

# O<sub>2</sub> Audit Standards

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O<sub>2</sub> have detailed our audit standards for your guidance. These have been broken down into five sections. These are liable to change, but should be used as a guide.

### **Section 1**

One off purchase  
Pay for product  
Competition  
Advice services

### **Section 2**

Subscription services £4.50/wk and under

### **Section 3**

Subscription services £4.50+/wk

### **Section 4**

Virtual chat  
Contact and dating services

### **Section 5**

Shortcode violations and action required

## Section 1

One off purchase

Pay for product

Competition

Advice services

| <b>O2 CE: One-Off, Pay for Product, Competition, and Advice Services Violations and Actions Required</b> |  |   |   |
|--|--|---|---|
|  | <b>Violations</b>  | <b>Severity</b>   | <b>Actions Required</b>   |
| <b>Programme</b>   | Implies participation of persons under age 18 [sexual entertainment services] 7.11.2   | 1   | Remove implication of participation by persons under age 18   |
|  | Contains foul language 5.3.2b  | 1   | Remove foul language  |
|  | Contains reference to abuse of controlled substance (e.g., alcohol, drugs, tobacco) 5.3.1c   | 1   | Remove reference to abuse of any controlled substance   |
|  | Promotes consumption of controlled substance (e.g., alcohol, drugs, tobacco) 5.3.1c  | 1   | Remove promotion for consumption of controlled substance  |
|  | Promotes racial disharmony 5.3.1d  | 1   | Remove promotion for racial disharmony  |
|  | Promotes violence, sadism, or cruelty 5.3.2a   | 1   | Remove promotion for violence, sadism, or cruelty   |
|  | Offensive or inappropriate substitute programme 5.5  | 1   | Discontinue offensive or inappropriate substitute programme   |
|  | Programme operating on unapproved shortcode [sexual entertainment services] 7.10.7   | 1   | Discontinue sexual entertainment service and consult O2 regarding service launch on approved shortcode  |
|  | Unauthorised product or service 5.1.1; 6.1.1   | 1   | Discontinue product or service until PhonepayPlus authorises offer in writing   |
|  | No facility for customers to confirm acceptance of logging of personal details [pay-for-product services exceeding £5.00] 7.10.5b                  | 2   | Implement facility for customers to confirm acceptance of logging of personal details for use in case of unauthorised use                         |
|  | WAP page promoting PSMS offer  | 2   | Discontinue offer immediately   |
|  | Contains unverifiable claims regarding future “certain winner” or “certainty of profit” [betting tipster services and competitions] 7.2.1a; 7.6.6c | 2   | Remove unverifiable claims regarding winning or profit  |
|  | Use of terms such as <i>win</i> or <i>prize</i> when describe items offered to all or most participants 7.6.6a                                     | 2   | Remove terms such as <i>win</i> or <i>prize</i> when describing items offered to all or most participants   |
|  | Presents opinion as fact [betting tipster services] 7.2.2  | 2   | Remove statement of opinion   |
|  | No product or service disclosure 5.4.1a  | 2   | Disclose product or service in main body of ad  |
|  | Games unavailable to O2 customers 5.4.1a   | 2   | Disclose O2 participation in main body of ad  |
|  | Binary unavailable to O2 customers 5.4.1a  | 2   | Disclose O2 participation in main body of ad  |
|  | Videos unavailable to O2 customers 5.4.1a  | 2   | Disclose O2 participation in main body of ad  |
|  | Substitute programme for O2 customers 5.4.1a   | 2   | Disclose O2 participation in main body of ad  |
|  | Misrepresentation of product offering 5.4.1a   | 2   | Reconcile, among main body of ad, CA, and T&Cs, all references to product type  |
| Misrepresentation of product quantity 5.4.1a   | 2  | Display only actual product quantity per subscription term (e.g., 15 ringtones/mo.) |   |
| <b>Pricing</b>   | No pricing [psi] 5.7.1   | 1   | Display programme pricing in main body of ad  |
|  | Pricing illegible or requires close examination 5.7.2  | 1   | Increase point size, alter color scheme to improve contrast, or both; display pricing horizontally  |
|  | Failure to display full cost of participation [competition services exceeding £1.00] 7.6.2a  | 1   | Display, in main body of ad, full cost of participation   |
|  | Pay for product service charging more than £30 [pay for product services]  | 1   | Discontinue pay for product service that charges more than £30  |
|  | Unclear pricing 5.7.1  | 2   | Display full and correct programme pricing in £   |
|  | Inappropriate use of the term <i>free</i>  | 2   | Discontinue use of the term <i>free</i>   |
|  | Value of free product or service insufficient  | 2   | Give customer product or service equal to or greater in value than premium product or service purchased (charge not to exceed item delivery cost) |
|  | No pricing (audio) [TV services exceeding £2.00] 5.7.4   | 2   | Articulate pricing in audio as well as displaying in video  |
|  | Pricing difficult to understand (audio) [TV] 5.7.2   | 2   | Articulate pricing clearly  |
|  | Conflicting pricing [psi] 5.7.2  | 2   | Display correct pricing   |
|  | Pricing hidden in T&Cs [psi] 5.7.2   | 2   | Display programme pricing in main body of ad  |

psi Cite when the required disclosure is missing from both the advertisement and the service messages before the user is charged. We assume charges are imposed when the user has opted into the programme.



| <b>O2 CE: One-Off, Pay for Product, Competition and Advice Services Violations and Actions Required</b> |  |                 |  |
|---|--|-----------------|--|
|   | <b>Violations</b>  | <b>Severity</b> | <b>Actions Required</b>  |
| <b>T&amp;Cs</b>   | Pricing displayed below fold <sup>ψ</sup> [online]   | 2               | Display pricing above fold   |
|   | Insufficient details [competition services exceeding £1.00] <sup>ψ</sup> 7.6.2a; 7.6.3a–c          | 2               | Display clearly how competition operates, including applicable restrictions, tie-breaking procedures, description and number of major prizes, and vouchers value |
|   | Failure to identify beneficiary [fundraising and charitable promotions] 7.9b                       | 2               | Identify beneficiary of fundraising or charitable promotion  |
|   | Failure to display time-accuracy statement [publications with shelf-life of 3 months or more] 5.10 | 2               | State that T&Cs were correct on publication as well as publication date; disclose if charges increase during life of promotion                                   |
|   | No end date <sup>§</sup> [e.g., competition services] 7.6.5  | 2               | Display end date   |
|   | Failure to identify content provider <sup>ψ</sup> 5.8  | 2               | Identify content provider clearly  |

<sup>ψ</sup>Cite when the required disclosure is missing from both the advertisement and the service messages before the user is charged. We assume charges are imposed when the user has opted into the programme.

<sup>§</sup>Except when there are only instant prize winners.



