

Some basics on Ofcom's Rules on Sponsorship

This note gives some basic information on television sponsorship and the rules affecting this area of marketing communications. We hope it is helpful.

A **sponsored programme** is defined as a programme that has had some or all of its costs met by a sponsor with a view to promoting its own name, product or service.

A **masthead programme** is a programme made or funded by a periodical, newspaper, book or information software publisher. The programme may incorporate the name of the publisher's product in its title and have similar editorial content. This type of programme is considered a sponsored programme and subject to the same content restrictions as any sponsored programme.

To ensure that programme content is not distorted for commercial purposes a sponsor must not influence the content or scheduling of a programme. In short, the editorial independence of the broadcaster must not be undermined.

The Ofcom Broadcasting Code requires advertising to be distinct from editorial content. Sponsor credits form part of programme time. The sponsor credit is intended to communicate the association between the sponsor and the programme being sponsored, not to act as an advertisement.

Credits must not contain advertising messages, calls to action or promotional statements about the sponsor's products or services. They can contain contact details of the sponsor, such as its web address/URL.

The following groups are not allowed to sponsor television programmes: manufacturers of tobacco products; prescription only medicines and those prohibited from broadcast advertising.

The following programmes cannot be sponsored: news programmes, including newswatches of local, national or international news and current affairs programmes i.e. programmes that explain and analyse current events and public policy.

The following content can be sponsored: individual programmes and series of programmes; strands within programmes; themed programme blocks; some specialist news reports, e.g. sport, travel and weather, so long as they are presented outside and separate from the news programme. From 28 February 2011 and the introduction of

product placement, sponsor credits will be allowed to appear during programmes as well as around programmes. These 'internal' credits must not be unduly prominent and are subject to certain restrictions.

Sponsor credits must be broadcast at the beginning and/or during and/or end of the programme. They should identify the sponsor and its association with the sponsored content. The sponsor's product can be shown within the credits but this should be used to reflect the link between the sponsor and the product, and must not contain direct exhortations to purchase.

Sponsorship has to comply with content and scheduling rules that apply to television advertising. No advertiser may sponsor a programme during which they would not be allowed to advertise.

Certain sponsors cannot sponsor the following types of programmes: consumer advice programmes that offer or include reviews or advice on products or service marketed by the advertiser e.g. a programme that included a review of golf clubs could not be sponsored by a golf club manufacturer whether or not that manufacturer's product was reviewed in the programmes. Instructional 'how to do' programmes that do not include purchasing advice or reviews may be sponsored by advertisers who supply products relevant to the area concerned.

There may be incidental references, either visual or oral, to the sponsor (or the sponsor's product or service) in the programme or series they sponsor but these have to be editorially justified. They must not be promotional or unduly prominent. References to a sponsor's product in a programme it sponsors are likely to be considered product placement and specific rules apply in that instance. The abovementioned rules also extend to generic references to the sponsor's unbranded product, service or business. When editorially justified, there may be occasions when a generic reference is acceptable but this should never be in a way that suggests the generic reference is promotional for the sponsor. If you need advice on interpreting these rules please email info@louisemcmurchie.com.

Promotions for sponsored programmes can refer to the programme sponsor. The reference to the sponsor should be brief and secondary.