[BG] Council of Electronic Media Bans Advertising in Sponsorship Spots

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At its regular meeting on 12 May 2003, the Council of Electronic Media discussed the implementation of the provisions of the Radio and Television Law and the European Convention on Transfrontier Television regarding sponsorship of radio and TV programmes. After a discussion the Council decided that the development of broadcasters' commercial practice calls for further clarification of the Bulgarian Radio and Television Law's provisions concerning sponsored broadcasts. These provisions are as follows: "Section 92. - (1) Sponsored broadcasts shall not promote the sale, purchase, or use of goods and services of the sponsor or of a third person, especially by mentioning those goods and services in the broadcasts. (2) The name of the sponsor and/or his trade mark shall be mentioned, represented, or otherwise identified only at the beginning and at the end of the broadcast."

On some occasions broadcasters use parts of commercials as sponsorship trailers. The Council referred to Article 17 of the European Convention on Transfrontier Television and its Explanatory Report, as well as to Additional Provision 1, Subsection 20 of the Bulgarian Radio and Television Law (definition of sponsorship), and concluded that neither the Convention, nor the national legislation allow sponsorship broadcasts to appeal for the purchase of products of a certain brand or to make direct references to a certain product in the sponsored programme itself. The Council therefore decided to ban direct advertising in sponsorship broadcasts. The sponsorship broadcasts shall no longer include promotion of the sponsor's products or services and shall no longer mention the sponsor's address, phone number, or other contact information that could facilitate the acquisition of the sponsor's products or use of its services.

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Decision of 12 May 2003

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