| O2 CE: Message Flow Violations and Actions Required |           |  |  |   |
|---|-----------|--|--|---|
|   |           | Violations   | Severity                                   | Actions Required  |
| Opt-In and Confirmation                             | Programme | Substitute programme   | 1  | Replace substitute programme with advertised programme  |
|   |           | Failure to identify programme  | 2  | Display programme name  |
|   |           | Failure to identify programme clearly  | 2  | Choose one programme name and cite it consistently throughout message flow  |
|   |           | Failure to provide adequate information about how the service works [pay for product services]   | 2  | Provide adequate information about how the service works  |
|   |           | Failure to require active confirmation from users that they accept personal details will be retained <sup>e</sup> [pay for product services]                                 | 2  | Require active confirmation that users accept their personal details will be retained   |
|   | Pricing   | No pricing <sup>ψ</sup>  | 1  | Display programme pricing   |
|   |           | Pay for product service charging more than £30 [pay for product services]  | 1  | Discontinue pay for product service that charges more than £30  |
|   |           | Unclear pricing <sup>ψ</sup>   | 2  | Display full and correct programme pricing in £   |
|   |           | Conflicting pricing <sup>ψ</sup>   | 2  | Reconcile, among all messages and ad, references to pricing   |
|   |           | Inappropriate use of the term <i>free</i>  | 2  | Discontinue use of the term <i>free</i>   |
|   |           | Value of free product or service insufficient  | 2  | Give customer product or service equal to or greater in value than premium product or service purchased (charge not to exceed item delivery cost) |
|   | T&Cs      | No disclosure that advice is not dispensed by a qualified practitioner <sup>ψ</sup> [advice services]  | 2  | Disclose clearly that customer should refrain from acting on advice without first consulting a qualified practitioner                             |
|   |           | Failure to indicate clearly the identity, current status and any relevant professional qualifications or experience of person or organization <sup>ψ</sup> [advice services] | 2  | Indicate clearly the identity, current status and any relevant professional qualifications or experience of person or organization                |
|   |           | No free or non-premium rate UK Helpline, staffed throughout normal UK office hours <sup>ψ</sup>  | 2  | Display free or non-premium rate UK Helpline number   |
|   | Marketing | Programme  | Unauthorised marketing message or messages | 1   |
| Failure to preface marketing message with "FreeMsg" |           |  | 2  | Preface all marketing messages with "FreeMsg"   |
| Pricing   |           | No pricing   | 1  | Display programme pricing   |
|   |           | Unclear pricing  | 2  | Display full and correct programme pricing in £   |
|   |           | Inappropriate use of the term <i>free</i>  | 2  | Discontinue use of the term <i>free</i>   |
|   |           | Value of free product or service insufficient  | 2  | Give customer product or service equal to or greater in value than premium product or service purchased (charge not to exceed item delivery cost) |
| T&Cs  |           | No marketing message opt-out information   | 2  | Associate opt-out command with shortcode and preface with "Reply," "Send," or "Text"  |
|   |           | Unclear marketing message opt-out information  | 2  | Associate opt-out command with shortcode and preface with "Reply," "Send," or "Text"  |

<sup>ψ</sup> Cite when the required disclosure is missing from both the advertisement and the service messages before the user is charged. We assume charges are imposed when the user has opted into the programme.

<sup>e</sup> Cite only when a physical product is delivered via mail.



## Section 2

Subscription services  
£4.50/wk and under

| <b>O2 CE: Subscription Services £4.50/Week and Under Violations and Actions Required</b> |  |  |   |
|--|--|--|---|
|  | <b>Violations</b>  | <b>Severity</b>                                    | <b>Actions Required</b>   |
| <b>Programme</b>   | Contains foul language <a href="#">5.3.2b</a>  | 1  | Remove foul language  |
|  | Contains reference to abuse of controlled substance (e.g., alcohol, drugs, tobacco) <a href="#">5.3.1c</a> | 1  | Remove reference to abuse of any controlled substance   |
|  | Promotes consumption of controlled substance (e.g., alcohol, drugs, tobacco) <a href="#">5.3.1c</a>        | 1  | Remove promotion for consumption of controlled substance  |
|  | Promotes racial disharmony <a href="#">5.3.1d</a>  | 1  | Remove promotion for racial disharmony  |
|  | Promotes violence, sadism, or cruelty <a href="#">5.3.2a</a>   | 1  | Remove promotion for violence, sadism, or cruelty   |
|  | Offensive or inappropriate substitute programme <a href="#">5.5</a>  | 1  | Discontinue offensive or inappropriate substitute programme   |
|  | Programme operating on unapproved shortcode [sexual entertainment services] <a href="#">7.10.7</a>         | 1  | Discontinue sexual entertainment service and consult O2 regarding service launch on approved shortcode  |
|  | Unauthorised product or service <a href="#">5.1.1</a> ; <a href="#">6.1.1</a>                              | 1  | Discontinue product or service until PhonepayPlus authorises offer in writing   |
|  | WAP page promoting PSMS offer  | 2  | Discontinue offer immediately   |
|  | No product or service disclosure <a href="#">5.4.1a</a>  | 2  | Disclose product or service in main body of ad  |
|  | Games unavailable to O2 customers <a href="#">5.4.1a</a>   | 2  | Disclose O2 participation in main body of ad  |
|  | Binary unavailable to O2 customers <a href="#">5.4.1a</a>  | 2  | Disclose O2 participation in main body of ad  |
|  | Videos unavailable to O2 customers <a href="#">5.4.1a</a>  | 2  | Disclose O2 participation in main body of ad  |
|  | Substitute programme for O2 customers <a href="#">5.4.1a</a>   | 2  | Disclose O2 participation in main body of ad  |
|  | Misrepresentation of product offering <a href="#">5.4.1a</a>   | 2  | Reconcile, among main body of ad, CA, and T&Cs, all references to product type  |
|  | Misrepresentation of product quantity <a href="#">5.4.1a</a>   | 2  | Display only actual product quantity per subscription term (e.g., 15 ringtones/mo.)   |
| <b>Pricing</b>   | No pricing <a href="#">5.7.1</a>   | 1  | Display programme pricing in main body of ad  |
|  | Unclear pricing <a href="#">5.7.1</a>  | 2  | Display full and correct programme pricing in £   |
|  | Inappropriate use of the term <i>free</i>  | 2  | Discontinue use of the term <i>free</i>   |
|  | Value of free product or service insufficient  | 2  | Give customer product or service equal to or greater in value than premium product or service purchased (charge not to exceed item delivery cost) |
|  | Conflicting pricing <a href="#">5.7.2</a>  | 2  | Display correct pricing   |
|  | Pricing hidden in T&Cs <a href="#">5.7.2</a>   | 2  | Display programme pricing in main body of ad  |
|  | Pricing displayed below fold [online]  | 2  | Display pricing above fold  |
|  | <b>Subscription</b>  | No subscription disclosure <a href="#">7.12.3a</a> | 1   |
| Subscription disclosure hidden in T&Cs <a href="#">7.12.3a</a>                           |  | 1  | Display subscription disclosure in main body of ad  |
| Subscription disclosure displayed below fold [online]                                    |  | 1  | Display subscription disclosure above fold  |
| No subscription term <a href="#">7.12.3b</a>   |  | 2  | Display subscription term in main body of ad  |
| Unclear subscription term <a href="#">7.12.3b</a>  |  | 2  | Reconcile, among main body of ad, CA, and T&Cs, all references to subscription term   |
| Subscription term hidden in T&Cs <a href="#">7.12.3b</a>                                 |  | 2  | Display subscription term in main body of ad  |
| Subscription term displayed below fold [online]  |  | 2  | Display subscription term above fold  |



