

APPENDIX 2:
STATUTORY FRAMEWORK FOR
THE REGULATION OF
BROADCAST ADVERTISING

The page features a white background with several large, overlapping yellow geometric shapes. A large yellow trapezoid is positioned on the left side, extending from the middle of the page down to the bottom. On the right side, a yellow triangle points upwards from the bottom towards the top right corner. These shapes overlap, creating a complex, abstract design.

1. Member States shall ensure that audiovisual commercial communications provided by media service providers under their jurisdiction comply with the following requirements:
 - a) audiovisual commercial communications shall be readily recognisable as such. Surreptitious audiovisual commercial communication shall be prohibited;
 - b) audiovisual commercial communications shall not use subliminal techniques;
 - c) audiovisual commercial communications shall not:
 - i. prejudice respect for human dignity;
 - ii. include or promote any discrimination based on sex, racial or ethnic origin, nationality, religion or belief, disability, age or sexual orientation;
 - iii. encourage behaviour prejudicial to health or safety;
 - iv. encourage behaviour grossly prejudicial to the protection of the environment;
 - d) all forms of audiovisual commercial communications for cigarettes and other tobacco products shall be prohibited;
 - e) audiovisual commercial communications for alcoholic beverages shall not be aimed specifically at minors and shall not encourage immoderate consumption of such beverages;
 - f) audiovisual commercial communication for medicinal products and medical treatment available only on prescription in the member State within whose jurisdiction the media service provider falls shall be prohibited;
 - g) audiovisual commercial communications shall not cause physical or moral detriment to minors. Therefore they shall not directly exhort minors to buy or hire a product or service by exploiting their inexperience or credulity, directly encourage them to persuade their parents or others to purchase the goods or services being advertised, exploit the special trust minors place in parents, teachers or other persons, or unreasonably show minors in dangerous situations.