[RU] New Advertising Statute

IRIS 2006-4:1/34

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On 22 February 2006 the State Duma (parliament) of the Russian Federation adopted the Federal Statute “On Advertising”. It replaces the statute of the same name of 1995 (see IRIS 1995-9: 9).

The new statute has six chapters and 40 articles.

Under advertising the statute understands the distribution of information in any form with the help of any media, which is intended for an indeterminate group of persons and is directed at forming or supporting interest in the objects of advertising and facilitating market advancement of such objects. As before the statute does not regulate political advertising.

The statute introduces the notion of “sponsor's advertising”, or advertising distributed on condition of mentioning the sponsor. There are fewer restrictions for such advertising than for general advertising.

With regard to advertising on television, it sets the new limits for its amount: 15 percent per hour (at present - 20 percent), effective 1 January 2008, and 15 percent per day (at present also 20 percent), effective 1 July 2006. These limits include teleshopping, but exclude announcements made by the broadcaster in connection with its own programmes.

Advertising and tele-shopping shall not use subliminal techniques. The statute refrains from regulating product placement and virtual advertising. There are no restrictions on advertising and tele-shopping to feature persons regularly presenting news and current affairs programmes. No restrictions exist for frequency of advertising either in news and current affairs programmes, or in children's programmes, when their duration is less than fifteen minutes.

The statute does not prohibit an advertiser from exercising any editorial influence over the content of programmes (Russia is not a party to the European Convention on Transfrontier Television).

The statute prohibits advertising of alcoholic beverages and tobacco products in broadcasting, but allows advertising of beers and beer products on TV from 10 p.m. till 7 a.m., and on radio from midnight till 9 a.m. local time. Advertising for medicines and medical treatment which are only available on medical prescription

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shall not be allowed in broadcasting. Advertising of lotteries, gambling and casinos in broadcasting is allowed in broadcasting from 10 p.m. till 7 a.m. only.

The statute contains detailed restrictions regarding advertising in children's programmes, as well as advertising of financial services, weapons, medicines, food supplements, etc.

The statute excludes paid TV with the use of decoding devices from restrictions that exist in regard to advertising of the above goods in regular TV.

Federalnyi Zakon "O reklame", Rossiyskaya gazeta, 15/03/2006

http://www.rg.ru/2006/03/15/reklama-dok.html

Federal Statute "On Advertising", Official Journal of 15 March 2006

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