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RECOGNITION OF ADVERTISING

Background

The rules on recognition of advertising must be read in conjunction with all other parts of the Code, including [Section 32: Scheduling of Advertisements](#). Other sections of the Code contain product-specific or audience-specific rules that are intended to protect consumers from misleading marketing communications. For example, [Section 5: Children](#) contains rules that apply, as well as the general rules, to advertisements that fall under that section.

The Ofcom Code on the Scheduling of Television Advertising and the Ofcom Broadcasting Code, for both television and radio, contain rules for sponsorship and commercial references that are relevant to this section.

Unless otherwise stated, all the rules in this section apply to programme promotions.

Definitions

"Programme" is a programme on any UK television or radio service.

"Editorial content" in this section applies to programmes on any UK television or radio service and – in rule 2.1 – to editorial content on television text services and interactive television services.

Television only - "Programme promotion" is a trailer for a programme. It is not an advertisement if it is shown on the channel on which the programme will be broadcast or on a channel related to the channel on which the programme will be broadcast.

Rules

2.1 Advertisements must be obviously distinguishable from editorial content, especially if they use a situation, performance or style reminiscent of editorial content, to prevent the audience being confused between the two. The audience should quickly recognise the message as an advertisement*.

(This rule reflects a prohibited practice from Schedule 20 of the DMCCA. See note in Section 3 for more details).

2.2 If used in an advertisement, an expression or sound effect associated with news bulletins or public service announcements (for example, "news flash") needs special care. The audience should quickly recognise the message as an advertisement.

2.3 The use of a title, logo, set or music associated with a programme that is broadcast on that medium needs special care. The audience should quickly recognise the message as an advertisement.

2.4 **Television only** – Television advertisements, except for programme promotions, must not:

- 2.4.1 refer to themselves in a way that might lead viewers to believe they are watching a programme
- 2.4.2 feature, visually or orally, anyone who currently and regularly presents news or current affairs on television
- 2.4.3 include extracts from broadcasts of parliamentary proceedings.

2.5 **Radio only** – A person who currently and regularly reads the news on radio or television may voice radio advertisements but must not advertise products or services that are likely to be seen to compromise the impartiality of their news-reading role.