promotion Practice, etc?
- If certain types of code can be accepted as IVIA recommendations, then some kind of sanction system might be defined, to be applicable against those parties in member countries who for some reason choose not to follow the recommendations.

Examples of code areas where IVIA recommendations could be formulated are:

- Responsibility concerning network, service and data content.
- Intellectual property considerations
- Network availability and administration functions
- Payment administration functions
- Database structure and search functions
- Data actuality and correction of errors
- Personal integrity and privacy functions
- System security functions
- Cooperation rules between national systems
- Sanctions concerning system mis-use

Certain of these areas touch upon general questions of interest, problems that perhaps would partly overlap related problems from other media areas. Certain questions, however, might be said to be of a specific videotex nature. Examples here contain intellectual property problems for videotex database structures, copyright on database search methods etc.

### **Code definition and implementation**

A common IVIA project could be defined with the goal to define an IVIA code of conduct policy. This policy could be built on a number of code recommendations about ethic use of videotex.

To achieve this goal a detailed analysis of existent national codes of conduct is necessary. How do they differ, what is of common nature? Which is the common denominator between the existent codes? What types of national laws are referred to?

General IVIA code functions might then be defined.

Suggestions for an IVIA code policy could as a first step contain an analysis of effects in relation to the European Common Market, and as a next step expand to member countries outside Europe.



## VIDEOTEX INDUSTRY ASSOCIATION

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### TO THE DELEGATES TO THE NORTH AMERICAN VIDEOTEX INDUSTRY ASSOCIATION CONFERENCE TORONTO, CANADA, MAY 30 - JUNE 1, 1990

The VIA is undertaking to establish a Videotex Code of Rights and Conduct for North America for the purpose of furthering a healthy industry and to set a tone of self-regulation.

There is considerable feeling within the VIA membership that there could emerge both federal and state/provincial legislation, regulation, and judicial decisions that could present an agglomeration of conflicting direction and constraints that would seriously impair the growth of a healthy, continent-wide videotex industry. A Code such as this has the potential to provide a better alternative.

Central to a workable and effective Code is a series of key issues for which the committee would like to receive your comments.

You are invited to attend an open comment session to be held in the

Saskatchewan Room, Royal York Hotel  
11:00 AM - 12:30 PM, Thursday, May 31

and to offer your comments on the issues stated below:

1. Privacy. In 1983, the VIA established and published, *Model Privacy Guidelines for Videotex Systems*. In what respect, if any, do these need to be updated for inclusion as the privacy part of the new, broader Code? Copies of the *Guidelines* will be available at the session.
2. Copyright. Are there unique copyright issues relevant to videotex that should be covered by Code guidelines? If so, what are they? Or, is it better to rely on the legislative and judicial processes to cover this area?
3. Exclusion. Are there circumstances where users or service providers could be excluded justifiably from access to a system (other than already understood justification, such as non-payment or illegal activity) for behavior that may not agree with the "values" or "image" of the system operator, including such topics as explicit sexual language and/or discussion, dialogs about alternative sexual preferences, political advocacy, strong language, or others.
4. Users. What constitutes inappropriate user behavior? What recourse should users have to "unfair" treatment? Should there be a separate code of conduct or bill of rights for users?
5. Enforcement. Should the VIA attempt to police and enforce the Code, or should it be voluntary, relying on the good faith of service providers, users, and other participants? If it is to be enforced, with what mechanisms would this be accomplished? Should VIA members be required to endorse the code? Should endorsers be required to join the VIA?
6. Rating System. Is it appropriate that the Code incorporate a rating system for videotex services, along similar lines to those of the motion picture industry? This would probably require committed staff support and funding; would your company be willing to support a pro rata share of the cost?

Comments on other relevant issues from those attending will be entertained for discussion as well.



