



**APEK**

Agencija za pošto in elektronske  
komunikacije Republike Slovenije

# Protection of minors on VOD: Slovenian Approach(es)

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### Law

- Penal Code (2008), Mass Media Act (2001, 2006),
- Act on AVMS (2011)

### APEK's role

- Monitoring of AVMS services and enforcement of legal provisions related to protection of minors
- Constant development of regulatory approaches by taking into account changing media practices and patterns of media consumption
- Raising awareness and educating viewers for informed and responsible use of media services

- Expert proposal for protection of minors on linear and non-linear AVMS, and criteria for identification of potentially harmful content (2010)
  - Recommendations for the safe use of AVMS (2011)
- ... both documents commissioned by APEK and prepared by the leading experts for media education and ethics of the University of Ljubljana

- Restricted concept of content that **might seriously impair** (hardest hardcore pornography, gratuitous violence)
- Content that is **likely to impair** categorised according to the presence, intensity and way of portrayal/evaluation of:
  - Nudity, sexual behaviour,
  - Violence, horror,
  - Bad language, profanity,
  - Drug and alcohol misuse,
  - Discrimination.
- **Fiction vs. non-fiction + importance of context**

	Linear	VOD
Might seriously impair	Ban	Available only to adults Labeled (18+) Warning No watershed
Likely to impair	Labeled: PG, 12+, 15+, 18+  Watersheds: 0, 21, 22, 24-05	Labeled No watershed Explicit sexual content available only to adults (technical protection, PIN)

- Inefficient co-regulation for TV by Mass Media Act, 2006 (abolished by AVMS Act, 2011)
  - poor legal basis
  - lack of enforcement mechanisms
  - no regulatory backstop
- Self-regulation of VOD providers:
  - self initiative of the biggest national mobile operators and ISPs
  - Code of Conduct (2009, renewed in 2013)
  - Classification and Labeling Guide
  - in cooperation with APEK, Information Commissioner, ARNES (.si domain registry), [www.safe.si](http://www.safe.si) and universities

- Guidelines on classification, labeling and scheduling of potentially harmful content, and other means of protection of minors on linear and non-linear AVMS
- In process of adoption; public consultation carried out recently
- Open questions:
  - concerns in relation to some definitions
  - possible overlapping of criteria for labels/watersheds
  - suspension of restrictions for consumption of VOD services on personal devices of mobile subscribers)

- <http://www.mojvideo.com/risanke>
- <http://www.mojvideo.com/seksi>

... the most visited video portal with mostly UGC

- ‘Creative’ dubbing of cartoons

... Snowman Bouli, Penguin Pingu ...

<http://www.mojvideo.com/video-snezko-snezak/9f6812fc4c1baae25d6a>