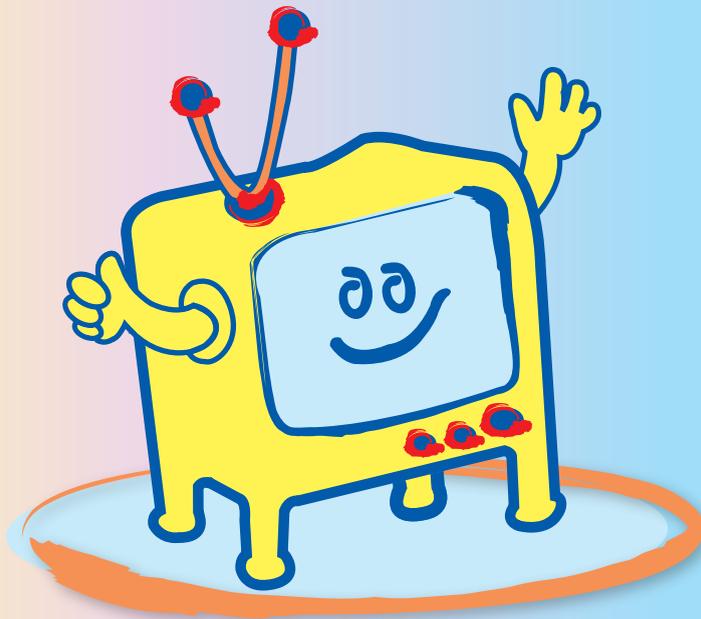


# Advertising on Television



## Getting it Right for Children



## A Socially Responsible Approach

All those involved in television broadcasting recognise the need for a high level of social responsibility in communicating to children. In New Zealand, an effective system of self-regulation ensures that advertisers, advertising agencies and television companies also take into account the United Nations Convention on the Rights of the Child.

While recognising that a child's right (in Article 13) is the "freedom to seek, receive and impart information and ideas of all kinds ...through any media of the child's choice", the Convention calls on the media to support parents who have the primary responsibility for the upbringing and development of their children.

The Convention asks the media to acknowledge each child's individuality, uniqueness, strength and capability, while affording children 'extra protection' from violence, unsafe practices, indecency, offensive language or bad taste. This code provides that protection.

### Making Self-Regulation Work

Through membership of the Advertising Standards Authority Inc (ASA) in New Zealand, advertisers, advertising agencies and media agree to operate according to the Advertising Codes of Practice. They include a Code for Advertising to Children. The Television Commercial Approvals Bureau (TVCAB) scrutinises all advertisements prior to broadcast as part of the television networks' commitment to the Codes.

To supplement these Codes, the New Zealand Television Broadcasters' Council (NZTBC) representing Television New Zealand, TV Works and Maori Television has a number of policies and voluntary rules concerning advertising and children's programmes. These were first developed in 1995 and have been revised over the years in consultation with ANZA (the Association of New Zealand Advertisers), CAANZ (Communication Agencies Association of New Zealand), NZ On Air, the Children's Television Foundation and other interested parties. These named organisations all support the guidelines, in principle.

The 2008 edition introduces a new advertising classification – CF (Children's Food), that will be applied during school-age children's programming times only. This initiative reinforces the NZTBC's readiness to help address obesity and other nutrition related problems currently facing young New Zealanders.

The NZTBC is committed to continued compliance and on-going consultation with key stakeholders in television programming and advertising appealing specifically to children.

Justine Wilkinson  
Chief Executive  
NZTBC  
2008



## The Children's Television Policies

### 1. No Advertising in Pre-school Television Programming Times:

- Advertising, sponsorship or prize packs are not allowed during pre-school television programming.
- The broadcasters currently define these programming times as:

TV2 :	Monday-Friday	8.35-9.35am.
TV3 :	Saturday	6.30-7.00 am.
Maori Television:	Monday-Friday	3.30-4.30pm;
	Saturday	4.00-5.00pm.