**AT&T Standards for:  
Premium-Billed MultiQuest<sup>SM</sup>,  
MultiQuest Hi-Cap, and MultiQuest  
Broadcast and/or Call Counter Services**

**LIST OF ACCEPTABLE CATEGORIES**

- |                                       |  |                       |                           |
|---------------------------------------|--|-----------------------|---------------------------|
| 1. BUSINESS SERVICES                  | 8. ENTERTAINMENT                                   | 9. FINANCIAL SERVICES | 12. PERSONAL LINES        |
| 2. CHILDREN'S PROGRAMS                | a. <i>Holiday Special Events</i>                   | 7. FUNDRAISING        | 13. POSTAGE & HANDLING    |
| 3. CONSUMER PRODUCTS & SERVICES       | b. <i>Horoscopes</i>                               | 8. GAMES OF CHANCE    | 14. PROFESSIONAL SERVICES |
| 4. EDUCATION & INFORMATION ASSISTANCE | c. <i>Personalities &amp; Fictional Characters</i> | 9. GOVERNMENT         | 15. PUBLIC SERVICES       |
|                                       | d. <i>Quizzes</i>                                  | 10. HEALTH            | 16. TRANSPORTATION        |
|                                       | e. <i>Soap Operas/Stories</i>                      | 11. MEDIA             | 17. TRAVEL/LEISURE        |
|                                       | f. <i>Sports &amp; Award Shows</i>                 |                       |                           |
|                                       | g. <i>Sports Results</i>                           |                       |                           |
|                                       | h. <i>Theatrical Events</i>                        |                       |                           |

This document identifies the Categories of programs that may be provided using AT&T's MultiQuest, MultiQuest Hi-Cap, MultiQuest Broadcaster and/or Call Counter network services, subject to AT&T's agreement and the Sponsor's execution of the Billing Services Agreement.

Categories may be added, deleted or modified at any time by AT&T. AT&T reserves the right to consider other factors, not specifically identified in this document, in determining whether to provide Premium Billing Services for any Offer(s). All Offers must comply with the requirements set forth in the Billing Services Agreement.

Program providers ("Sponsors") may not use the Premium Billing Services provided by AT&T as a means of billing and collecting the purchase price of tangible products offered and sold to callers in connection with any Offer(s) in any Category(ies).

Regardless of Category, AT&T will not provide Premium Billing Services for any Offer(s) whose message content or promotional materials contain:

1. Vulgar language, explicit or implicit descriptions of violence or sexual conduct, adult entertainment, or incitement to violence;
2. Inflammatory or demeaning portrayals of any individual's or group's race, religion, political affiliation, ethnicity, gender, or handicap;
3. Program content that criticizes or disparages the general usage of telecommunications or computer products and services;
4. Content that is unlawful, highly controversial or may generate widespread adverse publicity or that may result in regulatory or legislative activity that may tend to affect adversely AT&T's ability to conduct its business;
5. Live group interactive, i.e., "GAB" lines, "chat" lines or similar type programs, where the sole purpose of the Offer is for callers to interact with one another (except for certain live interactive programs offered on a limited-access basis to permit callers to interact for business or professional purposes); or
6. Program content or commentary adverse to the policies or practices of AT&T, or its subsidiaries.

1. **BUSINESS SERVICES:** Includes all applications designed to communicate information or to provide services from one business to other businesses. Examples include: jewelry; gemstone; raising indices; order entry services; field repair services; subscription address changes; status checks on all of these items; company-wide announcements; corporate news updates; union status reports; reports on strikes or other labor actions; reports on contract negotiations

**CHILDREN'S PROGRAMS:** Includes any program whose message content or promotion is directed at, or may reasonably be foreseen to be attractive to children under the age of twelve years. This would include programs that are directed at adults but use a real or fictional character or concept that is or may be attractive to minors. A description of the program and all methods of promotion must be provided to AT&T, and AT&T may require additional information and may impose other conditions not specifically identified herein before agreeing to provide Premium Billing Services for any Children's Program.