| O2 CE: Subscription Services £4.50/Week and Under Violations and Actions Required |  |          |   |
|---|--|----------|---|
|   | Violations   | Severity | Actions Required  |
| T&Cs  | <b>T&amp;Cs TV</b>   |          |   |
|   | Failure to place pricing and subscription disclosure and term according to O2 policy CE  | 2        | Display prescribed text prominently in main body of ad, statically, and adjacent to main service shortcode: "Join [or Subscribe to] [service name, description optional - max 35 characters] for [service cost in £] per [billing frequency]" |
|   | Failure to format pricing and subscription disclosure and term according to O2 policy CE   | 2        | Format prescribed text statically as: "Join [or Subscribe to] [service name, description optional - max 35 characters] for [service cost in £] per [billing frequency]"   |
|   | Failure to articulate basic T&Cs (service name, cost, and subscription disclosure and term) according to O2 policy CE                      | 2        | Implement voiceover that articulates basic T&Cs <i>exactly</i> as prescribed: "Join [or Subscribe to] [service name, description optional] for [service cost in £] per [billing frequency]" (reference initial fee if relevant)               |
|   | Voiceover inaudible  | 2        | Improve audio quality so audience can understand clearly  |
|   | T&Cs display time too brief CE   | 2        | Display T&Cs during 100% of ad airtime  |
|   | T&Cs font incorrect CE   | 2        | Format T&Cs in same font as main service shortcode  |
|   | T&Cs point size too small CE   | 2        | Format T&Cs in point size at least 50% as large as shortcode point size or 30 pixels, whichever is larger   |
|   | Subscription disclosure, pricing, or both in incorrect colour CE   | 2        | Format subscription disclosure, pricing, or both in monochrome colour and background (i.e., black on white or white on black)   |
|   | <b>T&amp;Cs Radio</b>  |          |   |
|   | Failure to articulate T&Cs (service name, cost, and subscription disclosure and term) according to O2 policy CE                            | 2        | Articulate T&Cs <i>exactly</i> as prescribed: "Join [or Subscribe to] [service name optional] for [service cost in £] per [billing frequency]" (reference initial fee if relevant)  |
|   | No URL to comprehensive T&Cs CE  | 2        | Articulate URL to comprehensive T&Cs  |
|   | <b>T&amp;Cs Online and Print</b>   |          |   |
|   | Failure to place pricing and subscription disclosure and term according to O2 policy CE  | 2        | Display prescribed text prominently in main body of ad, statically, and adjacent to main service shortcode: #Join [or Subscribe to] [service name optional] for [service cost in £] per [billing frequency]"                                  |
|   | Failure to format pricing and subscription disclosure and term according to O2 policy CE   | 2        | Format prescribed text statically as: "Join [or Subscribe to] [service name optional] for [service cost in £] per [billing frequency]"  |
|   | Failure to format adjoining small print (pricing and subscription disclosure and term, plus opt-out information) according to O2 policy CE | 2        | Preface adjoining small print <i>exactly</i> as prescribed: "This is a subscription service, it will cost [£X] per [billing period] until you send STOP to [shortcode]"   |
|   | Prescribed T&Cs text not located on first page of ad CE  | 2        | Display <i>on first page</i> T&Cs as prescribed: "Join [or Subscribe to] [service name optional] for [service cost in £] per [billing frequency]" (reference to initial fee if relevant)  |
|   | T&Cs font incorrect CE   | 2        | Format T&Cs in same font as main service shortcode  |
|   | T&Cs point size too small CE   | 2        | Format T&Cs in point size at least 50% as large as shortcode point size or 10 points, whichever is larger   |
|   | Background colour of subscription disclosure, pricing, or both incorrect CE  | 2        | Format background of subscription disclosure, pricing, or both in same colour as shortcode background   |
|   | Failure to identify beneficiary [fundraising and charitable promotions] 7.9b   | 2        | Identify beneficiary of fundraising or charitable promotion   |
|   | Failure to display time-accuracy statement [publications with shelf-life of 3 months or more] 5.10   | 2        | State that T&Cs were correct on publication as well as publication date; disclose if charges increase during life of promotion  |
|   | No opt-out information 5.14; 7.12.2; CE  | 2        | Associate opt-out command with shortcode and preface with "Reply," "Send," or "Text" #  |
|   | Incorrect opt-out information 5.14; CE   | 2        | Associate opt-out command with shortcode and preface with "Reply," "Send," or "Text" #  |
|   | Unclear opt-out information 5.14; CE   | 2        | Associate opt-out command with shortcode and preface with "Reply," "Send," or "Text" #  |
|   | Failure to identify content provider 5.8   | 2        | Identify content provider clearly   |



| O2 CE: Message Flow Violations and Actions Required |   |  |            |  |
|---|---|--|------------|--|
|   |   | Violations   | Severity   | Actions Required   |
| Opt-In  | Programme                                     | Failure to send opt-in message <sup>ψ</sup> CE [online only]                                 | 1          | Send opt-in message, instructing customer to send MO message to shortcode or to reply affirmatively (e.g., "OK," "Accept," "Yes")  |
|   |   |  |            |  |
| Confirmation  | Programme                                     | Failure to require double opt-in <sup>ψ</sup> CE [online only]                               | 1          | Require customer to reply with response command to opt-in message before sending billed MT   |
|   |   | Failure to confirm programme enrollment <sup>§</sup> CE                                      | 1          | Send message confirming programme enrollment according to PhonepayPlus rules   |
|   |   | Substitute programme   | 1          | Replace substitute programme with advertised programme   |
|   |   | Programme operating on unapproved shortcode [sexual entertainment services] 7.10.7           | 1          | Discontinue sexual entertainment service and consult Operator regarding service launch on approved shortcode   |
|   |   | Failure to format confirmation message according to O2 policy CE                             | 2          | Display message as: "U have joined [or subscribed to] [service name, description optional-max 35 characters] for [cost in £] per [billing frequency] until you send STOP to [originating shortcode]. Helpline [free or standard rate UK number]" |
|   |   | Failure to preface confirmation message with "FreeMsg" [billed message only]                 | 2          | Preface confirmation message with "FreeMsg"  |
|   |   | Misrepresentation of product offering 5.4.1a   | 2          | Reconcile, among main body of ad, CA, and T&Cs, all references to product type   |
|   |   | Misrepresentation of product quantity 5.4.1a   | 2          | Display only actual product quantity per subscription term (e.g., 15 ringtones/mo.)  |
|   |   | Failure to display service name  | 2          | Display service name   |
|   |   | Pricing  | No pricing | 1  |
|   | Unclear pricing                               |  | 2          | Display full and correct programme pricing in £  |
|   | Conflicting pricing                           |  | 2          | Reconcile, among all messages and ad, references to pricing  |
|   | Inappropriate use of the term <i>free</i>     |  | 2          | Discontinue use of the term <i>free</i>  |
|   | Value of free product or service insufficient |  | 2          | Give customer product or service equal to or greater in value than premium product or service purchased (charge not to exceed item delivery cost)  |
|   | Subscription                                  | No subscription disclosure   | 1          | Display subscription disclosure  |
|   |   | No billing frequency   | 1          | Display billing frequency  |
|   | T&Cs  | No opt-out information CE  | 2          | Associate opt-out command with shortcode and preface with "Reply," "Send," or "Text"   |
|   |   | Unclear opt-out information  | 2          | Associate opt-out command with shortcode and preface with "Reply," "Send," or "Text"   |
|   |   | No free or non-premium rate UK Helpline, staffed throughout normal UK office hours 3.3.5; CE | 2          | Display free or non-premium rate UK Helpline number  |

<sup>ψ</sup>Cite when the required disclosure is missing from both the advertisement and the service messages before the user is charged. We assume charges are imposed when the user has opted into the programme.

<sup>§</sup>Send confirmation message: "U have joined [or subscribed to] [service name, description optional-max 35 characters] for [cost in £] per [billing frequency] until you send STOP to [originating shortcode]. Helpline [free or standard rate UK number]."



| O2 CE: Message Flow Violations and Actions Required |              |   |  |   |
|---|--------------|---|--|---|
|   |              | Violations  | Severity                                   | Actions Required  |
| Monthly Subscription Reminder                       | Programme    | Failure to send subscription reminder message   | 1  | Send subscription reminder message monthly or every time user has spent £20 within calendar month   |
|   |              | Failure to format subscription reminder message according to O2 policy <sup>e</sup> CE    | 1  | Display message as: "U are subscribed to [service name, description optional-max 35 characters] for [cost in £] per [billing frequency] until you send STOP to [originating service shortcode]. Helpline [free or standard rate UK number]"     |
|   |              | Failure to locate prescribed text at <i>beginning</i> of subscription reminder message CE | 1  | Display prescribed text (" U are subscribed to [service name, description optional-max 35 characters] for [cost in £] per [billing frequency] Helpline [free or standard rate UK number]") at <i>beginning</i> of subscription reminder message |
|   |              | Failure to identify content provider 7.12.5   | 1  | Identify content provider clearly   |
|   |              | No product or service disclosure 7.12.5   | 2  | Disclose product or service   |
|   |              | Failure to preface subscription reminder message with "FreeMsg"                           | 2  | Preface subscription reminder message with "FreeMsg"  |
|   | Pricing      | No pricing 7.12.5   | 1  | Display programme pricing   |
|   |              | Unclear pricing 7.12.5  | 2  | Display full and correct programme pricing in £   |
|   |              | Conflicting pricing 7.12.5  | 2  | Reconcile, among all messages and ad, references to pricing   |
|   | Subscription | No subscription disclosure 7.12.5   | 1  | Display subscription disclosure   |
|   |              | No billing frequency  | 1  | Display billing frequency   |
|   | T&Cs         | No opt-out information 7.12.5   | 2  | Associate opt-out command with shortcode and preface with "Reply," "Send," or "Text"  |
|   |              | Unclear opt-out information 7.12.5  | 2  | Associate opt-out command with shortcode and preface with "Reply," "Send," or "Text"  |
|   | Marketing    | Programme   | Unauthorised marketing message or messages | 1   |
| Failure to preface marketing message with "FreeMsg" |              |   | 2  | Preface all marketing messages with "FreeMsg"   |
| Pricing   |              | No pricing  | 1  | Display programme pricing   |
|   |              | Unclear pricing   | 2  | Display full and correct programme pricing in £   |
|   |              | Inappropriate use of the term <i>free</i>   | 2  | Discontinue use of the term <i>free</i>   |
|   |              | Value of free product or service insufficient   | 2  | Give customer product or service equal to or greater in value than premium product or service purchased (charge not to exceed item delivery cost)   |
| T&Cs  |              | No marketing message opt-out information  | 2  | Associate opt-out command with shortcode and preface with "Reply," "Send," or "Text"  |
|   |              | Unclear marketing message opt-out information   | 2  | Associate opt-out command with shortcode and preface with "Reply," "Send," or "Text"  |
| STOP Confirmation                                   | Programme    | Failure to terminate service when customer sends STOP command                             | 1  | Terminate service immediately when customer sends STOP command  |
|   |              | STOP command case sensitive CE  | 1  | Recognise STOP command regardless of text case  |
|   |              | User STOP message with subsequent text not recognized CE                                  | 2  | Ignore subsequent text in user STOP message   |
|   |              | Failure to respond to customer message to STOP service CE                                 | 2  | Send message informing customer that service has been terminated and that no more messages will be sent   |
|   |              | Failure to preface STOP confirmation message with "FreeMsg"                               | 2  | Preface STOP confirmation message with "FreeMsg"  |

