



Age Verification Providers Association

Online Platforms Market Study
Competition and Markets Authority
25 Cabot Square
London E14 4QZ

By email: onlineplatforms@cma.gov.uk

11th February 2020

Dear colleagues,

Online platforms and digital advertising

I am writing on behalf of the Age Verification Providers Association which represents all the main technology suppliers who have invested in the development of age verification solutions to support the implementation of age restrictions online.

Our current membership includes AgeChecked, GBG, Pay360, Verime, W2 and Yoti.

As an association, we work to:

- Inform and educate the public, industry, and media, on age verification solutions and technology.
- Promote a positive image of effective age verification and the age verification industry.
- Represent the industry to regulators and law makers for the advancement of best practice, socially-responsible age verification policy.

The AVPA was formed in 2018 from organisations involved in the UK's Digital Policy Alliance age verification working group, and created in response to a need for a uniform voice for of the industry.

The AVPA is governed by a representative Board drawn from its member organisations.

Response to Market study interim report

We wish to draw to your attention the opportunities and threats arising from the application of age assurance online, and specifically in relation to online platforms and advertising. These also offer better accountability and transparency for consumers in receipt of online advertising.

As government and its regulators increasingly seek to apply the principle that what is illegal offline should also be illegal online, implementing age restrictions online will be a core regulatory requirements for many goods, services and content.

At present, Advertising Standards Authority regulations prevent many products from being advertised to audiences which include children as a significant minority. As a result, some platforms have to impose blanket bans on advertising of some products to avoid falling foul of these regulations.

Regulators such as the Gambling Commission already impose age restrictions for online gambling operators, and others such as the Information Commissioner's Office with their

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recent publication of the Age Appropriate Demand Code of Practice, will also require appropriate levels of age-assurance for sites likely to be accessed by children.

The risk we wish to highlight is that existing, dominant online platforms could step in to offer a form of age-assurance, drawing on the data they hold about their users, setting a de facto standard for age checking and extending their market power by becoming a single source of age-verified consumers able to access age-restricted goods, services and content.

We would like you to consider the importance of independence for the provision of age verification provision. The arguments for this are simple:

- The standards for age verification should be set by regulators, not by existing online platforms which have a strong commercial interest in assuming as many customers as possible are old enough to access an age-restricted good, service or content, as it is volumes which drive income.
- Age verification standards should be set independently, based on international standards such as PAS1296, developed by the BSI and being upgraded to a standard against which providers can be audited and certified.
- Such standards allow for proportionate application of age assurance, using a range of methodologies that give the necessary level of assurance for each particular use-case.
- Access to an adult audience, assured as such to a sufficient standard for the applicable use-case, should be available on an open, competitive basis, not restricted to those willing to reach their customers through online platforms which control the route to age-verified customers.
- In summary, age-assurance offers an opportunity to existing dominant online platforms to further entrench and extend their market position.

We note specifically from your interim report

6.44 In relation to technical standards, this principle would seek to ensure that the SMS platform allows third parties to interoperate with the platform's essential inputs, and complies with common standards. This could include requirements:

- to comply with common standards where these are developed by independent third parties and approved by a suitable regulatory body;

The Age Verification Providers Association is working with its members to develop an open, competitive market in age checks. It is driving the establishment of international standards in AV, building on PAS1296. It is agreeing technical protocols to facilitate interoperability between AV providers so consumers need not prove their age to multiple AV providers, while the clients of those AV services still have a choice of suppliers, enabling competition based on price and quality.

It is particularly important to note that, unlike Identity Verification, age verification can be conducted on an anonymous basis. Once an individual has provided the evidence required to prove their age to the level of proof required for any particular purpose, their personal information need not be retained by the AV provider. Instead the customer is given a token including an age attributed e.g. "Is over 18? Yes or No". Thus advertising markets can operate for age restricted goods, services and content without the necessity of knowing the identity of consumers, and therefore without holding the personal information and associated data which has given leading online platforms their dominant market position. Independent AV is therefore a simple, readily available mechanism for opening up these advertising



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markets, and counters an argument the platforms may make that only they can protect minors from unsuitable content through their accumulated personal data.

Age assurance is a fundamental building block for online regulation globally. The UK is leading the world in this field, and will continue to do so if the supply of this service remains independent of those who benefit from access to customers who are of sufficient age.

A requirement for independent, certified age verification would be an important addition to the proposed Code of Conduct, and a powerful mechanism for introducing competition in the digital advertising market.

Yours sincerely,

Iain Corby

Director
Age Verification Providers Association