The following guidelines were developed by AT&T with input from the Children's Advertising Review Unit ("CARU"), an organization comprised of Better Business Bureau members, child psychologists, and other concerned professionals. AT&T recognizes that children are often not prepared to make informed, independent purchase decisions. The objective of these guidelines is to clarify, for children and their parents, the nature of the message and the charges they can expect to receive from a call to a 900 number.

- AT&T suggests that the ad include a warning to children to dial the number carefully (by voice in broadcast advertising).
- AT&T recommends that program providers avoid using imperative language such as "call now" and instead use words such as "you can call".
- AT&T recommends that broadcast ads for children's programs be long (at least 30 seconds), so that complete information can be presented to and understood by the child.
- AT&T recommends against the use of "boothby programs" for children, e.g., where children are encouraged to make increased numbers of calls to a particular program in order to "earn" progressively more valuable prizes. If a sponsor conducts such a program, and the message or advertising requests children to submit their parents' phone bills to the sponsor in order to obtain a prize or for any other reason, the program message and advertising must state that children must request parental permission before submitting their phone bills.
- Where feasible, AT&T recommends that TV ads include a visual of a child listening to a phone program with a supervising adult. This visual should be at least five seconds in length and placed at the end of the ad, in order to reinforce the message to request parental permission before calling. This would be the equivalent of an "island shot" in a toy commercial.
- If the children's program consists of a recorded mes-

sage from an individual or a fictional character, AT&T recommends that the ad state that the caller will "hear" and "listen" to a story about the person or character, and not state or suggest that the caller will "talk to" the person or character.

- If the length of the children's program is stated in its advertising, AT&T recommends that the program run for that entire period. Any references to other programs provided by the provider should occur within the 900 call period, and should be identified as advertising. If the reference is to another premium-billed 900 program, the message must include the cost of that call and a warning to request a parent's permission before calling.
  - Program providers must cap the charges billed for a children's program at \$4.00 per call, and, where technically feasible, should limit the number of calls that may be accepted by the 900 number and charged to an individual calling number.
  - When an information-only or entertainment-only service is provided, AT&T recommends that program providers avoid using products, especially toys, in program advertising. Children are likely to become confused and think that they will obtain the toy or other product by dialing the 900 number.
  - AT&T will not provide Premium Billing Services for any children's program unless the advertising of such program clearly states (in writing and by voice in broadcast advertising), in age-appropriate language, a description of the program and its cost and a direction to ask a parent's permission before calling the 900 number (e.g., "This call will cost \$1.00 for the first minute and \$.45 for each additional minute", and "Ask your mom or dad if it's OK before calling").
  - AT&T will not provide Premium Billing Services for any children's program that includes any recorded statement that includes names, addresses, telephone numbers or other identifying information.
  - AT&T will not provide Premium Billing Services for any children's program that requires an additional purchase for the complete message to be received (e.g., the purchase of a book or toy, the viewing of a pay TV show, or the placement of an order for a product), or a call to find out the ending of a story. In addition, programs that require the viewing of a free TV program to obtain the complete message should be avoided.
  - AT&T will not provide Premium Billing Services for any children's program that employs radio or TV advertising where an electronic tone signal is emitted during the broadcast of the ad that is transmitted to the 900 telephone number.
3. **CONSUMER PRODUCTS & SERVICES:** Includes offerings for the use of consumers. Examples include: consumer reports; home shopping; catalog special ordering; safety announcements; product information; credit card availability information; business tips for musicians, actors, writers and artists; computer hot lines; equipment repair information; product preference surveys; information regarding the availability of products and services, such as travel and train information.

4. **EDUCATIONAL INFORMATION ASSISTANCE.** Includes information services designed to aid in student, scholar, or professional development. Examples include information services provided by schools or libraries; homework help services; encyclopedias or other reference services.

