32

SCHEDULING

Principle

Broadcasters must take special care when scheduling advertisements that might be unsuitable for children or young persons or the audience of religious programmes or for broadcast around sensitive programming or news items.

Particular sensitivity is required for advertisements inserted in or around news or current affairs programmes in which a news item, especially one of a tragic nature, could completely transform the context in which an advertisement having an apparent connection with it could be perceived by viewers or listeners. A separation from news references might be inadequate and suspending the advertisement altogether to avoid distress or offence could be preferable.

Ofcom's television licensees must comply with the Ofcom Code on the Scheduling of Television Advertisements, which can be consulted on the Ofcom website, www.ofcom.org.uk.

Definitions

"Adjacent" refers to an advertising break immediately before or after the programme in question.

"Current" refers to a programme still running or scheduled to be resumed in the near future.

For the purposes of rule 32.12, a "politician" is defined as a Member of, or candidate for, the European or UK Parliament, other elected Assemblies in the UK or a local authority, a Member of the UK's House of Lords or a person prominent in a political party organisation.

"Children's programme" means a programme made for persons below the age of 16.

Programme sponsorship must comply with both the content and scheduling rules that apply to television advertising under the relevant provisions of the Ofcom Broadcasting Code.

For broadcast television text and interactive television services, rule 32.20 sets out a list of products that must not be advertised around editorial content of particular appeal to children. For the avoidance of doubt, these rules apply to television text and interactive television services: 32.12, 32.13, 32.15, 32.16 and 32.21.

Judging particular appeal of broadcast editorial content to children or young persons

Television

BCAP's Guidance Note, Scheduling and Audience Indexing: identifying programmes likely to appeal particularly to children and young people, sets out, in detail, how BCAP or the ASA would identify whether a programme has, or is likely to have, particular appeal to children or young persons.

Television text and interactive television services

When deciding whether an editorial page carried on broadcast television text or interactive television services has, or is likely to have particular appeal to children or young persons, BCAP or the ASA would consider, for example, the nature or subject of the editorial or the nature or subject of interactive prompts that have led or are likely to lead the child or young person directly to that page.

Radio

When deciding whether a station's programming has or is likely to have particular appeal to children or young persons, BCAP or the ASA would consider relevant factors, for example Radio Joint Audience Research (RAJAR) audience figures in the relevant time-slot, the nature of the station and programming and whether the advertisement was scheduled in the school run or in a time-slot when children are likely to be listening in large numbers.

Children

Advertisements that might frighten or distress children or are otherwise unsuitable for them (for example because they refer explicitly to sexual matters) must be subject to restrictions on times of transmission to minimise the risk that children in the relevant age group will see or hear them. That does not preclude well-considered daytime scheduling for such material but broadcasters should take account of factors, such as school holidays, that could affect child audience levels. Material that would be incomprehensible to pre-school children and could, therefore, reasonably be broadcast when they are viewing or listening with parents, might be more problematic in relation to older children.

For the avoidance of doubt, any given timing, programme category or age band restriction subsumes any other less severe restriction. Thus, on television, a 9.00pm restriction subsumes both a 7.30pm restriction as well as the restriction on scheduling in or adjacent to programmes commissioned for, principally directed at or likely to appeal particularly to

children below the age of 16 or to programmes likely to have a significant child audience. Special care needs to be exercised if a programme for, or likely to be of interest to, children is transmitted late in the evening or in the early hours of the morning, for example at Christmas. If such a programme is transmitted after 9.00pm, no advertisement carrying a timing restriction may be transmitted in or around that programme.

Children's television channels

Television channels devoted to children's programmes, or whose programmes are or are likely to be of particular appeal to children, will be unlikely to be able to carry at any time advertisements of the type restricted under rules 32.1 to 32.6 and 32.22. Thus, for instance, dedicated children's channels may not carry an advertisement for a product restricted under rule 32.2.2 (gambling), or rule 32.22 (food or drink products high in fat, salt or sugar).

Rules

Scheduling of television and radio advertisements

32.1 Broadcasters must exercise responsible judgement on the scheduling of advertisements and operate internal systems capable of identifying and avoiding unsuitable juxtapositions between advertising material and programmes, especially those that could distress or offend viewers or listeners.

