

MEDIA DEVELOPMENT AUTHORITY OF SINGAPORE

**REGULATORY OPTIONS TO FACILITATE
THE ADOPTION OF INTERNET PARENTAL CONTROLS**

PUBLIC CONSULTATION

21 April 2014

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PART 1: INTRODUCTION

- 1.1 The Internet offers a wealth of information that can be easily accessed by anyone via multiple devices. While this has brought about immense possibilities for learning and collaboration, it also presented challenges to the protection of the young from potentially harmful content or contact over the Internet. Public education and parental supervision remain the key tenets to addressing these challenges. In this regard, the Media Development Authority ("MDA") plays an active role in public education by supporting the Media Literacy Council ("MLC") in their outreach programmes, and also facilitates the provision of Internet access tools such as Internet filters to help parents.
- 1.2 Since 23 February 2012, Internet Access Service Providers ("IASPs")¹ are required under the Class Licence to inform and offer optional Internet filtering services to their subscribers at the point of subscription or renewal of their fixed-line residential Internet access subscriptions. This requirement was subsequently extended to cover mobile Internet access subscriptions from 30 June 2012. The Class Licence also requires IASPs to provide reasonable technical support to their subscribers for the duration of their subscriptions. The intent of these requirements is to increase parents' awareness of the availability of Internet filtering services and to make it easier for them to subscribe to such services, particularly parents with children aged 16 years and below. Please refer to [Annex A](#) for the relevant Class Licence conditions.
- 1.3 However, MDA has observed from recent focus group discussions with parents that most were generally still unaware of the availability of Internet filtering services. MDA also noted that the take-up of such services continued to be low, to which some focus group participants reflected that subscription cost was a factor. Separately, with the prevalence of multiple devices in the home, there has been feedback that it would be preferable for Internet filters to be installed at the home or mobile network level. This would relieve parents from the burden of having to individually install the Internet filter on each device. However, offering such network level Internet filters is currently not common among the local IASPs.
- 1.4 Separately, there have been recent developments in Europe where either the industry or the Government has taken a more proactive approach towards facilitating the use of Internet parental controls. For example, the CEO Coalition formed by the European

¹ An Internet Access Service Provider ("IASP") is a person or an organisation who supplies users with access to the Internet, sometimes at a cost. Some examples of local IASPs would include SingNet Pte Ltd ("SingNet"), StarHub Internet Pte Ltd ("StarHub"), M1 Ltd ("M1"), MyRepublic Pte Ltd ("MyRepublic"), etc.

Commission comprising industry players suggested the deployment of some level of "active choice" mechanism where users are required to make a choice on whether to subscribe to Internet parental controls upon the first use of a device². The United Kingdom ("UK") has taken it a step further to advocate for their Internet Service Providers ("ISPs")³ to have Internet parental controls switched on by default to filter certain categories of content, unless an adult chooses to turn it off⁴. MDA also noted that ISPs in these countries generally offer Internet parental controls free of charge to subscribers.

[Note: Internet filtering solutions are increasingly referred to as Internet parental controls, as they come with additional tools to help parents understand their children's Internet media consumption, such as time controls for Internet access, activity logs and alerts in the event of attempted access. For the purpose of this consultation, MDA will hereafter use the term "**Internet parental controls**"⁵ in place of "Internet filters".]

- 1.5 In view of parents' feedback and developments in Europe, MDA is conducting a public consultation to seek views on enhancements to the Class Licence conditions on IASPs' responsibility with respect to the provision of Internet parental controls, including:
 - a. The process by which IASPs are required to facilitate the adoption of Internet parental controls at the point of subscription or renewal of fixed-line and mobile Internet access;
 - b. The categories of content that should be filtered by default, when the Internet parental controls are switched on;
 - c. The mode by which the content is filtered, i.e. whether at network level or device level. At the network level, the content is filtered as long as the Internet connection is via the network or gateway belonging to the respective IASPs. At the device level, the content is filtered when Internet parental controls are installed onto the device;

² "Digital Agenda for Europe: Self-regulation for a Better Internet for Kids", <http://ec.europa.eu/digital-agenda/self-regulation-better-internet-kids>.

³ Similar to IASPs – differences in terminology used in different countries.

