[GB] Radio Authority Publishes Revised Advertising and Sponsorship Code

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The Radio Authority, established by the Broadcasting Acts 1990 and 1996 to license and regulate Independent Radio, adopted and published its original Advertising and Sponsorship Code ten years ago. The 1990 Act obliges the Authority to review the Code from time to time. In March 2000, the Authority initiated a consultation process with the aim of revising and modernizing the Code.

The new Code was published on 4 January 2001. Broadly, the aims of the revision are to (a) bring the Code into line with current and pending legislation (b) restructure the Code, to highlight the more important rules (c) continue and strengthen consumer protection (d) "lighten regulation" (provided that consumers' interests will not be prejudiced) and (e) strengthen scheduling rules.

As regards advertising, the changes include: to reflect EC obligations, the rules on "misleadingness" have been strengthened and new rules on "misleading comparative advertising have been adopted; new categories of advertiser are permitted (e.g. hypnotherapists, psychiatrists and investments bodies); other category changes include motor vehicles (to do with speed issues and performance limitations for safety) and lawyers (regarding "no win, no fee"); health etc services are subject to more stringent "bona fides" tests; and rules regarding advertising for religious purposes, food and slimming products are changed too. "Masthead" programming is also dealt with.

Sponsorship rule changes include: sponsorship credits can include a combination of slogans, addresses, phone numbers and websites; presenters can voice live sponsorship messages with their own programme; current affairs and review programmes can attract sponsorship, with certain safeguards; and the Code provides guidance on scheduling sponsorship tags to avoid any impression that news bulletins are sponsored.

Even since the publication of the revised Code, the Authority has announced a fresh consultation on a revision to the Code. The Tobacco Advertising and Promotion Bill, currently before Parliament, envisages no advertising of any such category of product. Therefore, existing Rule 10, Section 3, which states that: "Advertisements for cigarettes, cigarette tobacco and papers, but not cigars and

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pipe tobacco, are prohibited." would have to be changed to "Advertisements for tobacco products (including cigarettes, cigarette tobacco and papers, cigars and pipe tobacco) are prohibited."

Further, Section 1, Rule 3.9(c) and (d), Limited Sponsorship by Betting and Gaming Companies, has been further amended. The effect of the change is that no gaming company or gambling brand "may sponsor programming specifically aimed at children (those aged below 18 years)." In addition, "sponsor credits for betting and gaming companies (excluding football pools and permitted lotteries) may include only a concise, factual statement of the company's business (e.g. "xxx, the online betting company"). No advertising content is permitted." This change has been thought necessary partly because of the increasing trend for such companies to use names that do not make the nature of their business clear.

Radio Authority, Code on Advertising and Sponsorship

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