Please contact individual broadcasters to confirm these times as schedules need to be flexible and may change.

- By law there are no advertisements on Sunday mornings until midday.

### 2. Limited Advertising in School-age Children's Television Programming Times:

- Advertising levels in school-age children's programming times (5-13 year olds) are reduced to a maximum of 10 minutes per hour, plus 2 minutes of appropriately classified station promotions.

- The broadcasters currently define these programming times as:

TV2 :	Monday-Friday	7.00-8.35am;
		3.30-5.00pm;
	Saturday	7.00-10.00am.
TV3 :	Monday-Friday	3.00-4.30pm;
	Saturday	7.00-9.00am.
Maori Television:	Monday-Friday	4.30-6.00pm;
	Saturday	5.00-6.00pm.

Please contact individual broadcasters to confirm these times as schedules need to be flexible and may change.

### 3. Compliance with Advertising Codes of Practice:

- All television advertising must abide by the relevant Advertising Codes of Practice. The Codes apply to all media and cover a range of issues. They include the Code for Advertising to Children, the Code of Ethics, the Code for Advertising Food, and the Code for People in Advertising. For more information, see page 9.

## *The Children's Television Policies (continued)*

### **4. Separation of Programmes and Advertising:**

- Advertising must be clearly recognisable as such and not part of the editorial content of children's programmes.
- Licensed products, which are a direct spin-off from a television programme or its characters, cannot be advertised within that programme.

Note: Advertisements of a composite or montage nature, where several individual products are featured, may be placed within the associated programmes if the reference to the licensed product is brief and incidental (i.e. an advertisement promoting a retail outlet featuring a selection of different toys of which only one is related to the programme).

### **5. Repetition:**

- Advertisements during school-age children's programming will not be repeated excessively.
- No advertisement may be played more than twice within an hour per channel per day.
- No advertisement may be played more than three times within each specified school-age children's programming time period per channel per day.

### **6. Programme Issues:**

- The Broadcasting Standards Authority has approved a Code of Free-to-Air Television Broadcasting Practice which includes references to children. All programmes comply with the Code.
- The host, or any other regular presenter or programme character, must not endorse, promote or sell products or services within the associated programme.
- Children's programming can contain product exposure by way of prizes for competitions. In these instances, references to the name of the product and visual representation, such as a pack shot, are appropriate. Hosts cannot endorse a product by emphasizing features such as newness, desirability, 'play-ability' or performance.

### **7. Sponsorships:**

- Sponsorship during children's programming will be limited and socially responsible.
- Alcohol sponsorship is not allowed.
- Sponsors can promote their association with the programme through other avenues (i.e. press or sales promotion), however any commercial acknowledgement associated with the actual programme on air must not be dominant i.e. corporate or product identification via opening and closing billboard with verbal and/or visual acknowledgement. No advertising footage will be allowed in the opening and closing credits.

### **8. 0900 Numbers and Text Responses:**

- 0900 numbers that promote competitions and games of chance must not be screened in children's programming times.
- Text responses during children's programming times should not include any additional fees (i.e. no fees over and above any standard text fees charged).