<sup>e</sup>Cite for products or services costing more than 50p, including VAT, per product.



## Section 3

Subscription services £4.50+/wk

| O2 CE: Subscription Services £4.51/Week and Over Violations and Actions Required            |   |   |  |
|---|---|---|--|
|   | Violations  | Severity  | Actions Required   |
| <b>Programme</b>  | Contains foul language 5.3.2b   | 1   | Remove foul language   |
|   | Contains reference to abuse of controlled substance (e.g., alcohol, drugs, tobacco) 5.3.1c      | 1   | Remove reference to abuse of any controlled substance  |
|   | Promotes consumption of controlled substance (e.g., alcohol, drugs, tobacco) 5.3.1c             | 1   | Remove promotion for consumption of controlled substance   |
|   | Promotes racial disharmony 5.3.1d   | 1   | Remove promotion for racial disharmony   |
|   | Promotes violence, sadism, or cruelty 5.3.2a  | 1   | Remove promotion for violence, sadism, or cruelty  |
|   | Offensive or inappropriate substitute programme 5.5   | 1   | Discontinue offensive or inappropriate substitute programme  |
|   | Programme operating on unapproved shortcode [sexual entertainment services] 7.10.7              | 1   | Discontinue sexual entertainment service and consult O2 regarding service launch on approved shortcode |
|   | Unauthorised product or service 5.1.1; 6.1.1  | 1   | Discontinue product or service until PhonepayPlus authorises offer in writing                          |
|   | WAP page promoting PSMS offer   | 2   | Discontinue offer immediately  |
|   | No product or service disclosure 5.4.1a   | 2   | Disclose product or service in main body of ad   |
|   | Games unavailable to O2 customers 5.4.1a  | 2   | Disclose O2 participation in main body of ad   |
|   | Binary unavailable to O2 customers 5.4.1a   | 2   | Disclose O2 participation in main body of ad   |
|   | Videos unavailable to O2 customers 5.4.1a   | 2   | Disclose O2 participation in main body of ad   |
|   | Substitute programme for O2 customers 5.4.1a  | 2   | Disclose O2 participation in main body of ad   |
|   | Misrepresentation of product offering 5.4.1a  | 2   | Reconcile, among main body of ad, CA, and T&Cs, all references to product type                         |
|   | Misrepresentation of product quantity 5.4.1a  | 2   | Display only actual product quantity per subscription term (e.g., 15 ringtones/mo.)                    |
| Promotes service unrelated to service on offer <sup>ψ</sup> PPP HN Jun 2009                 | 2   | Discontinue promotion of services unrelated to service on offer     |  |
| Manipulates personal data to support false statements <sup>§</sup> [online] PPP HN Jun 2009 | 2   | Refrain from manipulating personal data to support false statements |  |
| <b>Pricing</b>  | No pricing 5.7.1  | 1   | Display programme pricing in main body of ad   |
|   | Unclear pricing 5.7.1   | 2   | Display full and correct programme pricing in £  |
|   | Use of term <i>free</i> or <i>no charge</i> PPP PC Jan 2009                                     | 2   | Discontinue use of term <i>free</i> or <i>no charge</i>  |
|   | Conflicting pricing 5.7.2   | 2   | Display correct pricing  |
|   | Pricing hidden in T&Cs 5.7.2  | 2   | Display programme pricing in main body of ad   |
|   | Pricing displayed below fold [online]   | 2   | Display pricing above fold   |
|   | Failure to display pricing on all pages promoting subscription service [online] PPP HN Jun 2009 | 2   | Display pricing on all pages promoting subscription service  |
| <b>Subscription</b>   | No subscription disclosure 7.12.3a  | 1   | Display subscription disclosure in main body of ad   |
|   | Subscription disclosure hidden in T&Cs 7.12.3a  | 1   | Display subscription disclosure in main body of ad   |
|   | Subscription disclosure displayed below fold [online]   | 1   | Display subscription disclosure above fold   |
|   | No subscription term 7.12.3b  | 2   | Display subscription term in main body of ad   |
|   | Unclear subscription term 7.12.3b   | 2   | Reconcile, among main body of ad, CA, and T&Cs, all references to subscription term                    |
|   | Subscription term hidden in T&Cs 7.12.3b  | 2   | Display subscription term in main body of ad   |
|   | Subscription term displayed below fold [online]   | 2   | Display subscription term above fold   |

<sup>ψ</sup> Requirement to opt into a subscription horoscope service, for example, to receive IQ quiz results.

<sup>§</sup> Displaying personal information such as, for example, names of user's friends on a social networking Website.



