[IE] Developments Regarding BCI General and Children's Advertising Codes

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The Broadcasting Commission of Ireland (BCI) was required by the Broadcasting Act 2001 to draft and review every three years a Children's Advertising Code. The resulting code came into operation in January 2005 and was reviewed in 2008. In July 2009, BCI published a "Statement of Outcomes", which documents the process used in undertaking the statutory review and details the BCI's decisions regarding those parts of the Code that will not be revised and those parts that may be subject to revision following further consultation in 2009 and 2010. The rules contained in the 2005 Code were set out under twelve headings, covering such issues as social values, inexperience and credulity, undue pressure, general safety, diet and nutrition, and programme characters. The review included a national attitudinal survey, a review of policies, practices and legislation and a stakeholder consultation, which involved various children's, health and advertising organisations and various discussion groups with children. Some issues that arose will be dealt with by means of Guidance Notes to assist broadcasters, the public, advertisers and other stakeholders. Other matters of a substantive nature will be subject to further consultation. Such matters include diet and nutrition, the use of programme characters and prohibitions on specific products and services. Revision of the Diet and Nutrition rules is currently underway.

Meanwhile, the new Broadcasting Authority of Ireland, in light of the obligation to transpose the Audiovisual Media Services Directive by 19 December, issued a draft revised Children's Code on Audiovisual Commercial Communications and a consultation document on 2 November 2009. The current BAI consultation, therefore, is confined to changes to the Code arising from the AVMS Directive. The revised code has amendments to definitions, introducing the concept of audiovisual commercial communications, and all necessary broadening of the rules to apply not just to advertising, but to various forms of commercial communications. In addition to a revised children's code, BAI published a revised General Code on Audiovisual Commercial Communications. Some of the revisions to the Children's Code are linked to the General Code so as to ensure greater consistency between the two. However, in some respects the children's code is stricter, for example in envisaging a wider range of prohibitions than the General Code. This phase of the consultation closed on 20 November 2009.

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BCI Children's Advertising Code, Statement of Outcomes

http://www.bci.ie/documents/Child_Review_Statement_Outcomes_Jul09.pdf

BAI Press Release, 2 November 2009

http://www.bai.ie/about_news_art002.html

BAI Draft Codes and Consultation Document

http://www.bai.ie/pdfs/bai_draft_codes_audiovisual_comercial_communications.pdf

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