⁴ "The Internet and pornography: Prime Minister calls for action", 22 July 2013, Prime Minister's Office, <https://www.gov.uk/government/speeches/the-internet-and-pornography-prime-minister-calls-for-action>.

⁵ The term "Internet parental controls" is commonly used in Europe and by the major security solution providers.

- d. The cost to consumers for subscribing to Internet parental controls, as part of the subscription to any Internet access package; and
- e. The provision of technical assistance to consumers who want Internet parental controls.

[Note: For the purpose of this consultation, the term "IASPs" will refer to IASPs and their authorised dealers and re-sellers collectively.]

1.6 This consultation paper is structured as follows:

- a. Part 2 covers the enhancements to the process through which IASPs would facilitate the subscription of Internet parental controls at the point of subscription or renewal of fixed-line and mobile Internet access; and
- b. Part 3 covers the proposed categories of content to be filtered, the mode by which the content is filtered, the cost for subscribing to Internet parental controls and the level of technical assistance to be provided to consumers who want Internet parental controls.

1.7 Interested parties are invited to provide their comments to this consultation by no later than 5pm, 9 May 2014 in the manner specified in **Part 4** of this document.

PART 2: SUBSCRIPTION PROCESS FOR INTERNET PARENTAL CONTROLS

2.1 It should be noted that there are inherent limitations to the effectiveness of Internet parental controls. In UK, while Internet parental controls have generally been viewed to be effective, there have been reports of instances where the controls ended up blocking some clean search results (i.e. blocking of websites with legitimate material) while letting through some undesirable content. Further, individuals who are more technologically savvy can configure their systems and devices to bypass the controls. Hence, regardless of the Option selected, it has to be supplemented with parental supervision and public education.

2.2 Having reviewed international practices and to further efforts in the protection of the young in Singapore, MDA is seeking views on the three regulatory options to facilitate the adoption of Internet parental controls:

- Option 1: Inform & Offer
- Option 1A: Required Decision
- Option 2: Opt-Out

2.3 Option 1: Inform & Offer

2.3.1 This is the status quo option, where IASPs will inform and offer consumers optional Internet parental controls at the point of subscription or renewal for fixed-line and mobile Internet access.

2.3.2 **Considerations:** As mentioned in Paragraph 1.3, feedback from parents indicated that this approach has not achieved its intended policy objective to increase awareness of the availability of Internet parental controls. A possible reason for this could be the lack of a prescribed procedure, through which IASPs will inform and offer consumers the optional Internet parental controls. Recent developments in Europe and the UK also seem to point towards the need for a more proactive approach in facilitating the use of Internet parental controls.

2.4 Option 1A: Required Decision

2.4.1 This is an extension of Inform & Offer, where the subscription process is tightened procedurally. Under this option, consumers will be asked whether

they want Internet parental controls and they will have to make an explicit decision at subscription or renewal for fixed-line and mobile Internet access.

2.4.2 To meet this requirement, IASPs will need to obtain consumers' explicit decision either through written or verbal instruction. To illustrate:

- (a) For sales done in person using hardcopy forms or contracts, consumers will be required to indicate whether they want Internet parental controls and sign off against their choice;
- (b) For tele-sales, verbal instructions from consumers on whether to have Internet parental controls will be recorded; and
- (c) For online sales, consumers will have to make an explicit selection on whether they want Internet parental controls before they can complete their online purchase.

2.4.3 **Considerations:** This option is a procedural enhancement to the current status quo (i.e. Inform & Offer), but yet ensures that parents make a considered decision on whether to subscribe to Internet parental controls at the point of subscription or renewal of the Internet access service. To make the decision, parents are likely to request for more information on Internet parental controls, thus increasing awareness towards the use of such controls. It may also reduce the tendency for parents to defer the decision to subscribe to the controls to a later time, only to be overlooked thereafter.

2.5 Option 2: Opt-Out

2.5.1 Under this option, Internet parental controls will be switched on by default at the point of subscription or renewal, unless instructed otherwise by consumers.