| O2 CE: Subscription Services £4.51/Week and Over Violations and Actions Required |  |          |   |
|--|--|----------|---|
|  | Violations   | Severity | Actions Required  |
| T&Cs   | <b>T&amp;Cs TV</b>   |          |   |
|  | Failure to place pricing and subscription disclosure and term according to O2 policy CE  | 2        | Display prescribed text prominently in main body of ad, statically, and adjacent to main service shortcode: "Join [or Subscribe to] [service name, description optional - max 35 characters] for [service cost in £] per [billing frequency]" |
|  | Failure to format pricing and subscription disclosure and term according to O2 policy CE   | 2        | Format prescribed text statically as: "Join [or Subscribe to] [service name, description optional - max 35 characters] for [service cost in £] per [billing frequency]"   |
|  | Failure to articulate basic T&Cs (service name, cost, and subscription disclosure and term) according to O2 policy CE                      | 2        | Implement voiceover that articulates basic T&Cs <i>exactly</i> as prescribed: "Join [or Subscribe to] [service name, description optional] for [service cost in £] per [billing frequency]" (reference initial fee if relevant)               |
|  | Voiceover inaudible  | 2        | Improve audio quality so audience can understand clearly  |
|  | T&Cs display time too brief CE   | 2        | Display T&Cs during 100% of ad airtime  |
|  | T&Cs font incorrect CE   | 2        | Format T&Cs in same font as main service shortcode  |
|  | T&Cs point size too small CE   | 2        | Format T&Cs in point size at least 50% as large as shortcode point size or 30 pixels, whichever is larger   |
|  | Subscription disclosure, pricing, or both in incorrect colour CE   | 2        | Format subscription disclosure, pricing, or both in monochrome colour and background (i.e., black on white or white on black)   |
|  | <b>T&amp;Cs Radio</b>  |          |   |
|  | Failure to articulate T&Cs (service name, cost, and subscription disclosure and term) according to O2 policy CE                            | 2        | Articulate T&Cs <i>exactly</i> as prescribed: "Join [or Subscribe to] [service name optional] for [service cost in £] per [billing frequency]" (reference initial fee if relevant)  |
|  | No URL to comprehensive T&Cs CE  | 2        | Articulate URL to comprehensive T&Cs  |
|  | <b>T&amp;Cs Online and Print</b>   |          |   |
|  | Failure to place pricing and subscription disclosure and term according to O2 policy CE  | 2        | Display prescribed text prominently in main body of ad, statically, and adjacent to main service shortcode: "Join [or Subscribe to] [service name optional] for [service cost in £] per [billing frequency]"                                  |
|  | Failure to format pricing and subscription disclosure and term according to O2 policy CE   | 2        | Format prescribed text statically as: "Join [or Subscribe to] [service name optional] for [service cost in £] per [billing frequency]"  |
|  | Failure to format adjoining small print (pricing and subscription disclosure and term, plus opt-out information) according to O2 policy CE | 2        | Preface adjoining small print <i>exactly</i> as prescribed: "This is a subscription service, it will cost [£X] per [billing period] until you send STOP to [shortcode]"   |
|  | Prescribed T&Cs text not located on first page of ad CE  | 2        | Display <i>on first page</i> T&Cs as prescribed: "Join [or Subscribe to] [service name optional] for [service cost in £] per [billing frequency]" (reference to initial fee if relevant)  |
|  | T&Cs font incorrect CE   | 2        | Format T&Cs in same font as main service shortcode  |
|  | T&Cs point size too small CE   | 2        | Format T&Cs in point size at least 50% as large as shortcode point size or 10 points, whichever is larger   |
|  | Background colour of subscription disclosure, pricing, or both incorrect CE  | 2        | Format background of subscription disclosure, pricing, or both in same colour as shortcode background   |
|  | Failure to identify beneficiary [fundraising and charitable promotions] 7.9b   | 2        | Identify beneficiary of fundraising or charitable promotion   |
|  | Failure to display time-accuracy statement [publications with shelf-life of 3 months or more] 5.10   | 2        | State that T&Cs were correct on publication as well as publication date; disclose if charges increase during life of promotion  |
|  | No opt-out information 5.14; 7.12.2; CE  | 2        | Associate opt-out command with shortcode and preface with "Reply," "Send," or "Text"  |
|  | Incorrect opt-out information 5.14; CE   | 2        | Associate opt-out command with shortcode and preface with "Reply," "Send," or "Text"  |
|  | Unclear opt-out information 5.14; CE   | 2        | Associate opt-out command with shortcode and preface with "Reply," "Send," or "Text"  |
|  | Failure to identify content provider 5.8   | 2        | Identify content provider clearly   |



| O2 CE: Message Flow Violations and Actions Required                                |                                    |   |  |   |
|--|------------------------------------|---|--|---|
|  |                                    | <b>Violations</b>   | <b>Severity</b>  | <b>Actions Required</b>   |
| <b>Opt-In</b>  | <b>Programme</b>                   | Failure to send free opt-in message <sup>e</sup>  | 1  | Send opt-in message according to PhonepayPlus rules   |
|  |                                    | Substitute programme  | 1  | Replace substitute programme with advertised programme  |
|  |                                    | Programme operating on unapproved shortcode [sexual entertainment services] 7.10.7        | 1  | Discontinue sexual entertainment service and consult Operator regarding service launch on approved shortcode  |
|  |                                    | Failure to format opt-in message according to PhonepayPlus rules                          | 2  | Format opt-in message according to PhonepayPlus rules   |
|  |                                    | Misrepresentation of product offering 5.4.1a  | 2  | Reconcile, among main body of ad, CA, and T&Cs, all references to product type  |
|  |                                    | Misrepresentation of product quantity 5.4.1a  | 2  | Display only actual product quantity per subscription term (e.g., 15 ringtones/mo.)   |
|  |                                    | Failure to display service name   | 2  | Display service name  |
|  | <b>Pricing</b>                     | No pricing  | 1  | Display programme pricing   |
|  |                                    | Unclear pricing   | 2  | Display full and correct programme pricing in £   |
|  |                                    | Conflicting pricing   | 2  | Reconcile, among all messages and ad, references to pricing   |
|  |                                    | Use of term <i>free</i> or <i>no charge</i> PPP PC Jan 2009                               | 2  | Discontinue use of term <i>free</i> or <i>no charge</i>   |
|  | <b>Subscription</b>                | No subscription disclosure  | 1  | Display subscription disclosure   |
|  |                                    | No billing frequency  | 1  | Display billing frequency   |
|  | <b>T&amp;Cs</b>                    | No opt-out information  | 2  | Associate opt-out command with shortcode and preface with "Reply," "Send," or "Text"  |
|  |                                    | Unclear opt-out information   | 2  | Associate opt-out command with shortcode and preface with "Reply," "Send," or "Text"  |
| No free or non-premium rate UK Helpline, staffed throughout normal UK office hours |                                    | 2   | Display free or non-premium rate UK Helpline number                                  |   |
| <b>Conf</b>  | <b>Programme</b>                   | Failure to require double opt-in  | 1  | Require customer to reply with response command to opt-in message before sending billed MT  |
| <b>Monthly Subscription Reminder</b>   | <b>Programme</b>                   | Failure to send subscription reminder message   | 1  | Send subscription reminder message monthly or every time user has spent £20 within calendar month   |
|  |                                    | Failure to format subscription reminder message according to O2 policy CE                 | 1  | Display message as: "U are subscribed to [service name, description optional–max 35 characters] for [cost in £] per [billing frequency] until you send STOP to [originating service shortcode]. Helpline [free or standard rate UK number]"     |
|  |                                    | Failure to locate prescribed text at <i>beginning</i> of subscription reminder message CE | 1  | Display prescribed text (" U are subscribed to [service name, description optional–max 35 characters] for [cost in £] per [billing frequency] Helpline [free or standard rate UK number]") at <i>beginning</i> of subscription reminder message |
|  |                                    | Failure to identify content provider 7.12.5   | 1  | Identify content provider clearly   |
|  |                                    | No product or service disclosure 7.12.5   | 2  | Disclose product or service   |
|  |                                    | Failure to preface subscription reminder message with "FreeMsg"                           | 2  | Preface subscription reminder message with "FreeMsg"  |
|  | <b>Pricing</b>                     | No pricing 7.12.5   | 1  | Display programme pricing   |
|  |                                    | Unclear pricing 7.12.5  | 2  | Display full and correct programme pricing in £   |
|  |                                    | Conflicting pricing 7.12.5  | 2  | Reconcile, among all messages and ad, references to pricing   |
|  | <b>Subscription</b>                | No subscription disclosure 7.12.5   | 1  | Display subscription disclosure   |
|  |                                    | No billing frequency  | 1  | Display billing frequency   |
| <b>T&amp;Cs</b>  | No opt-out information 7.12.5      | 2   | Associate opt-out command with shortcode and preface with "Reply," "Send," or "Text" |   |
|  | Unclear opt-out information 7.12.5 | 2   | Associate opt-out command with shortcode and preface with "Reply," "Send," or "Text" |   |

<sup>e</sup>Send confirmation message: #U are about to join/subscribe to [name of services and optional description] for [cost of service in £] until you send STOP to [originating service shortcode]. Helpline [UK standard rate or free helpline number]. To confirm text AGREE/AGREE[+keyword]/ YES/YES[+keyword] to this message/shortcode xxx."



