

**The Broadcast Committee of Advertising Practice**

# **Advertising Standards Code for Text Services**



## Foreword

The BCAP Television Advertising Standards Code sets out the rules that govern advertisements on any television channel licensed by Ofcom. The rules are framed to ensure that advertisements are 'legal, decent, honest and truthful' and do not mislead or cause harm or serious or widespread offence.

From 1 November 2004, the advertising codes have been the responsibility of the Broadcast Committee of Advertising Practice (BCAP), under contract from the broadcasting and telecommunications regulator Ofcom.

More information is available on the BCAP section of the Committee of Advertising Practice website, [www.cap.org.uk](http://www.cap.org.uk).

Ofcom took over the responsibilities of the former Independent Television Commission (ITC) in December 2003. Under the Communications Act 2003, Ofcom was encouraged towards contracting-out functions to a co-regulatory partnership with effective self-regulation.

After public consultation and parliamentary approval, Ofcom authorised BCAP to take responsibility for maintaining, reviewing and updating the Code.

Complaints about apparent breaches of the Codes are considered by the Advertising Standards Authority, through its broadcasting arm ASA(B). Complaints to the ASA can be made via [www.asa.org.uk](http://www.asa.org.uk).

Advertisers and broadcasters should also be aware of BCAP's other advertising Codes:

- Television Advertising Standards Code
- Broadcast Advertising Guidance Notes
  - 1 - On-Screen Text and Subtitling in Television Advertisements
  - 2 - Betting Tipster Advertising
  - 3 - Complaints procedures
  - 4 - Audience Indexing
- Radio Advertising Standards Code
- Rules on the Scheduling of Television Advertisements
- Guidance to Broadcasters on the Regulation of Interactive Television Services.

## **1 Advertising standards**

(a) Rule 3.1(b) (Betting tips) does not apply but advertisements for betting systems and the like are not acceptable.

(b) Rule 11.7: Advertising for matrimonial and introduction agencies is acceptable subject to the detailed requirements of that rule.

(c) Rule 9.4:

(i) Advertising which invites the direct remittance of money is acceptable for the categories listed under rule 9.6 (but not 9.5).

(ii) In addition to the requirements in rule 8 of Part A of this Code, licensees must retain, for 90 days after final transmission, 'hard copies' (ie facsimiles on paper) of each advertisement inviting direct remittance of money.

## **2 Separation of advertisements and editorial material**

(a) Where there is a risk of confusion between advertisements and editorial material, the acceptability of an advertisement may depend on an express indication that it is an advertisement (eg by the addition of the title 'advertisement').

(b) Advertising on pages containing editorial material must be clearly distinguished from the editorial material by, for example, a separating line or by the use of a differently coloured panel or text.

(c) Rule 2.2.2 of the BCAP Television Advertising Standards Code does not apply but advertisements must not include extracts from editorial material.

(d) Detailed advertisements for betting tips or betting and gaming (including pools and bingo) must appear only on full advertising pages devoted solely to such advertisements but may be 'signposted' on other pages (except those of particular interest to children).

(e) Advertisements for lotteries permitted under the Lotteries and Amusements Act 1976 are not restricted to such pages but may not be included on pages of particular interest to children.

## **3 Separation from particular editorial material**

(a) BCAP expects licensees to exercise responsible judgement in the placing of advertising and in particular to consider the sensitivities of viewers likely to be exposed or attracted to particular editorial features. Advertisements which are unsuitable for children (eg because they might cause distress or because they refer explicitly to sexual matters) must be subject to appropriate restrictions on times of transmission designed to minimise the risk that children in the relevant age group will see them.

(b) Rule 7.3.7 of the BCAP Television Advertising Standards Code does not apply. Advertisements for the following must not appear on or adjacent to editorial pages of particular interest to children or adjacent to other advertising of particular interest to them:

(i) Alcoholic drinks (including low alcohol); liqueur chocolates.

(ii) Matches.

(iii) Medicines, treatments, vitamins or other dietary supplements.

(iv) Films or videos carrying a -15 or -18 certificate.

(v) Condoms.

(vi) Matrimonial and Introduction Agencies.

(vii) Betting tips, betting and gaming (including pools and bingo), and lotteries.

(viii) Religious bodies subject to Section 10 of the Television Advertising Standards Code. (Note, however, the exception in rule 10.15(b).)

(ix) Sanitary protection products.

(x) Premium rate telephone services which cost more than the normal national premium rates. (ie 'higher rate' premium services.)