

Ofcom: Proposals for the regulation of video on demand services- ISBA response

About ISBA - the voice of British advertisers - is the advertisers UK representative body. Membership includes 450 companies, public bodies and not-for-profit organisations of all sizes whose combined spend on marketing communications exceeds £10 billion each year.

As the advertisers representative body ISBA sits on the Committee of Advertising Practice (CAP) and the Broadcast Committee of Advertising Practice (BCAP) the advertising code owning bodies. ISBA is also an active member of the World Federation Advertisers (WFA) and the International Chamber of Commerce Global Advertising Commission (ICC). ISBA is the advertiser member of the UK Advertising Association, a federation of trade bodies and organizations representing the advertising and promotional marketing industries, including advertisers, agencies, the media and support services in the UK.

EU AVMS Directive

Advertisers, working with the WFA and EASA in the EU supported the revision of the TV Without Frontiers Directive, one of the most successful EU directives. In particular advertisers sought:- the maintenance of the country of origin principle in regulation, common standards throughout the EU and EEA and light touch regulation based on the established principles of UK advertising self-regulation

This consultation

As the representative body for UK advertisers this response has been limited to the advertising proposals in the consultation. ISBA appreciates the wide stakeholder involvement that DCMS and Ofcom have encouraged whilst the policy proposals were developed. In summary ISBA supports the Ofcom proposals set out in section 6 of the consultation.

Question 6

a) Do stakeholders agree with Ofcom's proposal that it would be appropriate for Ofcom to designate co-regulatory functions to the ASA on 19 December 2009, in relation to the regulation of VOD advertising?

Advertisers strongly support the designation of our industry's independent regulator, the ASA, as the coregulator for VOD advertising under the directive.

The date of 19 December is achievable.

VOD advertising has been effectively regulated by the CAP/ASA system, the EU directive seeks different arrangements with the involvement of member state governments and the enforcement of the article 3 responsibilities. The Arrangements that Ofcom have suggested are the most proportionate.

Question 7

Do you wish to suggest alternative approaches to Ofcom's proposal to designate the ASA as the co-regulatory body for VOD advertising, and if so what are these?

No, advertisers support the Ofcom proposals.

Contact

Ian Twinn, Director of Public Affairs

iant@isba.org.uk

020 7291 9020