5. **ENTERTAINMENT.**

a. **Holiday Special Events.** Includes the provision of information regarding the celebration of holidays or other widely observed special occasions.

b. **Horoscopes.** Includes Offer containing astrological information and forecasts.

c. **Personalities & Fictional Characters.** Includes the provision of information regarding celebrated persons and/or fictional characters. "Romance" or "love" stories about personalities or fictional characters are covered by the criteria set forth in a separate Category, Romance Programs.

d. **Quizzes.** Enables the caller to answer questions in quizzes regarding such areas as sports, entertainment, trivia, or awareness of general information. If a prize is awarded, it must be awarded solely on the basis of a participant's skill or knowledge.

e. **Soap Operas/Stories.** Includes the provision of information regarding plot development and characters in soap operas and other television serials. It may also include interactive services designed to influence future plot development in such serials. Finally, it may be used for callers to access a story line created especially for the Offer. Such story lines may include not only "soap operas" but also science fiction, mysteries or any other type of fictional narrative, subject to the general subject matter prohibitions stated above.

f. **Sports Results.** Includes the provision of information regarding the outcome of sporting events and news concerning sports figures or organizations.

g. **Sports & Award Picks.** Includes information regarding experts' or celebrities' predictions of the outcome of sporting or awards events, as well as interactive services enabling the caller to predict the outcome of sporting or awards events (where no prize is awarded), or to participate in an opinion survey regarding the outcome of such events.

h. **Theatrical Events.** Includes the provision of information regarding theatrical events and performing arts, such as, time, place, location, ticket prices and featured performers.

6. **FINANCIAL SERVICES.** Includes the provision of information on financial matters. Examples include: banking and interest rate information; information on brokerage services; insurance information; tax information and advice; market reports; currency exchange rates; real estate listings.

7. **FUNDRAISING.** Includes any program that solicits funds for charitable or political organizations. For example, programs where a portion of the premium charge will be do-

noted to a charitable or political organization. Such programs that offer information about how to contribute to such organizations, if a portion of the premium billed charges for an Offer will be remitted to a charitable or political organization, the Offer and the promotional materials should state so clearly and the charitable or political organization involved should be identified. Applications for fundraising programs must include a representation and warranty that the Sponsor and the fundraising organization have complied with all applicable federal, state and local laws. A complete description of the program and methods of promotion must be provided to AT&T, and AT&T may require additional information and may impose other conditions not specifically identified herein before agreeing to provide Premium Billing Services for any fundraising program. In no event will AT&T provide Premium Billing Services for political fundraising programs of the type described in *Federal Election Commission Advisory Opinion 1988-28* (August 1988).

8. **GAMES OF CHANCE.** Includes any type of game of chance or contest, sweepstakes, contest listing or information, that involves the use of a premium-billed number as one of the means of entry or qualifying for a prize. A complete description of the program's message, promotional methods and the complete rules of the game must be provided to AT&T. AT&T reserves the right to require additional materials or information from Sponsors, or to impose other conditions not specifically identified herein, before agreeing to provide Premium Billing Services for any game or contest. A game of chance must generally meet the following minimum criteria in order to be accepted for premium billing:

a. The game must be one where the prize of value, or only a purely nominal prize (for example, a mug, T-shirt or other item) is awarded; or

b. Games of chance must generally meet the following minimum criteria:

- The game must be operated as a means of promoting goods or services (other than the game itself);
- A no-purchase alternative method of participating is available which provides all entrants (no-purchase and 900 phone-in) with an equal chance of winning;
- The prize is not financed from the proceeds of the program Sponsor's premium-billed charges;
- The amount or value of the prize awarded is not dependent on the number of entries received; and
- The selection of a winner is not dependent on the outcome of a future sporting contest or other future contingent event not under the participant's control (other than the random selection of an entry).

c. For all games that are accepted for Premium Billing Services, the following statements must be included in the official rules and in all broadcast or print advertising of the game:

- A statement that no purchase is necessary to participate;
- A statement that the game is "void where prohibited or restricted by law";