2.5.2 To meet the requirement, IASPs will have to obtain consumers' explicit decision to switch off the parental controls either through written or verbal instruction. To illustrate:

- (a) For sales done in person using hardcopy forms or contracts, instructions from consumers to opt-out must be clearly indicated in the hardcopy agreement forms or contracts, with the consumers' sign off;
- (b) For tele-sales, verbal instructions from consumers to switch off Internet parental controls will be recorded; and

- (c) For online sales, if there is an option on whether to have Internet parental controls, IASPs will have to pre-select the option to have the controls. Alternatively, there can be an option for consumers to opt-out, which if left unselected, the online purchase will be completed with the Internet parental controls switched on.

2.5.3 **Considerations:** Under Inform & Offer and Required Decision, the burden of having to understand the technicalities of Internet parental controls and make an immediate decision may deter some parents from signing up. With Opt-Out, it may help overcome parents' inertia and encourage them to give Internet parental controls a try. However, there is also the risk that it will lull parents into a false sense of security, without fully understanding the constraints of Internet parental controls (as explained in Paragraph 2.1).

2.5.4 MDA notes from an earlier industry consultation that IASPs⁶ were concerned that there would be slower broadband speeds for customers in general if Internet parental controls are switched on by default. MDA however understands from providers of Internet parental controls that the impact is no longer significant given technological advances.

2.6 MDA's Recommendation. MDA proposes to adopt Required Decision, as it is less burdensome on IASPs as compared to Opt-Out, and yet ensures that parents make a considered decision on whether to subscribe to Internet parental controls at the point of subscription or renewal of the Internet access service.

⁶ Industry consultation conducted from January 2011 to October 2012, involving SingNet Pte Ltd ("SingNet"), SingTel Mobile Singapore Pte Ltd ("SingTel Mobile"), StarHub Internet Pte Ltd ("StarHub") and M1 Ltd ("M1").

PART 3: OTHER ASPECTS FOR CONSULTATION

3.1 As indicated in Paragraph 1.5, this consultation also seeks public views on the following:

- a. **The categories of content that should be filtered by default**, when the Internet parental controls are switched on;
- b. **The mode by which the content is filtered**, i.e. whether at network level or device level;
- c. **The cost to consumers for subscribing to Internet parental controls**, as part of the subscription to any Internet access package; and
- d. **The provision of technical assistance to consumers who want Internet parental controls.**

3.2 Categories of Content to be Filtered

3.2.1 MDA notes that countries such as Japan and UK, which have legislated Internet parental controls to be switched on by default, have specified the categories of content considered harmful and objectionable. In Japan, harmful content is defined as: (a) information that offers to undertake or induces a criminal act or induces a suicide, (b) pornography, and (c) extreme violence. In UK, harmful and offensive materials include: (a) drugs, smoking, solvents and alcohol, (b) violence, dangerous behaviour and suicide, (c) offensive language, (d) sexual material, including nudity, (e) exorcism, the occult and the paranormal, and (f) materials touching on humiliation, distress, violation of human dignity, and discriminatory treatment or language⁷.

3.2.2 In Singapore, IASPs currently offer Internet parental controls that come with certain pre-defined categories such as "communication and social networking", "entertainment", "sex" and "addiction", but have left it to the discretion of the parents to specify the content categories to be filtered. Please refer to [Annex B](#) for more examples of categories of content currently filtered by third-party solution providers that are offered by the local IASPs.

⁷ For example on the grounds of age, disability, gender, race, religion, beliefs and sexual orientation.

3.2.3 **MDA's Recommendation.** MDA proposes to specify "adult content" as the category that should be filtered by default when Internet parental controls are switched on. The other content categories to be filtered would be left to the discretion of parents. This is in recognition that parents are ultimately responsible for determining their children's media consumption.

3.3 **Mode by which the Content is Filtered**

3.3.1 Internet parental controls can be deployed either at the network or at the device level. At the network level, content is filtered as long as the Internet connection is via the network or gateway belonging to the particular IASP that the consumer is subscribed to. There is typically no need for any installation of applications or software onto devices. To illustrate, if a household subscribes to network level Internet parental controls for both their home and mobile broadband Internet plans, all devices with Internet access capabilities will have filtered content if Internet access is via the subscribed networks. However, if the device taps on an alternative third-party network such as the public wifi, the content will no longer be filtered.

