

Title:

Mr

Forename:

Paul

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Donaldson

Representing:

Self

Organisation (if applicable):

Email:

What do you want Ofcom to keep confidential?:

Keep nothing confidential

If you want part of your response kept confidential, which parts?:

Ofcom may publish a response summary:

Yes

I confirm that I have read the declaration:

Yes

Ofcom should only publish this response after the consultation has ended:

You may publish my response on receipt

Question 1: Do you agree that these proposed regulatory objectives strike an appropriate balance between the duties and other considerations that Ofcom must take account in reviewing advertising regulation? If not, please explain why, and what objectives you would consider more appropriate?:

Doesn't look like it to me. Basically you are saying that more advertising means better TV programming, I would say more advertising means more profits for TV companies and advertisers regardless of the quality of programming.

Question 2: Do stakeholders agree that the new Code should discontinue detailed genre-specific rules on natural breaks?:

No - TV companies will just shove in adverts when they feel like it, instead of waiting for a natural break in the programme. Either that or dramas etc would end up being written in such a way that the storylines fit in with the TV companies' / advertisers schedules, thereby reducing artistic merit.

On German TV, they show 15 minutes of adverts during half time of football matches, allowing no highlights / analysis of the game. On French TV as a matter of routine they allow commercial breaks to over run, therefore missing the first couple of minutes of the 2nd half. In Italy they even show adverts DURING football matches when there is a stoppage in the game, I hope you are not going to allow that.

Question 3: Do stakeholders agree that the new Code should allow advertising and teleshopping breaks to be signalled in sound or vision or by spatial means, and should drop the requirement for teleshopping segments to be distinguished from programmes by both sound and vision?:

Absolutely not - this would take advantage of vulnerable people (such as the elderly) who may not be able to tell the difference between a real programme and an advert if they are blurred together in any way. Adverts and programmes should be completely separate.

Question 4: Do stakeholders agree that the new Code should discontinue the requirement for a buffer between advertising and coverage of a religious service or Royal occasion?:

I'm not too worried, but maybe some religious people and monarchists would have something to say about that.

Question 5: Do stakeholders agree that the rule requiring a 20-minute interval between advertising breaks should be scrapped?:

No, it is widely regarded that the average human attention span is around 20 minutes, why have anything shorter.

Question 6: Do stakeholders agree that there should be limits on the number of advertising breaks within programmes of a given scheduled duration?:

Yes - otherwise TV companies will allow adverts willy-nilly.

Question 7: Has Ofcom identified the right options for break frequencies? What issues should Ofcom take into account in formulating proposals for consultation?:

You do give a number of options, all of which should be considered so at least you are giving each point of view a chance. But how about an option for LESS advertising on TV / more restrictions, I can't see that mentioned anywhere.

Question 8: Do stakeholders agree that the restrictions on advertising in films, documentaries and religious programmes and children's programming should be relaxed to the extent permitted by the AVMS Directive? :

If anything, adverts during children's TV should be more strictly controlled, not less.

Question 9: Do stakeholders agree that changes to the rules on advertising breaks in news and children's programmes that must be made to secure compliance with the AVMS Directive should be deferred until December 2009?:

AVMS Directive - sounds like something nasty from the EU - in which case, yes put it off as long as you can.

Question 10: Do stakeholders agree that:

- a. the Code should make clear that advertisements are permitted between schools programmes?
- b. the requirement for a buffer between coverage of a religious service or Royal occasion and advertising should be discontinued?
- c. the rule prohibiting advertising after an epilogue should be discontinued? and
- d. the rule allowing Ofcom to exclude adverts from specified programmes should be discontinued?

:

a - No - why do you need to show adverts during schools programmes? Children go to school to be EDUCATED, not advertised to. I say bring back the little 1 minute countdown clock during schools TV, that was more entertaining for children than a bunch of stupid adverts for car insurance or debt consolidation loans (lets face it, thats what most adverts on daytime TV are)

b / c - You don't really want to upset religious people or the monarchists - then you really WOULD have a battle on your hands.

d - Yes, in certain cases it would be inappropriate to show adverts

Question 11: Do stakeholders agree that the rules limiting the length of individual advertisements on PSB channels should be discontinued?:

No, if that happened you could end up having some adverts lasting longer than some TV programmes.

Question 12: Do stakeholders agree that the new Code should discontinue rules on the length of breaks on PSB channels?:

If that happens then TV companies will do what they want, and since they are private organisations whose main purpose is to make money, they will do what is needed to make the most money they can

Question 13: Do stakeholders agree that the draft Code should establish the principle that the distinction between advertising and editorial content must be readily recognisable, and set out the means for doing this, but avoid more prescriptive rules?:

Yes keep adverts and programmes separate but to me this looks just like Health and Safety at work laws - far too vague and open to abuse. Companies will implement the rules according to their interpretation and try to get away with as much as they can. If

you are setting rules, they should be clear cut, black and white. If you are setting guidelines then these could be more vague if desired.

Question 14: Do stakeholders agree that the current arrangements for transferring unused minutage should remain in place, and be applied to Channel 4 in place of the special arrangements in respect of schools programmes?:

No, TV companies shouldn't be allowed to "save up" advertising time and use it during peak hours when they think they can make more profit out of it. If they can't sell advertising space during quiet viewing times, then show public information films as was the case in the 70s and 80s.

Question 15: What views do stakeholders have on the possible approaches to advertising minutage regulation outlined above?:

I would say the amount of advertising on ITV, Channels 4 and 5 at the moment is about right, not too much and not too little. However on Sky channels there is far too much advertising, even though people are paying subscription fees for their channels

Question 16: What views do stakeholders have on the teleshopping options and preliminary assessment outlined above in relation to non-PSB channels?:

Question 17: What views do stakeholders have on the teleshopping options and preliminary assessment outlined above in relation to PSB channels?:

I don't mind teleshopping on teleshopping channels, as long as it doesn't creep on to normal TV as well.