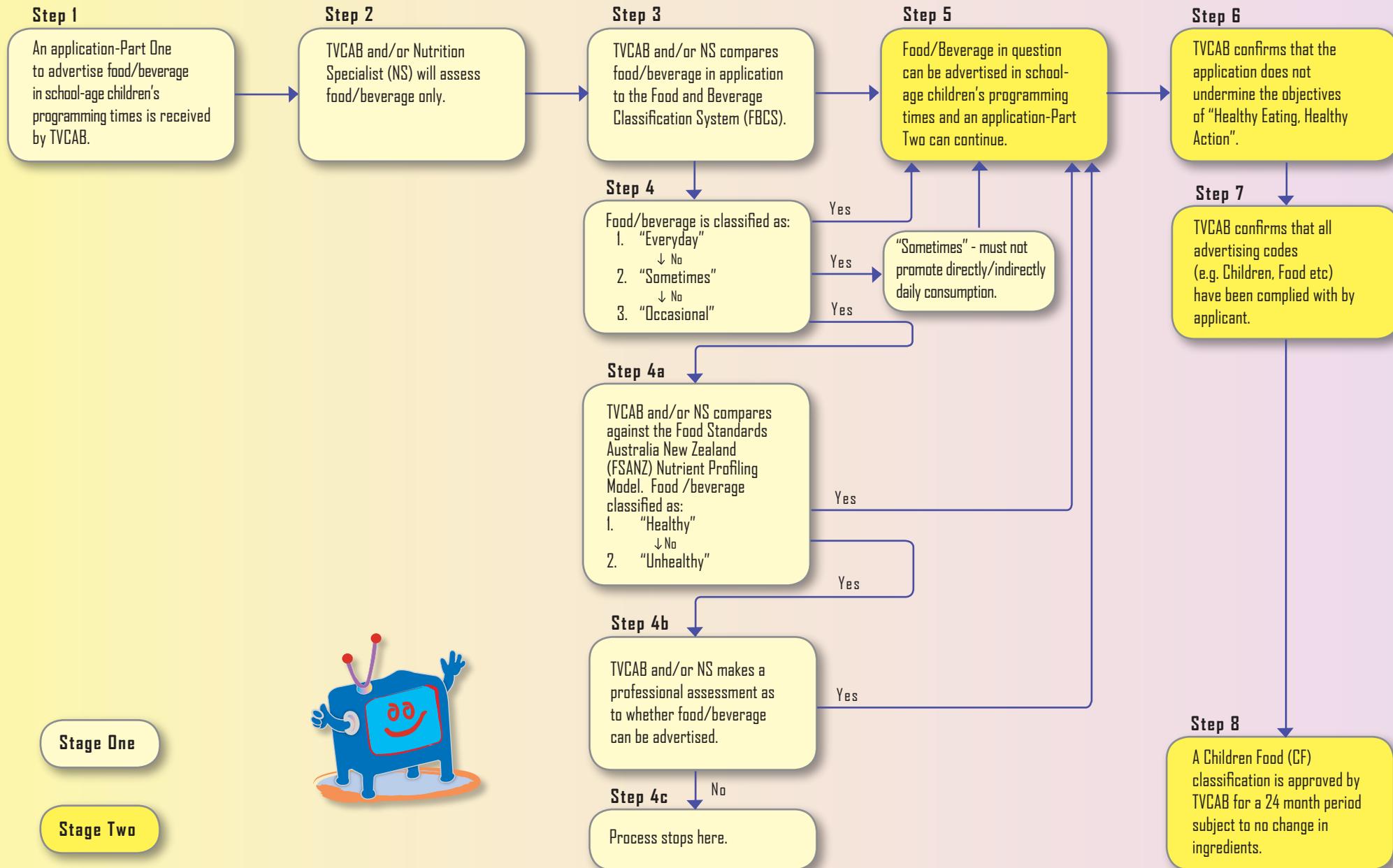
### **9. Children's Food (CF) Classification:**

- An advertisement for a food and/or beverage in school-age children's programming times (see 2. on page 2) must be approved in accordance with the CF Classification System before it can be broadcast.
- The CF Classification System will be phased in as from 1 July 2008. All food and/or beverage advertisements in school-age children's programming times approved by TVCAB before 1 July 2008 will not be subject to the CF Classification System until 1 October 2008. All advertising approvals post 1 July 2008 must adhere to the CF Classification System.

All food and/or beverage advertisements in school-age children's programming times are expected to be fully compliant with the CF Classification System by 1 October 2008.