3.3.2 At the device level, content is filtered through Internet parental controls installed on individual devices. The controls will need to be installed every time there is a change in device. However once the controls are installed, content will always be filtered so long as Internet access is via the particular device. To illustrate, if a consumer installed Internet parental controls on the mobile phone, the content accessed via the mobile phone will always be filtered, even if the access is via third-party networks beyond the home environment such as public wifi and other hotspots. Should the consumer change to a new device, Internet parental controls will have to be installed on the new device to continue having filtered content.

3.3.3 MDA has received feedback on the difficulties with using device level Internet parental controls. MDA also notes that the major IASPs in UK generally adopt network level parental controls.

3.3.4 **MDA's Recommendation.** MDA proposes that IASPs be required to provide network level Internet parental controls, with device level Internet parental controls left to the IASPs' own commercial considerations on whether to offer consumers an alternative. The intent is to facilitate the adoption of Internet parental controls by parents who may be less technologically savvy or who may find the need to individually install the application on each device too tedious.

3.4 Cost to Consumers for Subscribing to Internet Parental Controls

- 3.4.1 In the UK, the four major ISPs⁸ offer Internet parental controls as part of their broadband packages (including entry-level broadband packages), at no additional cost to consumers. The functionality of the Internet parental controls offered by the four ISPs generally allows for certain levels of customisation, for example, subscribers can select the categories of content or specific websites to be blocked, and set time limits for Internet access.
- 3.4.2 Based on feedback from the earlier industry consultation, there were concerns by IASPs that the provision of Internet parental controls on a complimentary basis could result in substantial operational costs incurred by IASPs. However, MDA also observed that some security solution providers do offer selected versions of their Internet parental controls free of charge, and these versions generally provide comprehensive Internet filtering capability, in addition to time controls and short term activity logs and alerts.
- 3.4.3 **MDA's Recommendation.** MDA proposes that IASPs be required to offer consumers at least a version of Internet parental controls free of charge with the subscription of any Internet access package. This version of Internet parental controls should minimally provide comprehensive Internet filtering capability. The intent is to encourage the adoption of Internet parental controls by parents. IASPs can also choose to offer more premium version(s) of the controls providing features beyond filtering at an additional cost.

3.5 Provision of Technical Assistance to Consumers who want Internet Parental Controls

- 3.5.1 IASPs are already required under the Class Licence conditions to provide reasonable technical support to subscribers with respect to the provision of filtering arrangements for the duration of their subscription period. However, MDA still receives feedback that parents continue to face difficulties in the installation or activation of the Internet parental controls.
- 3.5.2 **MDA's Recommendation.** To further facilitate the installation or activation of Internet parental controls, MDA proposes that for the devices retailed by IASPs:

⁸ They are British Sky Broadcasting Group ("SKY"), British Telecommunications Group ("BT"), Virgin Media Inc ("Virgin Media") and TalkTalk Telecom Group ("TalkTalk"). Together, they cover 95% of UK households.

- (a) For new/ re-contracting subscribers – IASPs will need to complete the switch on of the Internet parental controls, before handing the device to the subscribers; and
- (b) For existing subscribers – IASPs will need to make sure that they facilitate the switch on of the Internet parental controls. This can be accomplished through push notifications with clear step-by-step instructions.

PART 4: INVITATION TO COMMENT

4.1 In summary, MDA is conducting a public consultation to seek views on the following proposals, under which IASPs are required to:

- a. Obtain consumers' explicit decision on whether they want Internet parental controls (i.e. Required Decision) at the point of subscription or renewal of fixed-line and mobile Internet access;
- b. Filter "adult content" by default when Internet parental controls are switched on, with additional content categories left to the discretion of parents;
- c. Provide network level Internet parental controls by which the content is filtered, with device level Internet parental controls left to the IASPs' own commercial considerations on whether to offer consumers an alternative;
- d. Offer to consumers at least a version of Internet parental controls free of charge with the subscription of any Internet access package; and
- e. Complete the switch on of Internet parental controls for new/ re-contracting subscribers at the point of sale and facilitate the switch on of the Internet parental controls for existing subscribers.

4.2 All submissions should be clear and concise, and should provide a reasoned explanation for any proposed revision to the proposed amendments. Additionally, MDA would be organising focus group discussions for members of the public, specifically individual consumers and/or parents, who prefer to share their comments in person. More details on the focus group discussions can be found at this link – <http://www.mda.gov.sg/RegulationsAndLicensing/Consultation/Pages/ConsultationPa pers.aspx>.

