

16

CHARITIES



Principle

These rules are intended to prevent the abuse of people's charitable impulses. Charity advertisements or advertisements that feature charities should treat with care and discretion any subjects likely to arouse strong emotions. Although audiences are generally more tolerant of potentially distressing treatments when the objectives of an advertisement are charitable, sensitivity is nevertheless required especially in relation to younger audiences.

Background

If it is relevant, broadcasters should take care to comply with Section 5: [Children](#), Section 7: [Political and Controversial Matters](#), Section 9: [Environmental Claims](#), Section 15: [Faith, Religion and Equivalent Systems of Belief](#), and Section 32: [Scheduling](#).

Advertisements must comply with the requirements of the Charities Act 1993 (as amended) and all relevant data protection legislation. For information on the Data Protection Act 1998 go to: www.ico.gov.uk.

Definitions

Rules in this section regulate charity advertisements and not the charities themselves, which are regulated by the Charity Commission (England and Wales) www.charitycommission.gov.uk, The Department for Social Development (Northern Ireland) www.dsdni.gov.uk, and the Office of the Scottish Charity Regulator (Scotland) www.oscr.org.uk.

The rules apply to advertisements for charities (which include charitable bodies) and advertisements for other products and services that promote the needs or objectives of charities.

Rules

16.1 Radio Central Copy Clearance - Radio broadcasters must ensure advertisements subject to this section are centrally cleared.

16.2 Advertising is acceptable only from:

16.2.1 bodies registered with the relevant UK authorities as having charitable status or bodies that have had their charitable status otherwise officially recognised, for example by HM Revenue & Customs:
www.hmrc.gov.uk/index.htm.

16.2.2 bodies based outside the UK that supply to broadcasters confirmation that they comply with all relevant legislation in their home countries and

evidence of their good faith, which might include audited accounts and a list of members of their governing body.

16.3 Advertisements seeking donations for, or promoting the needs or objectives of a charitable body must not:

16.3.1 misrepresent the body, its activities or the benefits of donated funds or exaggerate the scale or nature of the cause it claims to support

16.3.2 suggest that anyone will lack proper feeling or fail in a responsibility by not supporting a charity

16.3.3 disrespect the dignity of those on whose behalf an appeal is being made

16.3.4 address fund-raising messages to children or likely to be of particular interest to them.

16.4 If the advertisement states that payment may be made by credit or debit card, the donor's right to have any payment of £100 or more refunded must be stated.

Rules that apply to references to charities in other advertisements

16.5 Advertisements by non-charity advertisers which promote the needs or objects of charitable bodies, or offer to assist them, are only acceptable if the bodies would be acceptable advertisers in their own right under rule 16.2.

16.6 Advertisements that include an offer to donate money to charity must:

16.6.1 not depend on sales reaching a given level or be subject to a similar condition. If a target total or an amount for each purchase is stated, any extra money given to the charity must be donated on the same basis as contributions below that level

16.6.2 identify the charity that will benefit and state the basis on which the contribution will be calculated (in accordance with rule 16.9) and, where more than one charity is involved, the advertisement may give a generic identification but should be accompanied by a statement listing the charities and the proportions in which they will benefit.

16.7 Broadcasters must hold evidence that each charity has agreed to the proposed advertisement.

16.8 Advertisements for medicinal products may offer to donate money to charity but must not be likely to encourage indiscriminate, unnecessary or excessive purchases of medicinal products. Advertisements must state the basis on which the contribution will be calculated.

See also Section 11: [Medicines, Medical Devices, Treatments and Health](#)

- 16.9** Where a promotion states or implies that part of the price paid for goods or services will be given to a charity or cause, the advertisement must state the actual amount or percentage of the price that will be paid to the charity or cause, for example, "£1 per sale" or "10% of the purchase price".
- 16.9.1** For any other promotion linked to a charity or where a third party states or implies that donations will be given to a charity or cause, the advertisement must state the total (or a reasonable estimate) of the amount the charity or cause will receive.