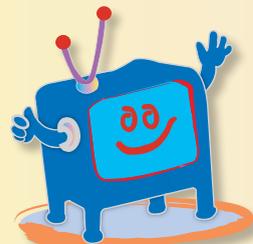
- Key decisions made by the Nutrition Specialist and/or TVCAB relating to the food and/or beverage considered for advertising in school-age children's programming times will be reviewed annually by a Consultative Committee consisting of interested parties. This process will be run by TVCAB and will be used as a source of information for further enhancing the CF Classification System.
- The CF Classification System will apply equally to multi-product food and/or beverage advertisements in school-age children's programming times. With regards to brands and/or loyalty programmes that do not refer to food or beverages, these applications to advertise in children's times will be considered by TVCAB under its existing pre-vetting system.
- To achieve an approval under the CF Classification System in school-age children's programming times a two stage process must be applied. An overview of this process is outlined on pages 5 and 6.

## Overview of Children's Food (CF) Classification System



Stage One

Stage Two



## The Children's Food (CF) Classification System

### STAGE ONE

- **Step 1:** An applicant completes and forwards Part One of the application form to TVCAB for assessment.

The application form (Parts One and Two) to obtain a CF classification in school-age children's programming times is available from TVCAB's website [www.tvcab.co.nz](http://www.tvcab.co.nz). Please contact TVCAB directly if assistance is needed in completing any part of the form. TVCAB's contact details are as follows:

TVCAB                      Phone: +9 373 2907  
P O Box 68032              Fax: +9 373 2912  
Newton                      E-mail: [advice@tvcab.co.nz](mailto:advice@tvcab.co.nz)  
Auckland 1145

- **Step 2:** TVCAB receives an application and determines whether or not it will use a Nutrition Specialist (NS) in assessing the food/beverage.
- **Steps 3 and 4:** TVCAB and/or NS will then determine if the food/beverage (within the application) should be classified as "everyday", "sometimes" or "occasional" in accordance with the Ministry of Health's "Food and Beverage Classification System" (FBCS). The FBCS is the primary basis for determining whether or not the product can be advertised in school-age children's programming times. FBCS's nutrient framework is available on the Ministry's website: [www.moh.govt.nz/moh.nsf/indexmh/heha-foodclassification-nutrient](http://www.moh.govt.nz/moh.nsf/indexmh/heha-foodclassification-nutrient).

Under the FBCS,

- "Everyday" foods/beverages can be eaten daily and will be able to proceed to Step 5.
- "Sometimes" foods/beverages can be eaten on a regular basis but not every day, can also proceed to Step 5 provided that the proposed advertisement does not directly/indirectly promote daily consumption.
- "Occasional" foods/beverages can only be eaten every few months and must proceed to Step 4a.

As the FBCS was originally developed for catering within schools and early childhood centres, further consideration is needed with a food/beverage that is deemed "occasional". This is because of the complexities that surround putting in place nutrient criteria across the needs of children in a variety of settings can differ to those in a school/childhood setting. All occasional foods/beverages or foods/beverages not classified by the FBCS (e.g. spreads) will proceed to Step 4a for further assessment.

- **Step 4a:** The food/beverage is compared against the Food Standards Australia New Zealand (FSANZ) Nutrient Profiling Model. Under the FSANZ Model,
  - Foods/beverages deemed healthy can proceed to step 5.
  - Foods/beverages deemed "unhealthy" will proceed to step 4b.

The purpose of the FSANZ Model is to determine which foods/beverages will be eligible to make health claims. In effect, it provides a robust "double check" on a food/beverage that has been classified as "occasional" under the FBCS, by determining which food/beverage is deemed healthy or unhealthy. The FSANZ Model and nutrient calculator is available from FSANZ's website: [www.foodstandards.govt.nz](http://www.foodstandards.govt.nz).

For guidance purposes only, the Foundation for Advertising Research (FAR) has a database which lists foods and beverages that are rated healthy by the FSANZ Model. This can be found on the FAR website: [www.ffar.org](http://www.ffar.org).