32.2 These may not be advertised in or adjacent to programmes commissioned for, principally directed at or likely to appeal particularly to audiences below the age of 18:

32.2.1 Alcoholic drinks containing 0.5% or more by volume or alcohol alternatives at or below 0.5% ABV.

32.2.2 gambling except lotteries, football pools, equal-chance gaming (under a prize gaming permit or at a licensed family entertainment centre), prize gaming (at a non-licensed family entertainment centre or at a travelling fair) or Category D gaming machines (see rule 32.4)

32.2.3 betting tipsters

32.2.4 slimming products, treatments or establishments (an exception is made for advertisements for calorie-reduced or energy-reduced foods and drinks, if they are not presented as part of a slimming regime and provided the advertisements do not use the theme of slimming or weight control)

32.2.5 religious matter subject to the rules on Religious Advertising in Section 15: Faith, Religion and Equivalent Systems of Belief

32.2.6 live premium-rate services, unless those services have received prior permission from the Phone-paid Services Authority to target people under 18

32.2.7 electronic cigarettes.

32.2.8 National Lottery products

32.2.9 Cosmetic interventions. Cosmetic interventions mean any intervention, procedure or treatment carried out with the primary objective of changing an aspect of a consumer's physical appearance. This includes surgical and non-surgical interventions, both invasive and non-invasive. This does not include cosmetic products as defined in Regulation (EC) No 1223/2009. See Advertising Guidance: Cosmetic Interventions.

32.3 Relevant timing restrictions must be applied to advertisements that, through their content, might harm or distress children of particular ages or that are otherwise unsuitable for them.

32.4 These products may not be advertised in or adjacent to programmes commissioned for, principally directed at or likely to appeal particularly to persons below the age of 16:

32.4.1 society lotteries

32.4.2 football pools

32.4.3 equal-chance gaming (under a prize gaming permit or at a licensed family entertainment centre)

32.4.4 prize gaming (at a non-licensed family entertainment centre or at a travelling fair)

32.4.5 Category D gaming machines

32.4.6 medicines, vitamins or other dietary supplements

32.4.8 computer or console games carrying an 18+, 16+ or 15+ rating, including those that have not yet been classified, but which are expected by the publisher to secure a 15, 16+ or 18-rating.

Other television scheduling or timing restrictions children

32.5 These products may not be advertised in or adjacent to programmes commissioned for, principally directed at or likely to appeal particularly to audiences below the age of 16:

32.5.1 Rule renumbered and moved to 32.22 on 5 January 2026.

32.5.2 matches

32.5.3 trailers for films or videos carrying an 18-certificate or 15-certificate (that does not preclude the scheduling in or adjacent to children's programmes of an advertisement containing brief extracts from such a film if those are used in connection with a promotional offer, derived from the film, for other types of product, subject to content).

32.6 These products may not be advertised in or adjacent to programmes commissioned for, principally directed at or likely to appeal particularly to children below the age of 10:

32.6.1 Rule removed on 21 April 2020.

32.6.2 condoms.

Administering medicines, vitamins or food supplements to children

32.7 Advertisements in which children are shown having a medicine, vitamin or other food supplement administered to them must not be broadcast before 9.00pm.

Children's merchandise, endorsements and appearances by persons from children's

32.8 Advertisements for merchandise based on a children's programme must not be broadcast in the two hours before or after episodes or editions of that programme. The ASA and BCAP reserve the right to require a wider separation around some programmes, including a prohibition of any advertisement while a programme series is running.

32.9 Advertisements in which persons (including puppets) who appear regularly in any children's programme on any UK television channel present or endorse products of special interest to children must not be broadcast before 9.00pm.

32.10 To maintain a distinction between programmes and advertisements that is clear to a child audience, and to minimise any risk of confusion between the two, advertisements featuring a well-known personality or performer, or a person who takes a leading role in or whose appearance is central to a children's programme, must not be scheduled in breaks in or adjacent to that programme. For the purposes of this rule, cartoon and puppet characters are classed as "persons". For appearances by persons in chart programmes or programmes such as pop concerts, the restriction applies only to the breaks adjacent to the programme segment in which they appear. The rule does not apply to public service advertisements or to characters specially created for advertisements.

