[MT] Broadcasting Authority Interpretation of the Surreptitious Advertising and Separation Rules

IRIS 2008-10:1/26

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Following a consultation exercise carried out in summer 2008, the Broadcasting Authority has clarified the rules on surreptitious advertising and separation contained respectively in paragraphs 4 and 9 of the Third Schedule of the Broadcasting Act. These rules read as follows: “4. Advertising and teleshopping shall be readily distinguishable as such and kept quite separate from the other parts of the programme service by optical or acoustic means…” and “9. Surreptitious advertising shall be prohibited.”

The clarifications state that when a person is invited during an informative slot on a radio or television programme, that person cannot be associated with the entity which sponsors that same programme or a slot within that programme or which advertises in that programme. Moreover, a programme presenter may not participate in an advertisement which promotes a product or service of the same genre discussed during the informative part of the programme. Furthermore, the programme’s set used during the information slot cannot be the same set used during the advertisement. In addition, the product or service which is advertised immediately following the conclusion of an information slot and within the first batch of adverts cannot be the same product or service referred to in the information slot.

In its interpretation, the Authority is of the view that during the advertisements it is prohibited to refer to the products or services mentioned during the information slot. Finally, it is not permissible in the information slot to mention products or services referred to in the adverts which follow that slot.

Interpretazzjoni ta’ l-Artikli 4 u 9 tat-Tielet Skeda ta’ l-Att dwar ix-Xandir dwar: Nuqqas ta’ Separazzjoni u Reklamar b’Ħabi

http://www.ba-malta.org/41_08

Interpretation of Articles 4 and 9 of the Third Schedule to the Broadcasting Act: Lack of Separation and Surreptitious Advertising

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