[CZ] Broadcasting Council fined unfair commercial practice

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The Council for Radio and Television Broadcasting – as the central administrative authority within the the field of its activities, as specified by § 7 (a). a) of Act No. 40/1995 Coll., on the regulation of advertising and amending and by supplementing Act No. 468/1991 Coll., on the operation of radio and television broadcasting – has issued a fine for unfair commercial practice.

The company on which the fine was imposed – Wise Women, Ltd., ID 04937961, with its registered office in Prague – was found to have committed an offence under the provisions of Article 2, para. b) of Act No. 40/1995 Coll. by virtue of inserting unlawful advise into a Wise Women's advertising andteleshopping that was broadcast on March 26, 2018 at 12.30 p.m. on the RELAX television programme. That constituted an unfair commercial practice under a special regulation – namely, Article 4 (3) of Act No. 634/1992 Coll. as well as article p) of Annex 1 to this Act. The presenter “cleaned” the so-called “physical chakras” of viewers calling in to the programme and presented the statements that she made about the health of the callers as facts; this could have caused them to neglect to seek professional medical care and to underestimate physical and mental problems. In connection with the health of one of the viewers, she offered her meditation CDs, ascribing to them curative and preventive effects, and taking advantage of the vulnerability of a person in a difficult situation. The presenter told the woman caller that her first two chakras – including bones, tendons, and joints – were “closed” and that in order to avoid problems in the future, she should buy her CD and “oxygenate” those chakras.

Lastly, it could be argued that the presenter acted indulged in practices that could be defined as charlatanism in order to take advantage of the woman’s difficult situation and to significantly influence her consumer decision-making.

For this offence the Council imposed a fine of CZK 500 000 (EUR 20 000).

Rozhodnutí Rady pro rozhlasové a televizní vysílání č.j.RRTV/2796/2019 ze dne 5. 2.2019

https://www.rrtv.cz/files/Pokuty/a3e9b178-61dc-4159-b54c-0bad95d6a360.pdf

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