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Internet Based Streaming Services in Turkey

SVOD, TVOD AND AVOD SERVICES AND CONTENT
RATING

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1. What are OTT services?

The entertainment industry we know has changed rapidly when the Internet based streaming services (aka "OTT"- short for "Over the top") came into our lives. Almost everyone uses OTT services such as Netflix to entertain themselves when they would like to watch something. It would not be wrong to say that OTT services have taken the place of TVs.

Before answering the main question of this article, it may be useful to explain the terms "SVOD", "TVOD" and "AVOD", which are the basic terms used to describe the different business models applied to OTT services.

Firstly, these terms have a common part that is "VOD". This is the short form for "Video On Demand". Fundamentally most of the customers of streaming services have chance to watch videos whenever and wherever they want. This is the most important feature that distinguishes it from TVs. Therefore "VOD" is used as a term to describe when customers watch the selected piece on content, disconnected from what everyone else might be watching at the time.

The terms start to change based on how users are asked to pay for using the VOD services:

- **"SVOD"-short for "Subscription Video On Demand"**

SVOD is a type of service where customers enter into a subscription agreement and grant an access to the service. Customers may be able to watch with no limits based on the duration of their subscription agreement. The most known example of it is Netflix.

- **"TVOD"-short for "Transactional Video On Demand"**

Customers using TVOD services pay an amount based on the content they watch. So basically, TVOD users will not pay anything for signing up or creating a profile on the service.

- **“AVOD”-short for “Advertising Video On Demand”**

In proportion to growth in the advertising sector, AVOD services like YouTube are so popular. Customers do not have to pay money for watching the contents in return for spending some time watching ads.

2. Content Rating Systems in Turkey

There are only two content rating systems in Turkey; one is for theatrical releases of movies and the other one is for radio and TV broadcast. The Radio and Television Supreme Council is responsible for supervising for radio and TV broadcast where the Ministry Culture and Tourism is the authority for theatrical releases of movies.

According to Article 4 of the Law on Procedures and Principles Regarding the Evaluation and Classification of Movies numbered 5224, the content rating is carried out by the Evaluation and Classification (the Board) established within the Ministry of Culture and Tourism for theatrical releases of movies. After application of producers or distributors, the Board classifies and rates movies.

On the contrary, content rating for radio and TV broadcast is made semi automatically. Coders who are trained for using the content rating system of the Radio and Television Supreme Council fill out an online form and based on the answers given in the form, the system rates radio and TV broadcast automatically. Coders are authorized by telecasters in accordance with the related articles of the Regulation on Procedures and

Principles Regarding Broadcasting Services published in the Official Gazette on November 28, 2011.

On the other hand, there is no content rating system for OTT services. Although content rating for OTT services is not regulated specifically in Turkish legislation yet, it is better to rate the contents for OTT services similarly to content rating systems for theatrical releases for movies and radio and TV broadcast, otherwise access blocking decisions may be rendered in accordance with the Law on Regulation of Broadcasts via Internet and Prevention of Crimes Committed Through Such Broadcasts. Access blocking decisions also may be obtained for intellectual property rights violations under Turkish intellectual property laws, infringement of personal rights of a person or endangerment of national security.

The contents of VOD services might be blocked if they consist any of the following types of crimes:

- Provocation for committing suicide,
- Sexual harassment of children,
- Promoting usage of drugs,
- Supplying drugs which are dangerous for health,
- Obscenity,
- Prostitution,
- Providing place and opportunity for gambling,
- Crimes Against Atatürk (who is the founder of Turkey).

Also, it is forbidden to provide a content that harms the physical, mental or ethical development of children and youth through the Internet as per

Article 4 of the Regulation on Principles and Procedures of Regulating the Publication on the Internet.

Due the fact that marketing and advertisement of alcohol products and tobacco are prohibited according to the Regulation on Principles and Procedures with respect to Sale and Marketing of Tobacco and Alcohol, it is also prohibited to make marketing and advertisement of alcohol products and tobacco. So, OTT service providers should be aware of this regulation and not broadcast ads of the said products.

As a conclusion, it is strongly recommended for OTT services to rate the content made available in Turkey. As a result of the increased amounts of internet-based services, this area may be regulated anytime soon.

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