[GB] Regulator Finds Sponsorship Credits to be in Breach of Broadcasting Code

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Ofcom, the UK communications regulator, has decided that a number of sponsorship credits were in breach of its Broadcasting Code. These are credits that identify the sponsors of programmes, as is required for reasons of transparency. Indeed, the Code requires that sponsorship is clearly identified by credits that make clear the identity of the sponsor and the relations between the sponsor and the sponsored content. However, credits do not count as part of the advertising permitted under the AVMS Directive, and in order to prevent the credits from effectively becoming extra advertising, they must not contain advertising messages. This is required both by the Directive and by guidance from the European Commission. The requirements are reflected in the Broadcasting Code, which requires that such credits around sponsored programmes must not contain advertising messages or calls to action, and must not encourage the purchase of the products or services of the sponsor. They may only refer to such products or services for the sole purpose of helping to identify the sponsor. Credits during programmes must also not be unduly prominent and must consist of a brief neutral statement identifying the sponsor. Ofcom has periodically monitored the use of such credits, and compliance in some member states is also being monitored by the European Commission.

Ofcom has reported 11 cases of sponsorship credits that infringed the provisions of the Code. For example, sponsorship credits for the Channel 5 programme ‘Half Built House’ by RatedPeople.com, an internet service permitting homeowners to contact tradespersons rated for quality, had included the message ‘The next time you are looking for a tradesman make sure they’re rated; Ratedpeople.com sponsors of Half Built House’. Messages relating to other programmes included ‘MakeaMatch sponsors Inside Hollywood; find love today’, ‘Indian Idol presented by Lycamobile; call the world for less’, and ‘Powered by Claim Today Solicitors; don’t delay, claim today’. All were found to be in breach as they included advertising material or a call to action. In one case, sponsorship of weather forecasts by Qatar Airways included credits showing more pleasant conditions elsewhere in the world accompanied by the company’s logo for less than two seconds, with no further identification of the sponsor in the opening credits. Although a voiceover identified the sponsor in the closing credits, Ofcom decided that there was a breach of the Code as the association between the sponsor and the sponsored content was not made clear in the opening credits.

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'Sponsorship Credit Findings' in Ofcom Broadcast Bulletin 223, 4 February 2013

http://stakeholders.ofcom.org.uk/binaries/enforcement/broadcast-bulletins/obb223/obb223.pdf

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