32.11 Advertisements containing appearances by persons in extracts from a children's programme must not be broadcast in the two hours before or after an episode or edition of the relevant programme.

Other television separations political

Scheduling of television advertisements that feature politicians

32.12 Once a General or European Election, a by-election for the UK, Scottish European Parliament or a local election (but not a local by-election) has been called, no advertisement featuring a UK politician may be shown in an area in which the election is to take place.

32.13 Advertisements featuring a candidate for a parliamentary by-election or a local authority election must not be shown in breaks in or adjacent to national news or election results programmes in the area where the election is to take place.

Exclusion of certain types of television advertisement in or adjacent to broadcasts of

32.14 The following categories of advertisement may not be shown during live broadcasts of Parliamentary proceedings, or other programmes that include footage of Parliamentary proceedings other than brief news extracts:

32.14.1 advertisements that feature or refer to Members of Parliament, or Parliamentary parties, or with a Parliamentary setting

32.14.2 advertisements with direct and specific relevance to main items of Parliamentary coverage where these are known in advance.
For requirements applicable to advertisements in or adjacent to broadcasts of live Parliamentary proceedings, see Section 2: Recognition of Advertising.

Other television separations and timing restrictions

32.15 The ASA and BCAP reserve the right to issue directions requiring separation between certain advertisements or types of advertisement and certain programmes or types of programme for reasons or in ways that go beyond those already listed.
Those separations will usually be one of these:

32.15.1 not first or last in any advertisement break or both

32.15.2 not in the two hours before or after a certain programme

32.15.3 not for the duration of a programme series

32.15.4 neither for the duration of a programme series nor for a given period before and/or after the series

32.15.5 not before 7.30pm

32.15.6 not in or adjacent to programmes with a specific audience index.

32.16 On encrypted subscription services for which normal programme content-related scheduling constraints have been relaxed, advertisements appearing similarly encrypted on such a service may reflect the programme scheduling. For example, if the programme watershed has been moved on such a service, say, to 8.00pm, encrypted advertisements that attract a watershed timing

restriction are permitted after 8.00pm, not only after 9.00pm. See Section 1 of the Ofcom Broadcasting Code (Protection of the Under-Eighteens) at

bcode.

Scheduling of radio advertisements

32.17 Special care is required for these categories:

32.17.1 sensational newspapers, magazines or websites or their content

32.17.2 divination or the supernatural

32.17.3 sexual material, sex shops, stripograms or similar

32.17.4 sanitary protection products

32.17.5 family planning products (including contraceptives and pregnancy-testing products)

32.17.6 anti-drugs messages, including solvent abuse

32.17.7 HIV/AIDS prevention messages.

32.18 Violent or sexually explicit material must not be advertised in or adjacent to programmes targeted particularly at audiences below the age of 18.

Placement of television text and interactive advertisements

32.19 BCAP expects broadcasters to exercise responsible judgement in the placing of broadcast television text and interactive television advertisements and especially to consider the sensitivities of viewers likely to be exposed or attracted to particular editorial content.
Advertisements that are unsuitable for children (for example, because they might cause distress or because they refer explicitly to sexual matters) must be subject to restrictions on the time of transmission designed to minimise the risk that children in the relevant age group will see them.

32.20 Broadcast television text and interactive television advertisements for these product categories must not:
• be directly accessible from programmes commissioned for, principally directed at or likely to appeal particularly to children
• be directly accessible from advertisements that are adjacent to programmes

commissioned for, principally directed at or likely to appeal particularly to children
• appear on editorial pages (text or interactive) that are likely to be of particular appeal to a significant audience of children

32.20.1 alcoholic drinks (including low-alcohol drinks)

32.20.2 films or DVDs carrying an 18-certificate or 15-certificate

32.20.3 medicines, vitamins or other dietary supplements

32.20.4 betting tips

32.20.5 computer or console games carrying an 18+, 16+ or 15+ rating

32.20.6 introduction and dating agencies

32.20.7 religious bodies. The only exception is advertising for publications, merchandise or other items if there is no recruitment or fund-raising link

32.20.8 advertisements that promote a product or service and invite consumers to buy that product or service via a direct response mechanism

32.20.9 matches

32.20.10 food or drink products that are assessed as high in fat, salt or sugar (HFSS) in accordance with the Department of Health and Social Care's Nutrient Profiling Technical Guidance issued in 2011 (information on the nutrient profiling scheme is now available on the Department of Health and Social Care's website here).