- **Step 4b:** At this stage, professional judgement will be used to determine whether or not the food/beverage should proceed to step 4c or step 5. Initially these decisions will be determined by the NS. However, after precedents have been clearly established by the NS, it is envisaged that TVCAB will build sufficient in-house technical expertise over time to make these judgements too. The current CF Classification System, therefore, provides for this flexibility.
- **Step 4c:** It is determined that the food/beverage cannot be advertised in school-age children's programming times. TVCAB advises the applicant of this decision in writing.

### STAGE TWO

- **Step 5:** TVCAB determines that the food/beverage can be advertised in school-age children's programming times and advises the applicant in writing. For processing to continue, the applicant must then complete Part Two of the application form.
- **Step 6:** TVCAB ensures that the proposed advertisement is consistent with the Government's Healthy Eating-Healthy Action (HEHA) campaign. HEHA is the Ministry of Health's strategic approach to improving nutrition, increasing physical activity and achieving healthy weight for all New Zealanders. The key messages of the HEHA campaign are available from the Ministry's website: [www.moh.govt.nz/healthyeatinghealthyaction](http://www.moh.govt.nz/healthyeatinghealthyaction)
- **Step 7:** TVCAB will ensure that all advertising codes have been complied with by the applicant. (In particular, the Code for Advertising to Children and the Code for Advertising Food).
- **Step 8:** TVCAB approves/declines a CF classification for a 24 month period subject to ingredients of the food/beverage not being changed. Any reformulation of the food/beverage during the 24 month period, will require a reassessment by TVCAB and/or NS. This reassessment will determine whether or not the CF classification for that advertisement is still valid. The onus is on the applicant to provide this information, as required.

## Making a complaint

### The ASA Code for Advertising to Children

The Code defines "children" as being 13 years and younger. Briefly, the Code requires advertisements to children to:

- Be clearly recognisable as such by children and be differentiated from programmes.
- Observe a high standard of social responsibility.
- Not mislead or deceive or be likely to mislead or deceive children, abuse the trust of or exploit the lack of knowledge of children, exploit the superstitious or without justifiable reason play on fear.
- Not encourage inappropriate purchases or excessive consumption.

Please refer to the Advertising Codes of Practice for the complete Code and details of other relevant Codes. They can be obtained from:

Advertising Standards Authority Inc

PO Box 10-675  
Wellington

Telephone +4 472 7852 or 0800 AD HELP (0800 234 357)

Facsimile +4 471 1785

Email [asa@asa.co.nz](mailto:asa@asa.co.nz)

### How To Make Complaint

#### About an Advertisement:

Complaints about advertisements should be addressed to The Secretary, Advertising Standards Complaints Board, PO Box 10-675, Wellington or [www.asa.co.nz](http://www.asa.co.nz).

These should be made in writing, dated and signed by the complainant. The approximate time, date and station of broadcast should be specified.

#### About a Programme:

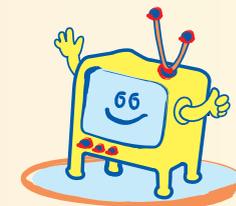
Formal complaints about programmes should be made in writing to the broadcaster responsible for transmitting the programme.

TV2: PO Box 3819, Auckland  
Tel: +9 916 7002

TV3: Private Bag 92-624, Symonds Street, Auckland  
Tel: +9 913 3344

Maori Television: PO Box 113-017, Newmarket, Auckland  
Tel: +9 539 7000 or e-mail [info@maoritelevision.com](mailto:info@maoritelevision.com)

If necessary, appeals are heard by the Broadcasting Standards Authority (BSA), except in the case of privacy issues.





**TBC**

**New Zealand Television Broadcasters' Council**

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Facsimile +9 373 2912

[www.nztbc.co.nz](http://www.nztbc.co.nz)