

## PRIOR PERMISSION

### Service Category: Pay-per-page

Any provider that wishes to be involved in the provision of a premium rate service ('PRS') which charges per page or per image viewed, and fulfils any of the key conditions outlined below, must have prior permission from PhonepayPlus before the service can commence operation. Prior permission will only be granted subject to the application of certain conditions as set out below.

Permission granted under this category of service is applicable to any services within this category.

#### General conditions:

- (i) All provisions of the [PhonepayPlus Code of Practice](#) ('the Code') (as far as they are applicable) apply to the service.
- (ii) PhonepayPlus may impose such further conditions as it may deem necessary upon reasonable notice.
- (iii) This permission certificate may be immediately revoked by PhonepayPlus at any time if any condition is breached.
- (iv) PhonepayPlus may revoke this permission certificate after giving reasonable notice.
- (v) That all platforms and connections to a Network operator that provide access to the service(s), and any other relevant services provided, are of adequate technical quality-
- (vi) The Level 2 provider must register the applicable premium rate numbers ('PRNs') with PhonepayPlus before the service commences. Once registered, any change to the PRNs must be registered within two working days.
- (vii) If, for any reason, the service fails to commence within six months from the date of this permission certificate; or, having commenced, does not operate for any continuous period of six months – then this permission certificate (in either case) will immediately cease to be in force.

#### Category-Specific conditions:

- (i) That the nature and content of the services (including price and name) provided are as described in the 'pay-per-page services' prior permission application.

- (ii) That the names of company directors, partners, and/or managers with any responsibility whatsoever for services which charge on a 'per page' or 'per image viewed' basis are provided to PhonepayPlus.
- (iii) Where consumers are to be charged for each image or segment of video footage they view, then this fact must be clearly and prominently stated, as must the amount that consumers will be charged for viewing each image or video segment, prior to the consumer incurring any charge.
- (iv) Where consumers are charged for each page containing more than one image or segment of video footage, the price of viewing that page must be clearly and prominently stated, prior to the consumer incurring any charge.
- (v) Where consumers retrace their steps to exit a website, they must not be charged again for pages which they have already viewed.

Please note that, in addition to the conditions set out above, additional conditions may be imposed at the time that the permission is granted.

### **Who should apply:**

The provider contracted to, or having arrangements with, a Network operator in respect of the provision of the service (the 'contracted provider') must apply for the prior permission. The prior permission application must include the following:

- Details of all associated providers involved in the delivery of the service who have a responsibility to be registered with PhonepayPlus;
- A statement listing the provider(s) (i.e. of those that are required to register) that fulfils each of the conditions. (N.B. This must be set out clearly in respect of each service delivery-chain that has associated providers);
- Written confirmation from each of the associated providers that they fulfil the conditions set out against their name in the statement, and that they acknowledge and understand that permission granted to them will be granted in respect of the conditions that they fulfil and that they will therefore be liable under the Code for any failure to meet those conditions.

### **How to apply:**

In the first instance, the contracted provider should email the Executive ([compliance@phonepayplus.org.uk](mailto:compliance@phonepayplus.org.uk)). The application must:

- Contain a description of the service;
- Include examples of promotional material;
- Detail the shortcodes that will be used;
- Explain how the conditions outlined in this document will be fulfilled, providing the details, statement and confirmation required in the 'Who should apply' section above.

Please note that evidence should be supplied where appropriate or requested.

**In the event of an investigation:**

In the event of an investigation, PhonepayPlus will target the provider or providers responsible for the conditions of the prior permission certificate which have been breached and hold them liable under the Code. This may result in the withdrawal of permission from those providers and/or the imposition of sanctions against those providers, where a Tribunal finds that those breaches have occurred.

Upon request, providers will be required to provide evidence of contracts which establish their responsibility for fulfilment of the condition(s).