| O2 CE: Message Flow Violations and Actions Required |           |   |          |   |
|---|-----------|---|----------|---|
|   |           | Violations  | Severity | Actions Required  |
| Marketing   | Programme | Unauthorised marketing message or messages                    | 1        | Refrain from sending marketing messages to customers who decline option or opt out  |
|   |           | Failure to preface marketing message with "FreeMsg"           | 2        | Preface all marketing messages with "FreeMsg"   |
|   | Pricing   | No pricing  | 1        | Display programme pricing   |
|   |           | Unclear pricing   | 2        | Display full and correct programme pricing in £   |
|   |           | Inappropriate use of the term <i>free</i>                     | 2        | Discontinue use of the term <i>free</i>   |
|   |           | Value of free product or service insufficient                 | 2        | Give customer product or service equal to or greater in value than premium product or service purchased (charge not to exceed item delivery cost) |
|   | T&Cs      | No marketing message opt-out information                      | 2        | Associate opt-out command with shortcode and preface with "Reply," "Send," or "Text"  |
|   |           | Unclear marketing message opt-out information                 | 2        | Associate opt-out command with shortcode and preface with "Reply," "Send," or "Text"  |
| STOP Confirmation                                   | Programme | Failure to terminate service when customer sends STOP command | 1        | Terminate service immediately when customer sends STOP command  |
|   |           | STOP command case sensitive CE                                | 1        | Recognise STOP command regardless of text case  |
|   |           | User STOP message with subsequent text not recognized CE      | 2        | Ignore subsequent text in user STOP message   |
|   |           | Failure to respond to customer message to STOP service CE     | 2        | Send message informing customer that service has been terminated and that no more messages will be sent   |
|   |           | Failure to preface STOP confirmation message with "FreeMsg"   | 2        | Preface STOP confirmation message with "FreeMsg"  |



## Section 4

Virtual chat

Contact and dating services

| O2 CE: Virtual Chat and Contact and Dating Services Violations and Actions Required |   |  |   |
|---|---|--|---|
|   | Violations  | Severity   | Actions Required  |
| <b>Programme</b>  | Implies participation of persons under age 18 [sexual entertainment services] 7.11.2  | 1  | Remove implication of participation by persons under age 18   |
|   | Contains foul language 5.3.2b   | 1  | Remove foul language  |
|   | Contains reference to abuse of controlled substance (e.g., alcohol, drugs, tobacco) 5.3.1c  | 1  | Remove reference to abuse of any controlled substance   |
|   | Promotes consumption of controlled substance (e.g., alcohol, drugs, tobacco) 5.3.1c   | 1  | Remove promotion for consumption of controlled substance  |
|   | Promotes racial disharmony 5.3.1d   | 1  | Remove promotion for racial disharmony  |
|   | Promotes violence, sadism, or cruelty 5.3.2a  | 1  | Remove promotion for violence, sadism, or cruelty   |
|   | Offensive or inappropriate substitute programme 5.5   | 1  | Discontinue offensive or inappropriate substitute programme   |
|   | Programme operating on unapproved shortcode [sexual entertainment services] 7.10.7  | 1  | Discontinue sexual entertainment service and consult O2 regarding service launch on approved shortcode  |
|   | Unauthorised product or service 5.1.1; 6.1.1  | 1  | Discontinue product or service until PhonepayPlus authorises offer in writing   |
|   | Employs mobile long numbers [virtual chat] PPP HN Dec 09  | 1  | Discontinue use of mobile long numbers for virtual chat services  |
|   | Publicly available elements of service contain contact details or other means of direct contact with other users [virtual chat and contact and dating services] | 1  | Remove all publicly available contact details or means of direct contact with other users   |
|   | WAP page promoting PSMS offer   | 2  | Discontinue offer immediately   |
|   | Falsely promotes fantasy chat service as dating service <sup>ψ</sup>  | 2  | Remove suggestion that opt-in could result in face-to-face meeting  |
|   | No product or service disclosure 5.4.1a   | 2  | Disclose product or service in main body of ad  |
|   | Substitute programme for O2 customers 5.4.1a  | 2  | Disclose O2 participation in main body of ad  |
| Misrepresentation of product offering 5.4.1a  | 2   | Reconcile, among main body of ad, CA, and T&Cs, all references to product type                     |   |
| Misrepresentation of product quantity 5.4.1a  | 2   | Display only actual product quantity per subscription term (e.g., 15 ringtones/mo.)                |   |
| <b>Pricing</b>  | No pricing 5.7.1  | 1  | Display programme pricing in main body of ad  |
|   | Pricing illegible or requires close examination 5.7.2   | 1  | Increase point size, alter color scheme to improve contrast, or both; display pricing horizontally  |
|   | Unclear pricing 5.7.1   | 2  | Display full and correct programme pricing in £   |
|   | Inappropriate use of the term <i>free</i>   | 2  | Discontinue use of the term <i>free</i>   |
|   | Value of free product or service insufficient   | 2  | Give customer product or service equal to or greater in value than premium product or service purchased (charge not to exceed item delivery cost) |
|   | No pricing (audio) [TV, services exceeding £2.00] 5.7.4   | 2  | Articulate pricing in audio as well as displaying in video  |
|   | Pricing difficult to understand (audio) [TV] 5.7.2  | 2  | Articulate pricing clearly  |
|   | Conflicting pricing 5.7.2   | 2  | Display correct pricing   |
|   | Pricing hidden in T&Cs 5.7.2  | 2  | Display programme pricing in main body of ad  |
|   | Pricing displayed below fold [online]   | 2  | Display pricing above fold  |
|   | <b>T&amp;Cs</b>   | Failure to display time-accuracy statement [publications with shelf-life of 3 months or more] 5.10 | 2   |
| Unclear opt-out information 5.14; CE  |   | 2  | Associate opt-out command with shortcode and preface with "Reply," "Send," or "Text"  |
| No end date§ [e.g., competition services] 7.6.5                                     |   | 2  | Display end date  |
| Failure to identify content provider 5.8  |   | 2  | Identify content provider clearly   |

<sup>ψ</sup>Cite when words such as "meet" or "date" are used.

<sup>§</sup>Except where there are only instant prize winners.



| O2 CE: Message Flow Violations and Actions Required   |                 |  |  |  |
|---|-----------------|--|--|--|
|   |                 | Violations   | Severity   | Actions Required   |
| Opt-In and Confirmation   | Programme       | Substitute programme   | 1  | Replace substitute programme with advertised programme   |
|   |                 | Fantasy chat service falsely promoted as dating service  | 2  | Remove any suggestion in ad that opt-in could result in face-to-face meeting   |
|   |                 | Failure to identify programme  | 2  | Display programme name   |
|   |                 | Failure to identify programme clearly  | 2  | Choose one programme name and cite it consistently throughout message flow   |
|   | Pricing         | No pricing   | 1  | Display programme pricing  |
|   |                 | Unclear pricing  | 2  | Display full and correct programme pricing in £  |
|   |                 | Conflicting pricing  | 2  | Reconcile, among all messages and ad, references to pricing  |
|   |                 | Inappropriate use of the term <i>free</i>  | 2  | Remove the term <i>free</i>  |
|   |                 | Value of free product or service insufficient  | 2  | Give customer product or service equal to or greater in value than premium product or service purchased (charge not to exceed item delivery cost)        |
|   | T&Cs            | No opt-out information   | 2  | Associate opt-out command with shortcode and preface with "Reply," "Send," or "Text"   |
|   |                 | Unclear opt-out information  | 2  | Associate opt-out command with shortcode and preface with "Reply," "Send," or "Text"   |
|   |                 | Failure to notify customers of age restriction e [virtual chat] 7.3.2a   | 2  | State clearly that virtual chat customers must be age 18 or older  |
|   |                 | No facility for customers to enter birth date and confirm account-holder authorisation [contact and dating services] 6.4.2                       | 2  | Implement facility for chat customers to enter birth date and confirm account-holder authorisation   |
|   |                 | Failure to warn customers regarding dangers of disclosing personal details via chat [virtual chat and contact and dating services] 6.3.1b; 7.4.1 | 2  | Display warning regarding dangers of disclosing personal details via chat  |
|   | Content         | Programme  | £10 spend reminder originated from an alphanumeric address | 1  |
| Failure to ensure chat operators are not indicating to users that there is a chance of meeting [virtual chat] |                 |  | 2  | Ensure chat operators are not indicating to user that there is a chance of meeting   |
| Billed message preempting subscriber response to £10 spend reminder [virtual chat]                            |                 |  | 2  | Refrain from billing subscriber for additional messages until he or she confirms intention to continue chatting  |
| Failure to place "ADVERT" or "PROMO" before cross-promotion of other premium service                          |                 |  | 2  | Place "ADVERT" or "PROMO" before cross-promotion of other premium service  |
| Failure to send chat £10 spend reminder message [virtual chat] 7.3.3  |                 |  | 1  | Send chat spend reminder message every time user has spent £10 within calendar month and require user to confirm acceptance of charges before continuing |
| £10 Reminder  | Programme       | Failure to require user to confirm wish to continueΦ [virtual chat] 7.3.3  | 1  | Require user to provide positive response to confirm wish to continue* (e.g., Reply "OK" ["Yes", "Yeah"] to continue)"                                   |
|   |                 | Failure to place "ADVERT" or "PROMO" before cross-promotion of other premium service [virtual chat]  | 2  | Place "ADVERT" or "PROMO" before cross-promotion of other premium service  |
|   |                 | Failure to preface reminder message with "FreeMsg" [virtual chat]  | 2  | Preface reminder message with "FreeMsg"  |
|   |                 | Pricing  | No pricing [chat £10 spend]                                | 1  |
|   | Unclear pricing |  | 2  | Display full and correct programme pricing in £  |
|   | T&Cs            | Unclear opt-out information  | 2  | Associate opt-out command with shortcode and preface with "Reply," "Send," or "Text"   |