4.3 This consultation closes on 9 May 2014 and comments should be submitted to MDA on or before 5pm of that date. All comments must be submitted in softcopy (preferably in Microsoft Word format compatible with Microsoft Office Version 2007). Parties submitting comments should include their personal or company particulars, their correspondence address, contact number and email address on the cover page of their comments. All comments should be addressed to:

Ms Lee Ee Jia
Director (Policy)
Media Development Authority of Singapore
(Attention: Ms Alicia Chay)
Email: policy_consultations@mda.gov.sg

4.4 MDA reserves the right to make public all or parts of any written comment and to disclose the identity of the source. Commenting parties may request confidential treatment for any part of the comment that the commenting party believes to be proprietary, confidential or commercially sensitive. Any such information should be clearly marked and placed in a separate annex. If the MDA grants the request for confidential treatment, it will consider, but it will not publicly disclose, the information. If MDA rejects the request for confidential treatment, it will return the information to the commenting party and will not consider the information as part of its review. As far as possible, commenting parties should limit any request for confidential treatment of information submitted. MDA will not accept any comment that requests for confidential treatment of all or a substantial part of the comment.

**BROADCASTING (CLASS LICENCE) NOTIFICATION
THE SCHEDULE
CONDITIONS OF CLASS LICENCE**

2A. – (1) An Internet Service Provider who is an Internet Access Service Provider licensed under section 5 of the Telecommunications Act (Cap. 323) (referred to in this paragraph as an Internet Access Service Provider) shall –

- (a) upon receiving, on or after 23rd February 2012, any request by any of its relevant subscribers, offer to provide that relevant subscriber Internet content filtering arrangements;
- (b) inform any prospective relevant subscriber in Singapore of the availability of Internet content filtering arrangements before providing, on or after 23rd February 2012, to the prospective relevant subscriber first access to the Internet;
- (c) inform a relevant subscriber of the availability of Internet content filtering arrangements before renewing, on or after 23rd February 2012, the subscription of that relevant subscriber; and
- (d) for the duration of the relevant subscriber's subscription, provide reasonable technical support to the relevant subscriber with respect to the provision of Internet content filtering arrangements.

Examples of Categories of Filtered Content Using Third-Party Products Offered by Local IASPs

Example of Categories of Content Filtered	Example of Categories of Content Filtered
<ul style="list-style-type: none"> • Communication and Social Networking <ul style="list-style-type: none"> – Chat/Instant Messaging – Email – Internet Telephony – Media Sharing – Online Meetings/Storage – Social Networking • Financial/Business <ul style="list-style-type: none"> – Brokerage/Trading – Business/Economy – Financial Services – Job Search/Careers • Program Blocking <ul style="list-style-type: none"> – Content Servers – Dynamic DNS Host – Peer-to-Peer – Remote Access Tools – Software Downloads – Web Applications – Web Hosting • Shopping <ul style="list-style-type: none"> – Auctions – Real Estate – Restaurants/Dining/Food – Shopping – Vehicles – Web Advertisements • Addiction <ul style="list-style-type: none"> – Alcohol – Gaming – Tobacco • Violence <ul style="list-style-type: none"> – Military/Weapons – Violence/Hate/Racism – Gore 	<ul style="list-style-type: none"> • Entertainment <ul style="list-style-type: none"> – Audio/Video clips – Games – Greeting Cards – Humour/Jokes – Open/Mixed content – Radio/Audio streams – TV/Video streams • Opinion <ul style="list-style-type: none"> – Abortion – Alternative Spirituality/Belief – Political/Activist Groups – Religion • Personal <ul style="list-style-type: none"> – Blogs/Personal Pages – Newsgroups/Forums – Society/Daily Living – Personal Ads/Dating • Sex <ul style="list-style-type: none"> – Adult/Mature Content/Pornography/Nudity – Alternative Sexuality/Lifestyles/LGBT – Child Pornography – Intimate Apparel/Swimsuit • Malicious <ul style="list-style-type: none"> – Hacking – Malicious Outbound Data/Botnets – Malicious Sources – Non-viewable – Pay to Surf – Phishing/Spam – Placeholders – Potential Unwanted Software – Proxy Avoidance – Scam/Questionable/Illegal – Suspicious