Question IA1: Do you agree with this overview of the impact of the current rules? Do you agree with our starting hypothesis in respect of the extent to which the current rules are likely to impose a constraint on different broadcasters i.e. PSBs and non-PSBs? If not, please set out your reasoning.:

One of the assumptions I gather you make is that the quality of TV programming is proportional to the amount of profit made by the TV companies. I can assure you it isn't. Many great shows were made despite (or maybe because) they had to work on a shoestring budget.

Question IA2: Do you agree with the broad assessment of the impact on different stakeholders of changes to the rules on the distribution of TV advertising set out in Part 2? If not, please set out your reasoning.:

By stakeholders I assume you are including viewers as well, an advertising free for all would be extremely bad.

Question IA3: Do you consider that our optimisation approach is a reasonable approximation as to how additional advertising minutage would be used by broadcasters in practice? If not, please set out how you would approach this modelling issue and what assumptions you would adopt.:

Use your common sense and speak to your viewers.

Question IA4: Do you consider dividing non-PSB channels into the three categories of "sold out", "nearly sold out" and "unsold inventory" reflects the realities of the TV advertising market for non-PSB channels. If not, how would you suggest we approach this issue in modelling terms?:

I get the feeling this feedback form has been written with academics in mind, not ordinary television viewers who wish to express their views.

Question IA5: Do you agree that the assumptions of no drop-off effect is a reasonable assumption to make for the purposes of this modelling exercise? If you disagree, please explain your reasoning and provide data to support any alternative assumptions that you would use.:

Question IA6: Do you consider that this range of scenarios is appropriate? Are there any other types of scenarios that you believe we should explore as part of our modelling work?:

Question IA7: Is the modelling of the changes in the volume of commercial impacts/share of commercial impacts for these different scenarios broadly in line with any modelling work you have carried out? If not, we would be interested to understand what results you have obtained in modelling these scenarios.:

Yes - I videoed a load of adverts from the TV on continuous loop and put them on when my friends came round instead of normal telly and they haven't been back round since.

Question IA8: To what extent do you think that is reasonable to assume a constant price premium in light of changes to minutage restrictions? If you think that this could be unreasonable, please set out what you think might happen and how that could be modelled.:

Question IA9: To what extent do you think that this approach would be a reasonable modelling approach to adopt?:

Question IA10: To what extent do you think that is reasonable to make use of the elasticity estimates derived from the PwC study? Are they in line with your own views as to the operation of the TV advertising market? If not, please explain your reasoning.:

Question IA11: To what extent is there evidence to support the argument that an increase in advertising minutage could reduce overall advertising expenditure on TV, i.e. that the advertising market is inelastic?:

Surely it goes without saying that at the end of the day the advertisers want maximum profit for minimum outlay, and the TV companies will want to get as much advertising revenue as they can.

Therefore if TV companies can get away with showing more adverts they will and certainly during peak viewing times as many advertisers will be scrambling to show their adverts so the amount of money spent during peak times would go up drastically (eg look at all the expensive adverts shown during football matches). The amount of money spent during quiet viewing periods would remain fairly constant. So overall the amount spent would go up, although more dramatically during peak times.

Question IA12: To what extent do you consider that these estimates of the financial impact of changes to the rules on the amount of advertising minutage provide an indication of the potential overall scale of any changes as well as the distribution of the impact between PSBs and non-PSBs? Are they in line with your own views as to how the TV advertising market would adjust to such changes? If not, please explain your reasoning.:

I think I should report this to the Plain English campaign.

Question IA13: The discussion of the modelling approach set out above has focused on the potential impact on different types of broadcasters. To what extent could there be an impact on other stakeholders, particularly media buying agencies and their clients, the advertisers? What is the attitude of these stakeholders to changes in the volume of advertising minutage?:

I've lost the will to live now - please see general comments at the end.

Question IA14: Do stakeholders agree with the analysis of the impact of these options on non-PSB channels? If not, please set out your reasons, providing evidence to support your analysis wherever possible.:

Question IA15: Do stakeholders agree with our analysis of the impact on PSB channels of these three options? If not, please explain your reasons, providing evidence to support your analysis wherever possible.:

Additional comments:

Much of this proposal puts too much power in the hands of the advertisers . British TV will end up being as bad as German TV if we go down this road. For example when they are showing a film, they might show the first five minutes of the film, then have a short commercial break. Then another 15 minutes later (generally not even at a natural point in the storyline, just at any abrupt random point during a scene) there is a very long break lasting anything from 8 to 10 minutes by which time you completely give up watching the film and decide to get it out on DVD instead, if it is going to be worth watching.

I'm not saying the OFCOM proposals here will allow anything as bad initially in the UK, but advertisers will try as much as they can get away with and it's a dangerous road to start going down, the ultimate destination of which is British TV being as mediocre as TV in most of Europe (I give Germany as an example, because I have lived there and their television is generally regarded as some of the worst in Europe). British TV is still way ahead of other countries in terms of quality, but should the advertising rules be completely abolished as seems to be the case, rather than relaxed a little bit as they might be, then we risk eroding our high standards (which has already taken place over the past few years on ITV) and becoming as mediocre as the rest.

Also this feedback process is rather long winded and verbose (legalese / academic language throughout), it has been made deliberately long in order to put ordinary people off from putting their views across, therefore resulting in the desired outcome for yourselves and the advertisers.