

ITC Rules on Advertising Breaks

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Independent Television Commission

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Independent Television Commission

33 Foley Street London W1P 7LB Tel 071 255 3000

Foreword

- (a) This document sets out the rules which the ITC requires television broadcasters licensed by it to observe on the amount, distribution and presentation of advertising. Standards for the content of television advertising and rules on sponsorship are set out in the separate *ITC Code of Advertising Standards and Practice* and the *ITC Code of Programme Sponsorship*.
- (b) Section 9 (7) and (8) of the Broadcasting Act 1990 empowers the ITC to give directions to its licensees on these matters and this document sets out the basic regime to which these directions will refer. The ITC reserves the right to issue to all or any licensees additional directions amending or supplementing these rules either generally or in particular cases.
- (c) These rules give effect to requirements laid down in the Council of the European Community Broadcasting Directive (85/552/EEC) of 3 October 1989 and the 1989 Council of Europe Convention on Transfrontier Television.

The rules are of three kinds:

- those which apply to all services;
 - those which apply only to ITV (including TV AM) and Channel 4. (The rules for Channel 4 also apply to S4C). These are identified by (A) after the rule number.
 - those which apply only to services other than ITV and Channel 4. These are identified by (B) after the rule number.
- (d) The ITC has decided that for the time being there is no case for imposing substantially greater restrictions than those required by the EC Directive on services not previously regulated by the IBA. Rules in this area are principally concerned with limiting interference to programmes from too much or too frequent advertising, and with ensuring that the time set aside for advertising does not curtail excessively the time available for programmes proper. These matters relate to the quality and value to viewers of the services concerned. The ITC will not be seeking to influence programme quality or choice on services not previously regulated by the IBA (and indeed is precluded from so doing by the Broadcasting Act); its role is confined to enforcing consumer protection standards in areas defined by the Act and implementing the United Kingdom's obligations under international instruments. It would be inconsistent with this approach to impose rules beyond those required by European instruments on the amount, duration and frequency of advertising breaks merely for the purposes of enhancing or safeguarding viewer enjoyment of those services.
 - (e) In the case of ITV, TV AM and Channel 4 the ITC's remit does extend to the value and enjoyment these services provide to viewers and it believes that in some cases more demanding standards than those required by the European Directive remain justified.
 - (f) The ITC expects to make known early in 1991 its intentions for the amount of advertising to be allowed on Channels 3-5 from 1993.
 - (g) It is possible that in due course the development of particular satellite and cable services could create a situation in which differences between the rules applying to them and to terrestrial broadcasters on advertising breaks could be held to constitute an unfair competitive advantage. The ITC reserves the right to amend these rules or their application to particular services in pursuit of its general duty in Section 2 of the Broadcasting Act to discharge its functions in the manner it considers best calculated to ensure 'fair and effective competition' in the provision of television services.
 - (h) The European instruments give discretion to national authorities not to apply the requirements relating to amount and distribution of advertising to advertising intended solely for one EC Member State or Convention Party which may not be received, directly or indirectly, in any other such State or Party. In considering any requests for this discretion to be exercised the ITC will also have regard to its Section 2 duty referred to above.
 - (i) In order to allow a reasonable opportunity for those concerned to readjust schedules and programme commitments, the ITC will, until 3 October 1991, be prepared to permit departures from some of these rules in the case of services not formerly regulated by the IBA, provided those services continue to comply with any relevant requirements previously laid down by the Cable Authority. This moratorium does not apply to the timing restrictions in Section 4.

Section 1

Amount of Advertising

Amount Per Day 1.1

(ITV/Channel 4 Only)

1.1(A)

- (a) The total amount of advertising in any one day must not exceed an average of seven minutes per hour of broadcasting.

