

[GB] Ofcom Revisits Advertising Rules

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Ofcom licencees have to be concerned with two types of advertising rules:

- amount, scheduling and presentation rules and
- content rules

As regards the amount, scheduling and presentation rules, according to Section 322 of the Communications Act 2003, Ofcom has the power to give directions to any of its licencees on the following matters: (a) the maximum amount of time to be given to advertisements in any hour or other period; (b) the minimum interval which must elapse between any two periods given over to advertisements; (c) the number of such periods to be allowed in any programme or in any hour or day; and (d) the exclusion of advertisements from a specified part of a licensed service.

Ofcom has now published its “Rules on the Amount and Distribution of Advertising”. These give effect to European rules (the Directive on Television Broadcasting 89/552/EEC of 3 October 1989 as amended by Directive 97/36/EC and the Transfrontier Television Convention).

There are three categories of rules:

“(i) those which apply to all services and appear as plain text;

(ii) those which apply only to Channel 3 (ITV and GMTV), Channel 4, Channel 5 and the ‘qualifying’ (ie: ‘simulcast’) digital services of these channels. These are identified by (A) after the rule number.

(iii) those which apply only to services other than Channels 3-5 and their ‘qualifying’ digital services. These are identified by (B) after the rule number”.

The reason that there are “A” and “B” rules is that “Ofcom does not have a remit to influence programme quality on services other than Channels 3-5... In the case of Channels 3-5 Ofcom's remit does extend to the quality and value these services provide to viewers and it believes that in some cases more demanding standards than those required by the Directive remain justified”.

Provisions deal with the amount of advertising and the calculation of advertising time; the general and particular separation of advertisements and programmes; internal breaks in programmes; recognition of natural breaks; long advertisements; teleshopping and self-promotional channels; advertising on local television channels; parliamentary broadcasts and the amount of advertising on text services.

Rules on the amount and distribution of advertising

<http://www.ofcom.org.uk/tv/ifi/codes/advertising/rules/#content>