- The Sponsor's name;
  - The program's name where the game is held;
  - The starting and closing dates of the game;
  - Any age restrictions for participants;
  - A statement that promotion details and complete official rules are available at participating businesses or from the Sponsor at a designated address;
  - A statement that AT&T is not a Sponsor of the game;
  - A statement that the game is subject to the complete official rules; and
  - If minors are eligible to participate, a statement that persons under age 18 should get parents' permission prior to calling the 900 number.
9. **GOVERNMENT.** Includes the provision of information regarding or disseminated by governmental agencies, as well as Offers enabling callers to participate in public opinion surveys regarding government action.
10. **HEALTH.** Includes the provision of information regarding personal health. Examples include: hospital and health practitioner listings; nutrition and hygiene advice; information regarding recognition of symptoms; disease prevention advice; public health information and alerts; and poison control hotlines, subject to the general subject matter prohibitions above.
11. **MEDIA.** Includes the provision of news information and media-related information. Examples include: news reports; summaries; live coverage of events; "talking yellow pages"; magazine information and subscriptions; placing and receiving non-parental classified advertisements.
12. **PERSONAL LINES.** Includes the following types of programs: Romantic Stories, Bulletin Boards, Dating Lines, Introduction Lines, Confession Lines and Sound Off Lines.
- Such programs must comply with the following:
- Sponsor must provide AT&T with a complete description of the program's message and promotional material(s).
  - Sponsor must screen messages, prior to broadcast over the MultiQuest<sup>SM</sup> or MultiQuest Broadcaster Call Counter services, when programs involve the leaving of personal messages. (For example, confessions or for the purpose of meeting others.)
  - Sponsor must confirm that each caller: 1) is at least 18 years of age; 2) has authorized the broadcast of the personal message; and 3) has provided accurate information, such as name, address, etc. Additionally, sponsor should describe how it will verify callers age, i.e., asking date of birth or whether caller has a major credit card.
  - Sponsor should review the transmission quality of recordings to ensure the information can be accurately heard.
  - Sponsor should recommend caller not use home or office telephone numbers for messages. A suggested alternative might be electronic mailboxes set up by the sponsor.
  - AT&T may require additional information or impose other conditions, including conditions on sponsor's promotional materials and methods, before agreeing to provide Premium Billing Services for any offer(s) in this Category.
13. **POSTAGE & HANDLING.** Describes the costs of mailing catalogs, brochures, fulfillment pieces. Promotional materials must contain a printed or oral notice as follows: "You will be billed \$\_\_\_\_\_ (amount of premium charge) for Sponsor's handling costs."
14. **PROFESSIONAL SERVICES.** Includes the provision of information, advice and referrals, regarding the learned professions, such as the health professions, law, and similar services. The Sponsor must comply with all legal, regulatory and ethical requirements applicable to the authorized practice of a profession.
15. **PUBLIC SERVICES.** Includes the provision of information regarding community events, such as social, religious and charity events, disaster reports, traffic reports and environmental information.
16. **TRANSPORTATION.** Includes information regarding transportation, including, as examples: rate and schedule information; reservation services; and route and connection information.
17. **TRAVEL/LEISURE.** Includes information related to travel and leisure, including, as examples: information regarding availability (and permitting the reserving or ordering of) accommodations or tickets; restaurant guides; weather and condition reports for destination; ski reports; vacation packages; concert listings.

## Bilaga

Utsagor om svenska preciseringar rörande behovet av etiska normer i videotex har för denna rapport baserats på frågeställningar i T Ohlins PM "Videotex ethics and codes of conduct" (May 23, 1990). Intervjuade personer har varit:

Hans Frennesen, Nordbanken  
Victor Gjerstad, IBM Svenska AB  
Fredrik Lindahl, Svenska Teledis AB  
Tomas Persson, Vermlandus Planering AB  
Sven Olle Wiklund, KF Handel AB  
Paul Östling, Aktievisionen AB