NOTES:

- (i) *Transfers of advertising entitlement from one day to another are permissible where this is necessary in the interests of good programme presentation.*
- (ii) *Additionally, the Commission may permit transfers to make good losses (including marred presentation) sustained through unforeseen human or technical failure or unavoidable interruptions in transmission.*
- (iii) *In no circumstances may such transfers involve the hourly average on any particular day exceeding nine minutes.*
- (b) For the purposes of this rule a day's broadcasting is deemed to commence at 06.00 and run for the following 24 hours.
- (c) In the periods 18.00 – 23.00 and 07.00 to 09.00 the total amount of advertising must not without the Commission's prior permission exceed an average of seven-and-a-half-minutes on any one day.

(Other Services)

1.1(B)

- (a) The total amount of advertising in any one day must not exceed an average of nine minutes-per-hour (15 per cent) of broadcasting.
- (b) This may be increased by a further three minutes-per-hour (5 per cent) devoted to 'home shopping' advertising features (See Section 8), but this additional 5 per cent must not be used for spot advertising.

Maximum amount in any one hour 1.2 In any one clock hour there must be no more than 12 minutes of spot advertising.

(Additional For ITV/Channel 4)

- 1.2(A) The general objective should be for the amount in any given clock hour to approximate fairly closely to the averages in 1.1 (A) above.

Section 2

The Calculation of Advertising Time

Advertising Items 2.1 For the purposes of calculating advertising time the following are deemed to be advertising items:

- (a) all items of publicity broadcast on behalf of someone other than the licensee in breaks in or between programmes, apart from public service announcements and charity appeals broadcast free of charge;
- (b) publicity by the licensees themselves except information to viewers about or in connection with programmes.

NOTES:

- (i) *Publicity by licensees addressed to potential advertisers or investors will be regarded as an advertising item.*
- (ii) *Cross promotion of programmes within ITV (including Oracle) or between ITV and Channel 4 does not count as an advertising item.*
- (iii) *All items of publicity are taken into account for the purposes of the rules on maximum duration of centre breaks (see Section 5).*
- (iv) *For the purposes of regulation of advertising content there is no exemption for any of the items referred to in (a) and (b) above.*
- (v) *For the rules governing the promotion of licensees' own goods and services, see ITC Programme Code.*

Intervals Between Programmes 2.2 Intervals of more than five minutes between programmes do not count towards the broadcasting time from which entitlement to advertising minutage is calculated. Transmission of slides with programme details in such intervals does not count as broadcasting time.

(Channel 4 Only)

Schools Programmes 2.3(A) For the purposes of calculating entitlement to advertising minutage schools broadcasts on Channel 4 are not taken into account.

Section 3

General Separation of Advertisements and Programmes

Break Identification 3.1 Television advertising must be readily recognisable as such and kept quite separate from other parts of the programme service by optical and/or acoustic means, eg station idents going in and out of breaks.

Categories of Programme Carrying No Advertising 3.2 Advertisements must not be inserted in the course of any broadcast of:

- (i) a religious service or other devotional programme;
- (ii) a formal Royal ceremony or occasion;

NOTE:

This means a formal ceremony or occasion of which the Sovereign or members of the British Royal Family enjoying the prefix "Royal Highness" are the centre. It applies to occasions such as the State Opening of Parliament and Trooping the Colour.

- (iii) that part of a programme which covers the appearance of the Sovereign or Member of the Royal Family at an event in which such an appearance is only incidental to the event itself;

NOTE:

This applies to events such as race meetings or football matches where advertising breaks may be taken provided they do not immediately precede or follow Royal appearances.

- (iv) a programme of live transmission of Parliamentary proceedings, including coverage of Committees, of half an hour scheduled duration or less;

NOTE:

See Section 9 for further rules on advertising in relation to Parliamentary broadcasts.

- (v) a programme designed and broadcast for reception in schools;
- (vi) a programme for children of less than half an hour scheduled duration;
- (vii) a religious programme (other than religious services or devotional programmes which may not carry any internal advertising at all) of less than half an hour scheduled duration;
- (viii) a documentary of less than half an hour scheduled duration;
- (ix) a news or current affairs programme of less than half an hour scheduled duration;
- (x) such other programmes as the ITC may from time to time specify in particular or general terms, for example, programmes of a particularly harrowing or sensitive nature;

(Additional For ITV/C4)

3.2 (A)

- (xi) programmes of half an hour scheduled duration in categories (vi) (vii) and (viii) above;
- (xii) a single play of half an hour scheduled duration or less;
- (xiii) any programme of less than 20 minutes scheduled duration.

