[LU] Regulation on Advertising, Sponsorship, Teleshopping and Self-Promotion

IRIS 2008-7:1/34

Mark D. Cole
University of Luxembourg

On 24 June 2008, the government of Luxembourg enacted the *Règlement grand-ducal portant modification du règlement grand-ducal du 5 avril 2001 fixant les règles applicables en matière de publicité, de parrainage, de télé-achat et d'autopromotion dans les programmes de télévision réputés relever de la compétence du Luxembourg conformément à la directive européenne modifiée « Télévision sans frontières »* (Regulation on Advertising, Sponsorship, Teleshopping and Self-promotion of 24 June 2008, Regulation 2008) amending the *Règlement grand-ducal du 5 avril 2001 fixant les règles applicables en matière de publicité, de parrainage, de télé-achat et d'autopromotion dans les programmes de télévision réputés relever de la compétence du Luxembourg conformément à la directive européenne modifiée « Télévision sans frontières »* (Regulation on Advertising, Sponsorship, Teleshopping and Self-promotion of 5 April 2001, Regulation 2001).

The Luxembourgish rules on advertising and other forms of commercial communications are established in a so-called *Règlement*, an executive act based on the *Loi du 27 juillet 1991 sur les médias électroniques* (the Act on Electronic Media as last amended 2008). This regulation is the first part of the transposition of the EU Audiovisual Media Services Directive aligning the Luxembourgish rules on commercial communications to the European requirements.

In particular, Article 2 of Regulation 2008 lays down certain conditions for the insertion of advertising and teleshopping during programmes. These reinforce the respect for the integrity of the programme, taking into account natural breaks in and the duration and the nature of the programme concerned, and the rights of the rightsholders. In addition and copying the respective provisions of the Directive, the frequency of interruptions is limited to one for each scheduled period of at least 30 minutes for certain types of programmes excluding series, serials and documentaries. Regulation 2008 also modifies the rules on the content of advertising and teleshopping, which shall not directly encourage the purchase or rental of goods or services. In addition, sponsored programmes need to indicate the sponsor's name, his logo and or any other symbol of the sponsor.

Regulation 2008 places limits on the amount of advertising, which may not exceed 20% within a given clock hour. In a similar vein, teleshopping windows need to have a minimal duration of 15 minutes and are to be clearly identified as

© European Audiovisual Observatory (Council of Europe) 2026

such by optical and acoustic means. Not included in this percentage are certain categories of programmes such as teleshopping announcements and also product placement. The latter underlines the admissibility of product placement and a further modification of the Regulation 2008 expected soon after the entry into force of the above mentioned amending law will clarify this. The rules concerning channels exclusively devoted to teleshopping and self-promotion have already been updated in Regulation 2008 according to the provisions of the Directive. With this, Regulation 2008 only covers a few aspects of the Directive and the main implementing steps are expected by the end of 2010.

Règlement grand-ducal du 24 juin 2008 portant modification du règlement grand-ducal du 5 avril 2001 fixant les règles applicables en matière de publicité, de parrainage, de télé-achat et d'autopromotion dans les programmes de télévision réputés relever de la compétence du Luxembourg conformément à la directive européenne modifiée « Télévision sans frontières », Mémorial A, n°91 du 02.07.2008, p. 1243 (Règlement sur la publicité, le parrainage, le téléachat et l'autopromotion du 24 juin 2008, adopté en 2008, Mémorial A, n°91 du 2 juillet 2008, p. 1243)

http://www.legilux.public.lu/leg/a/archives/2008/0091/a091.pdf#page=5

Regulation on Advertising, Sponsorship, Teleshopping and Self-promotion of 24 June 2008, Regulation 2008, Mémorial A, n°91 of 2 July 2008, p. 1243

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026