[IS] The national lottery draw on the Icelandic National Broadcasting Service: Advertisement but not sponsored content

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In a decision of 17 May 2019 the Icelandic Media Commission came to the conclusion that the national lottery draw in Iceland should be regarded as advertising and thus should count towards the total amount of advertising minutes permitted within an hour. The case is considered to be a landmark case since the national lottery draw has been allowed for decades without the event being categorised as a "commercial communication".

In 2018 the Media Commission received a complaint from a commercial media company concerning a possible breach of advertising rules in connection with the national lottery draw, which is available on the public service broadcaster RÚV's main television channel. According to the complaint, the national lottery draw should be regarded as advertising and thus count towards the total amount of advertising minutes permitted within an hour.

Under law, RÚV may broadcast eight minutes of advertising every hour (compared to the 12 minutes rule that applies to commercial broadcasters). Furthermore, RÚV also has to abide by stricter provisions on sponsorship compared to those that apply to commercial broadcasters. Thus, RÚV is only allowed to sponsor major international or national events and national sports events.

The national lottery draw, Lottó, is broadcast on RÚV every Saturday, and RÚV receives payments from the owner of the Lottó trademark in exchange for the broadcasting time on the basis of a contract between the two parties. In its decision, the Media Commission considered whether the national lottery draw should be categorised as advertising, sponsored content or something else. It came to the conclusion that the lottery draw should be categorised as advertising, owing to the presentation of information regarding ticket prices, expected prizes in other related lottery games (Vikinglotto, Eurojackpot and Joker) and information on where to buy tickets for the national lottery draw and other related lottery games. According to the Media Commission's decision, this part of the presentation did not have any general information value for the public. Its purpose was first and foremost to draw attention to the registered trademarks of Lotto, Vikinglotto, Eurojackpot and Joker, and to encourage viewers to purchase

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tickets in the lottery games.

The decision had an impact on both the public service broadcaster and one of the commercial broadcasters, since the national lottery draw is also shown on the biggest commercial channel, Channel 2.

Álit fjölmiðlanefndar vegna Lottó-útdráttar Íslenskrar getspár á RÚV

http://fjolmidlanefnd.is/2019/05/17/alit-fjolmidlanefndar-vegna-lotto-utdrattar-islenskrar-getspar-a-ruv/

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