Buffers 3.3.1 There must be a gap of at least 30 seconds between a programme in the following categories and any advertising preceding or following it:

- (a) a religious service or other devotional programme;
- (b) a formal Royal ceremony or occasion as defined in Section 3.2 (ii).

3.3.2 No advertising may follow epilogues and other religious items that appear before a closedown.

(Channel Four Only)

3.3.3 (A) Programmes immediately preceding schools broadcasts may not be followed by advertising.

Section 4

Separation of Particular Advertisements and Programmes

General Principles 4.1

- 4.1.1 The ITC expects its licensees to exercise responsible judgement on the scheduling of advertising and in particular to operate internal systems capable of identifying in advance and avoiding inappropriate juxtapositions between advertising material and programmes, particularly those which could cause distress or offence to viewers.
- 4.1.2 Particular sensitivity is required in relation to advertising inserted in or around news programmes where a news item, especially one of a tragic nature, may completely transform the context in which an advertisement having some apparent connection with it may be perceived by viewers. In some cases of this kind a separation from news references may be insufficient, and it may be preferable to suspend the advertising altogether in order to avoid distress or offence.

Specific Separation Requirements 4.2

General Notes:

- (i) *The term 'adjacent' where used in these rules refers to a break immediately before or after the programme or programme segment in question.*
- (ii) *The term 'children's programmes' means programmes primarily of interest to children.*

Alcoholic Drinks 4.2.1

Alcoholic drinks containing 1.2 per cent alcohol or more by volume must not be advertised in breaks:

- in or adjacent to children's programmes;
- during the period 16.00 – 17.45 (except at weekends and on Bank Holidays and in live sport);
- in or adjacent to programmes commissioned for, principally directed at or likely to appeal particularly to audiences below or around the age of 18;
- in or between religious programmes.

Low and No Alcohol Drinks 4.2.2

Drinks containing less than 1.2 per cent alcohol by volume, and presented as a low or no alcohol version of a category of drink normally containing alcohol must not be advertised in or adjacent to children's programmes.

Liqueur Chocolates 4.2.3

Must not be advertised in or adjacent to children's programmes.

Pipe Tobacco and Cigars 4.2.4

Must not be advertised in or adjacent to children's programmes.
(Please note that all television advertising for this sector must cease by 3 October 1991).

Matches 4.2.5

Must not be advertised in or adjacent to children's programmes.

Cinema Trailers and Videos 4.2.6

Advertisements for films or videos carrying an 18 or 15 certificate must not be advertised in or adjacent to children's programmes.

NOTES:

- (i) *Depending on content and, in particular, on the extent and nature of any portrayal of violence or sexual conduct, a later timing restriction such as post 19.30, post 21.00 or even later may often be appropriate for material in these categories, particularly that which is 18 rated.*
- (ii) *4.2.14 and 4.2.15 below may also be relevant to the scheduling of cinema trailers and videos.*

Separation of Particular Advertising and Programmes

Medicines and children 4.2.7

Advertisements for medicines specially formulated for children must not be transmitted before 21.00. This restriction also applies to advertisements in which children are seen taking any medicine or in which its suitability for children is specially emphasised.

Vitamin Supplements for Children 4.2.8

- (i) Vitamin supplements identified as suitable for children in tablet or pill form, or for which a maximum dose is indicated, must not be advertised in or adjacent to children's programmes.
- (ii) If a child is shown taking the product or if tablets identified as suitable for children are shown out of their container the advertisement must not be broadcast before 21.00.

Condoms 4.2.9

Except with the prior agreement of the Commission, advertisements for condoms must not be broadcast before 21.00.

NOTE:

The Commission has agreed until further notice that, subject to copy, the restriction applicable to Channel 4 will be 19.00.

