# [NL] New Sponsorship Rules for Public and Commercial Broadcasters

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On 5 August 2005, new sponsorship rules for Public and Commercial Broadcasters came into force. By adopting these new rules, the Commissariaat voor de Media (Dutch Media Authority) , aligned the previous rules with the current supervisory and regulatory practice.

Probably one of the most notable modifications brought about by these rules, originates from the European Commission's interpretative Communication on certain Aspects of the Provisions on televised Advertising in the "Television without Frontiers" Directive (see IRIS 2004-6: 4) and they are to be taken into account together with the applicable provisions of the rules on surreptitious advertising. Commercial broadcasters from now on will have the opportunity to mention programme sponsors not only at the beginning or at the end of a programme section, but also before or after a programme-interrupting block of advertisements. Essentially, programmes of the Public Broadcasting Service still cannot be sponsored unless they relate to a cultural context or sports events or unless they pursue a non-profit purpose. In addition, sponsorship of the Public Service is not permitted when broadcasting news, current events or politics and programmes targeting children younger than twelve years old.

An eye-catching change, which is interesting for both public and commercial broadcasters, lies in a more flexible interpretation of the legal term “commercial” in the Dutch Media Act. This term no longer includes the insertion in billboard contents of an email account, an internet address, a main activity or a primary establishment next to the name or the logo. This means a broadening of possibilities for the placement of billboards, which will undoubtedly be of special importance to commercial broadcasters.

With regard to the Public Service, it can also be mentioned that the wording “non-private enterprise” has been elaborated. In short, these enterprises concern public organisations and social benefit organisations. Contributions given by these organisations do not fall within the scope of sponsorship.

***Regeling van het Commissariaat voor de Media van 5 juli 2005 houdende beleidsregels omtrent sponsoring publieke omroep (Beleidsregels sponsoring publieke omroep 2005)***

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http://www.cvdm.nl/documents/bspo2005.pdf

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