

## **GUIDELINES FOR THE USE OF INTERMEDIARY SERVICES UNDER THE DIGITAL SERVICES ACT (DSA)**

At A1 Slovenija, d. d. we strive to create a secure, reliable and trustworthy online environment. To this end, we have prepared the following guidelines based on Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (hereinafter: **Digital Services Act**), which apply to those of our services that are considered intermediary services under Digital Services Act. These guidelines supplement the contractual terms and conditions of the individual intermediary services.

Specific terms used in these guidelines (such as intermediary service, recipient of the service) have the meaning given to each term in the Digital Services Act.

### **I. Provisions applicable to all intermediary services**

#### **I./1. Illegal content**

The dissemination of any illegal content is prohibited in the context of the use of our intermediary services. Illegal content means any information that, by itself or in connection with an activity, including the sale of products or the provision of services, does not comply with applicable regulations. Examples of such illegal content include, for example:

- hate speech or terrorist content or unlawful discriminatory content,
- sharing photos showing child sexual abuse,
- unlawful sharing of private photographs without consent,
- cyberstalking,
- selling non-compliant or counterfeit products,
- selling products or providing services that violate consumer protection laws,
- unauthorised use of copyrighted material,
- illegal supply of accommodation or illegal sale of live animals.

As a provider of intermediary services, we do not monitor information transmitted or stored through our intermediary services. We also do not actively search for facts or circumstances that indicate illegal activity by the recipient of our services. If we are required to address certain content under the Digital Services Act, we generally use human review.

#### **I./2. Point of contact for Member States' authorities, the Commission and the Board**

For the transmission of the orders to act against illegal content, orders to provide information and other direct communication under the Digital Services Act, a single point of contact is available to the Member States' authorities, the Commission and the Board at: [dsa@a1.si](mailto:dsa@a1.si).

The language used to communicate with the point of contact is either Slovenian or English.

#### **I./3. Point of contact for recipients of the service**

For direct communication under the Digital Services Act, a single point of contact is available for recipients of the service at: [dsa@a1.si](mailto:dsa@a1.si).

#### **I./4. Reporting obligation**

In accordance with Article 15 of the Digital Services Act, we will publish any reports on content moderation on a1.si on an annual basis.

### **II. Additional provisions for the hosting service**

#### **II./1. Notice and action mechanisms**

If you consider that certain information or content in the context of a provided service, which is considered a hosting service under the Digital Services Act, constitutes illegal content, you may notify us by sending us an email to: [dsa@a1.si](mailto:dsa@a1.si).

Your notification must be sufficiently detailed and sufficiently substantiated for us to be able to consider it. As a minimum, it must include:

- a sufficiently substantiated explanation of the reasons why you consider the information to be illegal content;
- a clear indication of the exact electronic location of that information, such as the exact URL or URLs, and, where necessary, additional information that can be used to identify the illegal content adapted to the type of content and to the specific type of hosting service;
- your name and email address, except in the case of information considered to involve one of the offences referred to in Articles 3 to 7 of Directive 2011/93/EU (sexual abuse offences, sexual exploitation offences, child pornography offences, procuring children for sexual purposes, including incitement, aiding, abetting and attempt);
- a statement confirming your bona fide belief that the information and allegations contained in your notice are accurate and complete.

We suggest you fill in the form on this landing and attach it to your notice.

We deal with notices of illegal content carefully, impartially and objectively, taking appropriate action depending on the seriousness and nature of the infringement.

If your notice contains your electronic contact details, we will send you an acknowledgement of receipt without undue delay.

We will inform you without undue delay of our decision regarding the information to which the notification relates and provide you with information on possible legal remedies in relation to this decision.

## **II./2. Statement of reasons**

We will, if we have the relevant electronic contact details, provide each affected recipient of the service with a clear and specific explanation, with the content referred to in Article 17(3) and (4) of the Digital Services Act, for any restrictions we have imposed because the information provided by the recipient of the service is illegal content:

- any restrictions on the visibility of specific items of information provided by the recipient of the service, including removal of content, disabling access to content, or demoting content;
- suspension, termination or other restriction of monetary payments;
- suspension or termination of the provision of the service in whole or in part;
- suspension or termination of the recipient of the service's account.

The preceding paragraph will not apply where the information is deceptive high-volume commercial content.

## **II./3. Notification of suspicions of criminal offences**

If we become aware of any information that raises suspicions that a criminal offence involving a threat to the life or safety of one or more persons has been committed or is being or is likely to be committed, we will immediately inform the competent authorities for the prevention, detection and investigation of criminal offences or the judicial authorities of our suspicions and will provide them with all relevant information in our possession.

## **III. Final Provisions**

### **III./1. Amendments to the guidelines**

In the event of any changes to these guidelines, we will notify you by posting them on a1.si. Notice of the change will be published before the change takes effect.

### **III./2. The effective date of the guidelines**

These guidelines will enter into force and apply from 17 February 2024.