[ES] Resolution Regulating Advertising in RTVE

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In January 2001, the Board of Directors of the Ente Público Radiotelevisión Española (the national public broadcaster - RTVE) approved a Resolution regulating advertising on Televisión Española (TVE, the national public TV broadcaster, which belongs to the RTVE group). The aim of this Resolution is to update RTVE's regulation on advertising, in order to bring it into line with the Spanish legislation in this field. The text of the Resolution almost coincides with that of the Chapter on Advertising and Sponsorship of the national Act 25/1994 (as amended by the national Act 22/1999), on the implementation of the EC Directive "Television without Frontiers". However, it must be noted that this Resolution also includes some provisions which deal with subjects that are not regulated by the national Act 25/1994 (e.g., the use of obscene language in advertising). This Resolution also determines those cases in which TVE shall not allow the broadcasting of certain advertising spots.

This Resolution has created a certain degree of controversy, as its alignment with Act 25/1994 could lead to an increase of advertising and sponsorship in TVE. It is necessary to take into account that the Act 25/1994, as amended by the Act 22/1999, allows sponsorship of the weather and sports sections of the news and current affairs programmes (art. 15.3). It also establishes that sponsorship can be placed during programmes and in advertising spots (art. 15.1.a), and that the transmission time devoted to sponsorship shall not be taken into account when applying the limits on the transmission time devoted to advertising (art. 15.4). These provisions of the Act 25/1994 are incorporated into the new Resolution by its article 27.

Resolución de 22 de enero de 2001, de la Dirección General del Ente Público Radiotelevisión Española, por la que se hacen públicas las normas reguladoras de la emisión de publicidad por "Televisión Española, Sociedad Anónima", aprobadas por el Consejo de Administración del Ente Público Radiotelevisión Española en su reunión de 11 de enero de 2001, BOE n. 21, de 24 de enero de 2001, pp. 2993-2997

Resolution of the Board of Directors of RTVE on advertising on TVE, 22 January 2001, BOE n. 21, 24 January 2001, pp. 2993-2997

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