Religious Advertising 4.2.10

Advertising subject to the rules in Appendix 5 of the ITC Code of Advertising Standards and Practice must not be scheduled in breaks:

- in or adjacent to children's programmes;
- in or adjacent to other programmes commissioned for, principally directed at or likely to appeal particularly to audiences below or around the age of 18.

NOTE:

Rule 14 (b) of Appendix 5 of the ITC Code makes limited exceptions to this restriction.

Merchandise Based on Children's Programmes 4.2.11

Advertisements for merchandise based on children's programmes must not be broadcast in any of the two hours preceding or succeeding episodes or editions of the relevant programme.

NOTE:

The ITC reserves the right to require a wider separation in the case of some programmes, including a prohibition of any advertising while a particular series is running.

(ITV Only)

4.2.12A Sanitary Protection Products

Advertisements for female sanitary products must not be broadcast on ITV:

- from 16.00 – 21.00 weekdays;
- before 21.00 at weekends and on major public holidays.

Treatments Unsuitable for Children 4.2.13

Advertisements which might frighten or cause distress to children of particular ages or which are otherwise unsuitable for them (eg 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. This does not preclude well-considered daytime slotting for such material but licensees should take account of factors such as school holidays which may affect child viewing levels. In some cases, material which would be incomprehensible to pre-school children and could, therefore, reasonably be shown when they are viewing with parents, may be more problematic in relation to older children.

Programme Performers 4.2.14

- (a) In order to minimise any risk of confusion between programmes and advertisements, advertisements featuring a leading performer in a programme must not be scheduled in breaks in or adjacent to that programme. For these purposes cartoon and puppet characters are classed as 'performers'. Notes (i) to (iv) set out permissible exceptions to this rule.

NOTES:

- (i) *A non-speaking appearance by a personality (eg in the broadcast of a sporting occasion) will not be subject to the restriction provided it is immediately and clearly apparent from the style of the advertisement that the individual's appearance in it could not be taking place at the same location as that of the programme.*
- (ii) *Advertisements for videos or trailers for cinema films containing extracts of film footage featuring actors who also appear in a feature film shown on television may be carried in the breaks in or adjacent to the film, provided they are separated by at least one other commercial from immediate juxtaposition to the film.*
- (iii) *Advertisements containing appearances by actors in extracts from other programme footage must comply with 4.2.15 below, eg an advertisement for a programme-based video containing an appearance by an actor in extracts of programme footage is acceptable in the end break to any editions or episodes of the programme concerned. But where the actor himself presented the advertisement the full separation would apply.*
- (iv) *In the case of appearances by performers in long magazine style programmes or programmes such as pop concerts or variety shows, the restriction applies only to the breaks adjacent to the programme segment in which they appear.*
- (v) *In the case of voiceovers the restriction only applies where the voice is exceptionally distinctive.*
- (b) Except in the circumstances described in Note (iii) above an advertisement featuring someone who appears regularly as a leading performer in a series or serial must not be broadcast in breaks in or adjacent to the programme in question, whether or not he or she appears in that episode.
- (c) Advertisements in which personalities or other characters (including puppets etc.) who appear regularly in any children's television programme present or positively endorse products or services of special interest to children, must not be broadcast before 21.00. This does not apply to public service advertisements or to characters specially created for advertisements.

Extracts from Programme Material 4.2.15

Rule 5 (e) of the ITC Advertising Code sets out circumstances in which it is permissible for advertisements (eg for books, videos, sound recordings) having a direct connection with a particular programme to contain extracts from programme material. Such advertisements must not be scheduled in breaks in or immediately preceding any episodes or editions of the programme to which they relate but may appear in the break immediately following providing they are not first in break.

NOTE:

In the case of advertisements containing footage from children's programmes the restriction in 4.2.11 above applies.

Programme Parodies 4.2.16

Direct imitations of programmes (ie treatments so close to the original as to be virtually indistinguishable) are not permitted in any circumstances. It is, however, permissible for advertisements to parody programmes, provided: (i) the copyright holder gives permission for this, (ii) different performers are used from those who appear in the programme itself, and (iii) it is readily apparent that the advertisement is no more than a parody. Such advertisements must not be scheduled in breaks in or adjacent to the programme which inspired the parody.

