

Advertising Association

On behalf of the Advertising Association, we write in strong support of renewing the co-regulatory and designation arrangements with the ASA for the regulation of advertising on Ofcom-regulated broadcast, on-demand and video sharing platforms for a further ten years.

The ASA system has proven to be an effective, efficient and responsive regulatory framework over many years. We believe it continues to be the most appropriate mechanism for regulating advertising across these platforms.

The ASA has successfully regulated broadcast advertising since 2004¹ and on-demand advertising since 2009. Its extension to video sharing platforms in 2021 demonstrates the system's ability to adapt to new media environments. This long-standing experience provides continuity and stability for both consumers and the advertising industry.

The ASA's governance structure ensures impartial decision-making. Its dedicated focus on advertising regulation has allowed it to develop deep expertise in this area.

By regulating advertising across broadcast, on-demand and online platforms, the ASA provides a "one-stop shop" for consumers and a consistent regulatory approach for advertisers operating across multiple channels.

The co-regulatory model, funded by an industry levy, is cost-effective for both the regulator and the regulated. It allows Ofcom to focus its resources on other priority areas while maintaining ultimate oversight.

The ASA system is adaptive and agile to changes in the advertising landscape. This is crucial in a rapidly evolving digital environment.

The high level of industry buy-in to the ASA system, combined with Ofcom's statutory backstop powers, has resulted in excellent compliance rates. This demonstrates the effectiveness of the co-regulatory approach.

The UK's advertising regulatory system is widely regarded as a global standard. Maintaining this model supports the UK's position as a leader in effective and proportionate regulation. We note that Ofcom's provisional assessment finds that the ASA continues to meet the statutory criteria for designation and satisfies the principles for analysing self- and co-regulation. We strongly concur with this assessment.

In conclusion, we believe that renewing these arrangements for a further ten years will provide regulatory certainty, maintain high standards of consumer protection, and support a thriving and responsible advertising sector. We urge Ofcom to proceed with the renewal as proposed.

¹ Ofcom (2004). Ofcom's decision on the future regulation of broadcast advertising. Available from https://www.ofcom.org.uk/siteassets/resources/documents/consultations/uncategorised/9820-reg_broad_ad/statement/regofbroadadv.pdf