

New Codes of Practice and Ethics for ISPs : Key features

General:

- Code will be subject to review after 1 year of operation
- ISPAI Board may propose regulatory policies on Internet issues from time to time
- references to "illegal" is taken to mean the criminal law (e.g., copyright excluded)
- in general, complaints are referred to ISP's in the first instance

ISP services and promotional material

they must not contain material which is

- illegal, misleading, likely to incite violence or cruelty, racial hatred, prejudice, discrimination
- even if not illegal, is considered inappropriate or calculated to cause distress, anxiety, inconvenience to others
- must include link to hotline

Mandatory acceptable use policies (AUPs) for ISPs

- customers cannot use ISP service to create, host, transmit material which is unlawful / libellous / abusive / offensive / vulgar / obscene / calculated to cause unreasonable offence
- AUPs must include "harmful material" clauses (as opposed to confining code to illegal material)
- ISPs must obey instructions from hotline to remove specified material

Relationship to hotline: ISPs must

- provide point of contact
- comply with take-down notices
- retain copies of removed material if requested by hotline/ Gardai

User empowerment

- ISPAI encourages a policy of end-user empowerment
- hotline must actively seek to empower end users by providing information on ways to protect themselves and their children

New formal complaints procedures about 3rd party content

1. formal standards of response times for all complaints to SPs
2. different "complaint streams" for **illegal** and **harmful** material
 - complaints about **harmful material**
 - "harmful" now fully defined
 - complaint sent directly to ISP or channelled by hotline
 - complaint processed by reference to AUP
 - formal standards of response times will apply
 - complaints about **illegal material**
 - complainant advised about originator (if possible)
 - ISP tries to resolve in first instance
 - Hotline then investigates if unresolved