This rule applies subject to the timing restriction for advertising of identifiable less healthy products in rule 32.21.

32.20.11 gambling, including lotteries.

Television advertising for food and drink products and children

Overview

Advertisements for identifiable food or drink products that are classified as “less healthy” are subject to a 5:30am to 9:00pm timing restriction reflecting specific provisions of the Communications Act 2003 (as amended) – see rule 32.21. Other high in fat, salt or sugar (HFSS) product advertisements (including advertisements restricted by rule 32.21 shown at times outside the timing restriction) are subject to a separate scheduling restriction – see rule 32.22.

Scheduling of less healthy product advertisements

Background

The Communications Act 2003 section 321A prohibits television programme services provided between 5.30 am and 9.00 pm from including advertisements for an identifiable less healthy food or drink product. The restriction is reflected in rule 32.21.

Rule

32.21 Television programme services must not include advertisements for an identifiable less healthy food or drink product between 5.30am and 9.00pm.

Definitions and supporting information

A food or drink product is “less healthy” if:

- it falls within a food or drink category specified in The Advertising (Less Healthy Food Definitions and Exemptions) Regulations 2024; and
- it is a food or drink product high in fat, salt or sugar (an HFSS product).

For guidance on the less healthy product categories set out in the 2024 Regulations, see the Department of Health and Social Care’s guidance, *Restricting advertising of less healthy food or drink on TV and online: products in scope*.

"HFSS products" are those food or soft drink products that are assessed as high in fat, salt or sugar in accordance with the Department of Health and Social Care's *Nutrient Profiling Technical Guidance* issued in 2011.

A less healthy food or drink product is identifiable, in relation to advertisements, if persons in the UK (or any part of the UK) could reasonably be expected to be able to identify the advertisement as being for that product.

The following exemptions apply to Rule 32.21.

- Brand advertisements – In accordance with The Advertising (Less Healthy Food and Drink) (Brand Advertising Exemption) Regulations 2025, advertisements that promote a brand, including the brand of a range of products are exempt. This exemption does not apply to an advertisement:
    - the content of which depicts a specific less healthy food or drink product (unless such depiction of the product is only by way of the name of the product, including where the name of the product appears in the logo of a company, franchise or other commercial entity or in the logo of a brand of a range of products, and that product's name falls within the criteria listed in the next sub-bullet);
    - that promotes a brand the name of which is the name of a specific less healthy food or drink product (unless the product's full name is the name or is included in the name of a company, franchise or other commercial entity which was established before 16th July 2025 and which held that name immediately before that date; or it is the name of the brand of a range of products, where that brand was in use, as the brand of that range, for the purposes of marketing, advertising or retail sale immediately before 16th July 2025 and held that name immediately before 16th July 2025); or
    - the content of which includes a realistic image of a food or drink product where the realistic image shows the food or drink itself and is not only of the product's packaging, and the food or drink product is visually indistinguishable from a specific less healthy food or drink product.
- Advertisements by food and/or drink SMEs – advertisements included in television programme services as a result of arrangements made by or on behalf of a person who is, at the time when the arrangements are made, a food or drink small or medium enterprise ("food or drink SME"), within the meaning given by The Advertising (Less Healthy Food Definitions and Exemptions) Regulations 2024 (in general terms, a food or drink SME is a business that employs fewer than 250 people, including as part of a franchise agreement).

Where terms are used in the rules and supporting information above that reflect legislation, their meaning should be understood with reference to the relevant legislation.

Guidance on the application of the less healthy product advertising rule (including information on the definition of terms used and the exemptions to which the rule is subject) is available

here.

Scheduling of HFSS product advertising

32.22

Television advertisements for HFSS products may not appear in or adjacent to programmes commissioned for, principally directed at or likely to appeal particularly to audiences below the age of 16.

Guidance to help broadcasters identify brand advertisements that have the effect of promoting an HFSS product is available here.