eThe only exceptions to this rule are non-adult (non-sexual entertainment) text and picture-based virtual chat services offered to the 16–17 age group, provided that the advertising of such services occurs in media where the target readership or audience is not below 16 years of age.

ΦRegard chat continuation as confirmation.



| O2 CE: Message Flow Violations and Actions Required |           |  |  |   |
|---|-----------|--|--|---|
|   |           | Violations   | Severity   | Actions Required  |
| Marketing   | Programme | Unauthorised marketing message or messages                       | 1  | Refrain from sending marketing messages to customers who decline option or opt out  |
|   |           | Failure to preface marketing message with "FreeMsg"              | 2  | Preface all marketing messages with "FreeMsg"   |
|   | Pricing   | No pricing   | 1  | Display programme pricing   |
|   |           | Unclear pricing  | 2  | Display full and correct programme pricing in £   |
|   |           | Inappropriate use of the term <i>free</i>                        | 2  | Discontinue use of the term <i>free</i>   |
|   |           | Value of free product or service insufficient                    | 2  | Give customer product or service equal to or greater in value than premium product or service purchased (charge not to exceed item delivery cost) |
|   | T&Cs      | No marketing message opt-out information                         | 2  | Associate opt-out command with shortcode and preface with "Reply," "Send," or "Text"  |
| Unclear marketing message opt-out information       |           | 2  | Associate opt-out command with shortcode and preface with "Reply," "Send," or "Text" |   |
| STOP Confirmation                                   | Programme | Failure to terminate service when customer sends STOP command    | 1  | Terminate service immediately when customer sends STOP command  |
|   |           | STOP command case sensitive                                      | 1  | Recognise STOP command regardless of text case  |
|   |           | User STOP message with subsequent text not recognised            | 2  | Ignore subsequent text in user STOP message   |
|   |           | Failure to respond to customer message to STOP service <b>CE</b> | 2  | Send message informing customer that service has been terminated and that no more messages will be sent   |
|   |           | Failure to preface STOP confirmation message with "FreeMsg"      | 2  | Preface STOP confirmation message with "FreeMsg"  |



## Section 5

Shortcode violations  
and action required

| O2 Shortcode Violations and Actions Required  |  |   |   |
|---|--|---|---|
|   | Violations   | Severity  | Actions Required  |
| Programme   | Implies participation of persons under age 18 [sexual entertainment services] 7.11.2   | 1   | Remove implication of participation by persons under age 18   |
|   | Contains foul language 5.3.2b  | 1   | Remove foul language  |
|   | Contains reference to abuse of controlled substance (e.g., alcohol, drugs, tobacco) 5.3.1c   | 1   | Remove reference to abuse of any controlled substance   |
|   | Promotes consumption of controlled substance (e.g., alcohol, drugs, tobacco) 5.3.1c  | 1   | Remove promotion for consumption of controlled substance  |
|   | Promotes racial disharmony 5.3.1d  | 1   | Remove promotion for racial disharmony  |
|   | Promotes violence, sadism, or cruelty 5.3.2a   | 1   | Remove promotion for violence, sadism, or cruelty   |
|   | Offensive or inappropriate substitute programme 5.5  | 1   | Discontinue offensive or inappropriate substitute programme   |
|   | Unauthorised product or service 5.1.1; 6.1.1   | 1   | Discontinue product or service until PhonepayPlus authorises offer in writing   |
|   | Employs mobile long numbers [virtual chat] PPP HN Dec 09   | 1   | Discontinue use of mobile long numbers for virtual chat services  |
|   | No facility for customers to confirm acceptance of logging of personal details [pay-for-product services exceeding £5.00] 7.10.5b                  | 2   | Implement facility for customers to confirm acceptance of logging of personal details for use in case of unauthorised use |
|   | WAP page promoting PSMS offer  | 2   | Discontinue offer immediately   |
|   | Promotes service unrelated to service on offer <sup>ψ</sup> [online, £4.50/wk + subscription services] PPP HN Jun 2009                             | 2   | Discontinue promotion of services unrelated to service on offer   |
|   | Failure to notify customers of age restriction <sup>§</sup> [virtual chat] 7.3.2a  | 2   | State clearly that virtual chat customers must be age 18 or older   |
|   | Contains unverifiable claims regarding future “certain winner” or “certainty of profit” [betting tipster services and competitions] 7.2.1a; 7.6.6c | 2   | Remove unverifiable claims regarding winning or profit  |
|   | Use of terms such as <i>win</i> or <i>prize</i> when describe items offered to all or most participants 7.6.6a                                     | 2   | Remove terms such as <i>win</i> or <i>prize</i> when describing items offered to all or most participants                 |
|   | Presents opinion as fact [betting tipster services] 7.2.2  | 2   | Remove statement of opinion   |
|   | No product or service disclosure 5.4.1a  | 2   | Disclose product or service in main body of ad  |
|   | Games unavailable to O2 customers 5.4.1a   | 2   | Disclose O2 participation in main body of ad  |
|   | Binary unavailable to O2 customers 5.4.1a  | 2   | Disclose O2 participation in main body of ad  |
|   | Videos unavailable to O2 customers 5.4.1a  | 2   | Disclose O2 participation in main body of ad  |
|   | Substitute programme for O2 customers 5.4.1a   | 2   | Disclose O2 participation in main body of ad  |
|   | Misrepresentation of product offering 5.4.1a   | 2   | Reconcile, among main body of ad, CA, and T&Cs, all references to product type  |
|   | Misrepresentation of product quantity 5.4.1a   | 2   | Display only actual product quantity per subscription term (e.g., 15 ringtones/mo.)                                       |
| No facility for customers to enter birth date and confirm account-holder authorisation [non-virtual chat] 6.4.2               | 2  | Implement facility for chat customers to enter birth date and confirm account-holder authorisation        |   |
| Manipulates personal data to support false statements <sup>ε</sup> [online, £4.50/wk + subscription services] PPP HN Jun 2009 | 2  | Refrain from manipulating personal data to support false statements                                       |   |
| Falsely promotes fantasy chat service as dating service   | 2  | Remove suggestion that opt-in could result in face-to-face meeting, including the words “meet” and “date” |   |

<sup>ψ</sup>For example, requirement to opt into a subscription horoscope service to receive IQ quiz results.

<sup>§</sup>The only exceptions to this rule are non-adult (non-sexual entertainment) text and picture-based virtual chat services offered to the 16–17 age group, provided that the advertising of such services occurs in media where the target readership or audience is not below 16 years of age.