Separation of Particular Advertising and Programmes

UK Politicians 4.2.17

- (a) For the purposes of this rule, a 'politician' is defined as a Member of, or candidate for, the UK or European Parliament or a local authority together with any person prominent in a political party organisation. Once a General or European Election, or a by-election for the UK or European Parliament, or a local election (excluding a local by-election) has been called, no advertisement featuring a UK politician may be shown in any area in which the election is taking place.
- (b) In the case of Parliamentary by-elections and local authority elections, advertisements featuring candidates must not be shown in breaks in or adjacent to national news or election results programmes in areas where an election is taking place.

Live Parliamentary Broadcasts 4.2.18

There are particular requirements applicable to advertisements in or adjacent to broadcasts of live Parliamentary proceedings. See Section 9.

Other separations 4.3

The ITC reserves the right to issue directions requiring separations between particular advertisements or types of advertisement and particular programmes or types of programme for reasons or in ways which go beyond those listed above. These separations will usually be one of the following:

- (i) not first or last in any advertising break or both;
- (ii) not in the two hours preceding or following a particular programme;
- (iii) not for the duration of a programme series;
- (iv) not for the duration nor for a given period after and/or before the series.

Section 5

Centre Breaks

- 5.1 Breaks within programmes may be taken only at a point where some interruption in continuity would, in any case, occur (even if there were no advertising) and such natural breaks must not damage the integrity or value of the programme in which they occur.
- 5.2 In programmes made up of autonomous parts (eg magazine format programmes) breaks may be taken only in between the separate parts.
- 5.3 In sports programmes and in coverage of similarly structured events or performances containing intervals, breaks may be taken only in the intervals.

NOTE:

More detailed guidance on natural breaks is given in Section 6.

- 5.4 In the case of programmes other than those referred to in 5.2 and 5.3 above, a period of at least 20 minutes should normally elapse between each successive centre break. A slightly shorter interval is acceptable only where the interests of viewers would be better served by taking a break earlier (eg to fit in with a particularly suitable interruption of continuity).
- 5.5 From 3 October 1991 feature films and films made for television (excluding series, serials, light entertainment and documentaries) must not carry a centre break if their scheduled duration is 45 minutes or less. Longer films may be interrupted once for each complete period of 45 minutes with a further break if scheduled duration is at least 20 minutes longer than two or more complete periods of 45 minutes.

(Additional For ITV/Channel 4)

- 5.6(A) The normal use of centre breaks should be as follows:
 - (a) in programmes of 21-45 minutes scheduled duration – one break of up to three minutes;
 - (b) in programmes of 46-65 minutes scheduled duration – one break of up to three-and-a-half minutes or two breaks of up to three minutes each; (c) in programmes with a scheduled duration of more than 65 minutes, additional breaks of up to three-and-a-half minutes may be taken for each additional scheduled half-hour or part thereof.
- 5.7(A) In the case of feature films and films made for television rule 5.5 above applies. The maximum duration of any break in such films is three-and-a-half minutes.
- 5.8(A) The ITC may permit departures from the normal requirements in 5.6 (A) if it is satisfied that these are justified for programming reasons, eg a second centre break may be permitted in a news programme scheduled for 30 minutes but which has been specially extended to cover important developments.
- 5.9(A) Limited departures from the pattern in 5.6(A) are also permissible in the case of coverage of certain sporting and similarly structured events where there are frequent natural breaks of brief duration. The distribution of advertising in such intervals must, however, have regard to the interests of good programme presentation and it will often be preferable for not all intervals to carry advertising.

NOTES:

The maximum break lengths in 5.6 (A) and 5.7 (A) above are inclusive of all publicity broadcast in the break including any programme promotion. Thus a three-minute break could consist of three minutes of advertising or two minutes 40 seconds of advertising and 20 seconds of promotion.

Section 6

Recognition of Natural Breaks

Definition 6.1

For the purposes of these rules a 'natural break' is defined as a point at which some interruption in programme continuity would in any case occur were the programme not to be interrupted by advertising. Rule 5.1 requires that such natural breaks must not damage the integrity or value of the programme in which they occur. The following guidance applies to the interpretation of these requirements.

