

Your response

Question	Your response
<p>Question 1a: Do stakeholders agree with Ofcom’s proposed guidance on control of advertising, including the application of the terms ‘marketed, sold or arranged’?</p>	<p>Confidential? – N</p>
<p>Question 1b: If you do not agree with the proposed guidance on control of advertising, please explain why, and include any alternative approaches.</p>	<p>Confidential? – Y / N</p>
<p>Question 2a: Do stakeholders agree with Ofcom’s proposed framework for regulating VSP-controlled advertising?</p>	<p>Confidential? – Y / N</p>
<p>Question 2b: If you do not agree with the proposed framework for regulating VSP-controlled advertising, please explain why, and include any alternative approaches for regulating advertising on VSPs.</p>	<p>Confidential? – Y / N</p>
<p>Question 3a: Do stakeholders agree with Ofcom’s proposal to designate the ASA as a co-regulator for VSP-controlled advertising?</p>	<p>Confidential? – Y / N</p>

Question 3b: If you do not agree that it would be appropriate to designate the ASA as a co-regulator for VSP advertising, please explain why, and include any alternative approaches.

Confidential? – Y / N

Question 4a: Do stakeholders agree with Ofcom's proposed guidance on non-VSP-controlled advertising?

Confidential? – Y / N

In responding to this consultation, we wish to comment only on the logical consequence of the following requirement for VSP advertising:

3.6 Advertising on a VSP must not: cause physical, mental or moral detriment to persons under the age of 18;

The guidance should be more explicit that any VSP which may carry advertising unsuitable for children and young people under the age of 18, will need to implement a form of age assurance to a standard commensurate with the risk of harm for the content in question. The standard should be defined with reference to BSI PAS 1296:2018, and age checks should be completed by providers certified to this standard or an equivalent form of assurance.

A high level of assurance will be required for adverts relating to harms such as gambling, HFSS foods and alcohol. VSPs which do not operate age assurance to the commensurate level of assurance will not be able to carry adverts for goods and services unsuitable for children.

Without a reasonable level of certainty about their users' ages, VSPs will not be able to prevent physical, mental or moral detriment to persons under the age of 18, unless they exclude advertising for any harmful products.

Question 4b: If you do not agree with the proposed guidance on non-VSP-controlled advertising, please explain why, and include any alternative approaches.

Confidential? – Y / N

Question 5a: Do stakeholders agree with Ofcom's proposed approach to regulating non-VSP-controlled advertising?

Confidential? – Y / N

In responding to this consultation, we wish to comment only on the logical consequence of the following requirement for VSP advertising:

3.6 Advertising on a VSP must not: cause physical, mental or moral detriment to persons under the age of 18;

The guidance should be more explicit that any VSP which may carry advertising unsuitable for children and young people under the age of 18, will need to implement a form of age assurance to a standard commensurate with the risk of harm for the content in question. The standard should be defined with reference to BSI PAS 1296:2018, and age checks should be completed by providers certified to this standard or an equivalent form of assurance.

A high level of assurance will be required for adverts relating to harms such as gambling, HFSS foods and alcohol. VSPs which do not operate age assurance to the commensurate level of assurance will not be able to carry adverts for goods and services unsuitable for children.

Without a reasonable level of certainty about their users' ages, VSPs will not be able to prevent physical, mental or moral detriment to persons under the age of 18, unless they exclude advertising for any harmful products.

Question 5b: If you do not agree with the proposed approach to regulating non-VSP-

Confidential? – Y / N

controlled advertising, please explain why, and include any alternative approaches.

Please complete this form in full and return to vspregulation@ofcom.org.uk