<sup>ε</sup>For example, displaying personal information such as names of user's friends on social networking Website.



| O2 Shortcode Violations and Actions Required |  |          |   |
|--|--|----------|---|
|  | Violations   | Severity | Actions Required  |
| <b>Pricing*</b>                              | No pricing 5.7.1   | 1        | Display programme pricing in main body of ad  |
|  | Pricing illegible or requires close examination 5.7.2  | 1        | Increase point size, alter colour scheme to improve contrast, or both; display pricing horizontally   |
|  | Failure to display full cost of participation [competition services exceeding £1.00] 7.6.2a  | 1        | Display, in main body of ad, full cost of participation   |
|  | Unclear pricing 5.7.1  | 2        | Display full and correct programme pricing in £   |
|  | Use of term <i>free</i> or <i>no charge</i> [£4.50/wk + subscription services] PPP PC Jan 2009                                     | 2        | Discontinue use of term <i>free</i> or <i>no charge</i>   |
|  | Inappropriate use of the term <i>free</i>  | 2        | Discontinue use of the term <i>free</i>   |
|  | Value of free product or service insufficient  | 2        | Give customer product or service equal to or greater in value than premium product or service purchased (charge not to exceed item delivery cost)   |
|  | No pricing (audio) [TV, services exceeding £2.00] 5.7.4  | 2        | Articulate pricing in audio as well as displaying in video  |
|  | Pricing difficult to understand (audio) [TV] 5.7.2   | 2        | Articulate pricing clearly  |
|  | Conflicting pricing 5.7.2  | 2        | Display correct pricing   |
|  | Pricing hidden in T&Cs 5.7.2   | 2        | Display programme pricing in main body of ad  |
|  | Pricing displayed below fold [online]  | 2        | Display pricing above fold  |
|  | Failure to display pricing on all pages promoting subscription serviceΦ [online, £4.50/wk + subscription services] PPP HN Jun 2009 | 2        | Display pricing on all pages promoting subscription service   |
| <b>Subscription</b>                          | No subscription disclosure 7.12.3a   | 1        | Display subscription disclosure in main body of ad  |
|  | Subscription disclosure hidden in T&Cs 7.12.3a   | 1        | Display subscription disclosure in main body of ad  |
|  | Subscription disclosure displayed below fold [online]  | 1        | Display subscription disclosure above fold  |
|  | No subscription term 7.12.3b   | 2        | Display subscription term in main body of ad  |
|  | Unclear subscription term 7.12.3b  | 2        | Reconcile, among main body of ad, CA, and T&Cs, all references to subscription term   |
|  | Subscription term hidden in T&Cs 7.12.3b   | 2        | Display subscription term in main body of ad  |
|  | Subscription term displayed below fold [online]  | 2        | Display subscription term above fold  |
| <b>T&amp;Cs</b>                              | <b>T&amp;Cs TV**</b>   |          |   |
|  | Failure to place pricing and subscription disclosure and term according to O2 policy CE  | 2        | Display prescribed text prominently in main body of ad, statically, and adjacent to main service shortcode: "Join [or Subscribe to] [service name, description optional - max 35 characters] for [service cost in £] per [billing frequency]" |
|  | Failure to format pricing and subscription disclosure and term according to O2 policy CE   | 2        | Format prescribed text statically as: "Join [or Subscribe to] [service name, description optional - max 35 characters] for [service cost in £] per [billing frequency]"   |
|  | Failure to articulate basic T&Cs (service name, cost, and subscription disclosure and term) according to O2 policy CE              | 2        | Implement voiceover that articulates basic T&Cs <i>exactly</i> as prescribed: "Join [or Subscribe to] [service name, description optional] for [service cost in £] per [billing frequency]" (reference initial fee if relevant)               |
|  | Voiceover inaudible  | 2        | Improve audio quality so audience can understand T&Cs clearly   |
|  | T&Cs display time too brief CE   | 2        | Display T&Cs during 100% of ad airtime  |
|  | T&Cs font incorrect CE   | 2        | Format T&Cs in same font as main service shortcode  |
|  | T&Cs point size too small CE   | 2        | Format T&Cs in point size at least 50% as large as shortcode point size or 30 pixels, whichever is larger   |
|  | Subscription disclosure, pricing, or both in incorrect colour CE   | 2        | Format subscription disclosure, pricing, or both in monochrome colour and background (i.e., black on white or white on black)   |

\*PSMS costing less than £.50 are exempt from PhonepayPlus requirements on pricing information, unless they are 1) children's services, 2) accessed by automated equipment, or 3) subscription services.

\*\*All violations with the "CE" notation apply to subscription services only, unless they have a PhonepayPlus reference number, PhonepayPlus Help Note reference, or both.

ΦFor example, IQ quizzes.



| O2 Shortcode Violations and Actions Required    |   |                                   |  |
|---|---|-----------------------------------|--|
|   | Violations  | Severity                          | Actions Required   |
| T&Cs<br>continued                               | <b>T&amp;Cs Radio</b>   |                                   |  |
|   | Failure to articulate T&Cs (service name, cost, and subscription disclosure and term) according to O2 policy <b>CE</b>                            | 2                                 | Articulate T&Cs <i>exactly</i> as prescribed: "Join [or Subscribe to] [service name optional] for [service cost in £] per [billing frequency]" (reference initial fee if relevant)                           |
|   | No URL to comprehensive T&Cs <b>CE</b>  | 2                                 | Articulate URL to comprehensive T&Cs   |
|   | <b>T&amp;Cs Online and Print</b>  |                                   |  |
|   | Failure to place pricing and subscription disclosure and term according to O2 policy <b>CE</b>  | 2                                 | Display prescribed text prominently in main body of ad, statically, and adjacent to main service shortcode: "Join [or Subscribe to] [service name optional] for [service cost in £] per [billing frequency]" |
|   | Failure to format pricing and subscription disclosure and term according to O2 policy <b>CE</b>   | 2                                 | Format prescribed text statically as: "Join [or Subscribe to] [service name optional] for [service cost in £] per [billing frequency]"   |
|   | Failure to format adjoining small print (pricing and subscription disclosure and term, plus opt-out information) according to O2 policy <b>CE</b> | 2                                 | Preface adjoining small print <i>exactly</i> as prescribed: "This is a subscription service, it will cost [£X] per [billing period] until you send STOP to [shortcode]"                                      |
|   | Prescribed T&Cs text not located on first page of ad <b>CE</b>  | 2                                 | Display <i>on first page</i> T&Cs as prescribed: "Join [or Subscribe to] [service name optional] for [service cost in £] per [billing frequency]" (reference to initial fee if relevant)                     |
|   | T&Cs font incorrect <b>CE</b>   | 2                                 | Format T&Cs in same font as main service shortcode   |
|   | T&Cs point size too small <b>CE</b>   | 2                                 | Format T&Cs in point size at least 50% as large as shortcode point size or 10 points, whichever is larger  |
|   | Background colour of subscription disclosure, pricing, or both incorrect <b>CE</b>  | 2                                 | Format background of subscription disclosure, pricing, or both in same colour as shortcode background  |
|   | Insufficient details [competition services exceeding £1.00] <b>7.6.2a; 7.6.3a-c</b>   | 2                                 | Display clearly how competition operates, including applicable restrictions, tie-breaking procedures, description and number of major prizes, and vouchers value   |
|   | Failure to identify beneficiary [fundraising and charitable promotions] <b>7.9b</b>   | 2                                 | Identify beneficiary of fundraising or charitable promotion  |
|   | Failure to display time-accuracy statement [publications with shelf-life of 3 months or more] <b>5.10</b>   | 2                                 | State that T&Cs were correct on publication as well as publication date; disclose if charges increase during life of promotion   |
|   | No opt-out information <b>5.14; 7.12.2; CE</b>  | 2                                 | Associate opt-out command with shortcode and preface with "Reply," "Send," or "Text"   |
|   | Incorrect opt-out information <b>5.14; CE</b>   | 2                                 | Associate opt-out command with shortcode and preface with "Reply," "Send," or "Text"   |
|   | Unclear opt-out information <b>5.14; CE</b>   | 2                                 | Associate opt-out command with shortcode and preface with "Reply," "Send," or "Text"   |
|   | No end date§ [e.g., competition services] <b>7.6.5</b>  | 2                                 | Display end date   |
| Failure to identify content provider <b>5.8</b> | 2   | Identify content provider clearly |  |

§Except where there are only instant prize winners.