Drama and Situation Comedy 6.2

A break may be taken only when:

- (i) there is a clearly marked and dramatically significant lapse of time in the action, or
- (ii) there is a complete change of scene, with a significant break in the continuity of action.
- (iii) Alternatively, in the case of adaptation from stage plays, the original intervals in the stage play may be regarded as natural breaks.

Documentaries and Discussion Programmes 6.3

A break should be taken only when:

- (i) there is a change of topic, or
- (ii) there is a change of exposition, or
- (iii) at the end of any filmed inserts used in live documentaries, or
- (iv) new participants in a discussion programme are introduced.

Light Entertainment 6.4

A break may be taken at the end of an act or at the end of a sequence.

Music (Classical or Light) 6.5

A break may normally be taken only at the end of a musical composition, or between the acts of an opera or ballet, but not between movements of a symphonic or similar work nor between segments of a series of pieces usually heard as a continuous performance and where a concert audience would not normally leave their seats.

Children's Programmes 6.6

Depending on the composition of the programmes, the same rules as for drama and light entertainment apply.

Sport 6.7

- (i) A break may be taken during intermissions of the particular sport being televised – eg half time, between races, between innings, etc.
- (ii) In live coverage of long continuous events breaks may be taken at points where the focus of coverage shifts from one point to another of the event – eg after a resume of the current placings in a race and before re-focusing on a particular section of the race. Breaks may also be taken adjacent to cut-away discussion or background film insert sequences.
- (iii) Where edited recorded sports programmes are shown, break points should be selected to avoid creating the impression that some part of the event – eg a round in a boxing match -has been omitted to accommodate advertising.
- (iv) Where foreign sports programmes are taken, either live or recorded, the break pattern of the originator may be used, eg American football.

Outside Broadcasts Other than Sport 6.8

Breaks may be taken where the commentator finishes discussing one item in the programme and moves to another -eg exhibitions, displays etc.

Programmes with Prizes 6.9

A break may be taken at the point where one competitor leaves the scene and before a new competitor is introduced. Where there is no change of competitor, a break should occur at the end of one complete round of questions.

Section 7

Long Advertisements and Groups of Advertisements

Long Advertisements 7.1

- 7.1.1 Any advertisement which lasts longer than one minute should be particularly carefully assessed to ensure that there is no risk of confusion with programme material.
- 7.1.2 Except where the style makes it fully apparent that it is an advertisement, any advertisement which lasts more than a minute must be flagged as such (eg by superimposed text) at the beginning, and at the end (if its character as an advertisement is not clearly established at the end).
- 7.1.3 Where an advertisement adopts a programme style (eg documentary, studio interview, cookery demonstration) there must in addition be a five second reminder to viewers of its advertising nature in every full minute of duration and a three second reminder in any part minute over 20 seconds.

NOTE:

Flagging an advertisement may in some cases be necessary for advertisements lasting less than one minute if there is a strong risk of confusion with programme material.

- 7.1.4 Licensees are reminded that Rule 5 of the Code of Advertising Standards and Practice forbids advertisements to refer to themselves as 'programmes'.

(ITV, Channel 4 Only)

7.1.5 (A)

- (a) Without the ITC's prior approval no advertisement may exceed seven minutes duration.
- (b) Airtime for advertisements of three and a half to seven minutes duration must be drawn wholly or principally from the same clock hour with any shortfall coming from the closest immediately adjacent clock hour.
- (c) Without the ITC's prior approval, advertisements lasting longer than three and a half minutes must not be broadcast in the periods 18.00 – 23.00 and 07.00 to 09.00.

(ITV, Channel 4 Only)

Themed Breaks 7.2 (A)

Paragraph (3) of Schedule 2 of the Broadcasting Act 1981 which remains in force for ITV and C4 until the end of 1992 requires that 'advertisements must not be arranged or presented in such a way that any separate advertisement appears to be part of a continuous feature'. This does not preclude references in a single advertisement to a number of different items offered by the same manufacturer or retailer. Nor does it preclude 'themed breaks' (where separate advertisements for different products or services in the same category are grouped within a single break), provided the separate advertisements are clearly distinct and not linked by presenter or other continuity apart from front and/or end captions for the break.

(ITV, Channel 4 Only)

Groups of Locally Produced Advertisements 7.3 (A)

- (a) In the case of groups of locally produced advertisements it is acceptable for voiceovers for slides to be read by a single station presenter but wherever possible the same presenter should not voice adjacent programme material.
- (b) Copy for such voiceovers must avoid expressions which associate the presenter (and hence the programme company) with the advertiser, eg 'visit our showroom tomorrow' or 'come and see our range of models'.

Section 8

Home Shopping Features

8.1 Extended advertising features, of the type commonly known as home shopping or teleshopping, involving demonstrations and direct offers to the public for the sale, purchase, or rental of products or the provision of services are treated as 'long advertisements' (see Section 7) for all purposes except the calculation of daily amount of advertising on services other than ITV and Channel 4 (see 8.3 (B) below).

8.2 Licensees are reminded that the requirements of the ITC Code of Advertising Standards and Practice apply in full to home shopping features and to any claims made in them.

(Services Other than ITV/Channel 4)

8.3 (B)

(a) Up to 5 per cent of daily transmission time above the spot advertising maximum of 15 per cent of transmission time may be devoted to home shopping features. This 5 per cent may be increased by any balance of 15 per cent of transmission time not devoted to spot advertising.

(b) However, home shopping features may in no circumstances exceed one hour per day.

Examples:

(i) *A licensee broadcasting for 24 hours and using the full 15 per cent entitlement for spot advertising would under 3 (B) (a) theoretically 'earn' 72 minutes (5 per cent) for home shopping but under 3 (B) (b) would be limited to broadcasting 60 minutes.*

(ii) *A licensee broadcasting for 12 hours and using 15 per cent for spot advertising would 'earn' only 36 minutes for home shopping. To be in a position to broadcast up to the 60 minute maximum per day he would have to transfer 24 minutes per day from spot advertising to home shopping.*

8.4 (B)

The application of this Section to specialised home shopping channels is under consideration in relation to the requirements of the European Broadcasting Directive.

Section 9

Parliamentary Broadcasts

- Introduction** 9.1 This Section sets out special requirements for the handling of advertising in broadcasts of Parliamentary proceedings, which were adopted in 1989 after consultation with the authorities of both Houses of Parliament.
- Definition** 9.2 'Parliamentary proceedings' include proceedings on the floor of either House and Parliamentary Committees.
- Presentation** 9.3 Normal ITC rules on the amount and distribution of advertising as set out in Sections 1 and 5 will normally apply, subject to the particular conditions noted below.
- 9.3.1 No programmes of half an hour scheduled duration or less devoted to *live* transmission of Parliamentary proceedings may be interrupted.
- 9.3.2 In live coverage, transition to and from the Chamber must be effected via a programme presenter in vision or sound in order to avoid excessive abruptness.
- 9.3.3 Breaks in live coverage may only be taken at natural transitional points, and programme editors must be given discretion to advance, delay or cancel breaks to avoid artificial interruptions in live proceedings.
- 9.3.4 Breaks should be dropped altogether where this would be incompatible with editorial responsibility, eg in coverage of matters of great gravity or emotional sensitivity.
- Exclusions of certain types of advertisement** 9.4 The following categories of advertisement are not acceptable for transmission during live broadcasts of Parliamentary proceedings, or other programmes which include footage of Parliamentary proceedings other than brief news extracts:
- (a) advertisements featuring or referring to Members of Parliament, or Parliamentary parties, or with a Parliamentary setting;
- (b) advertisements with direct and specific relevance to main items of Parliamentary coverage where these are known in advance;
- (c) such other advertisements as the ITC may from time to time specify in particular or general terms.
- Use of Programme Footage** 9.5 In no circumstances may footage from Parliamentary broadcasts be used in advertisements.