Title:

Mr

Forename:

Nicholas

Surname:

Kingsley

Representing:

Self

Organisation (if applicable):

Email:

What do you want Ofcom to keep confidential?:

Keep nothing confidential

If you want part of your response kept confidential, which parts?:

Ofcom may publish a response summary:

Yes

I confirm that I have read the declaration:

Yes

Ofcom should only publish this response after the consultation has ended:

You may publish my response on receipt

Question 1: Do you agree that these proposed regulatory objectives strike an appropriate balance between the duties and other considerations that Ofcom must take account in reviewing advertising regulation? If not, please explain why, and what objectives you would consider more appropriate?:

No, I dont - there is already enough advertising at this moment.

Question 2: Do stakeholders agree that the new Code should discontinue detailed genre-specific rules on natural breaks?:

No

Question 3: Do stakeholders agree that the new Code should allow advertising and teleshopping breaks to be signalled in sound or vision or by spatial means, and should drop the requirement for teleshopping segments to be distinguished from programmes by both sound and vision?:

There needs to be clear audio and visual notification between programs and advert breaks so that the viewer can distinguish between the two at all times.

Question 4: Do stakeholders agree that the new Code should discontinue the requirement for a buffer between advertising and coverage of a religious service or Royal occasion?:

Yes, that should continue.

Question 5: Do stakeholders agree that the rule requiring a 20-minute interval between advertising breaks should be scrapped?:

No. Reducing this time would mean breaking up programs resulting in fractious viewing as no doubt programs would be edited more severely.

Increasing the amount of adverts would render viewing less pleasurable too.

Question 6: Do stakeholders agree that there should be limits on the number of advertising breaks within programmes of a given scheduled duration?:

Yes, there does need to be a limit on the number of advert breaks.

Question 7: Has Ofcom identified the right options for break frequencies? What issues should Ofcom take into account in formulating proposals for consultation?:

One other thing that needs to be taken into account is the number of companies that advertise multiple goods in one advert break - this needs to be stopped.

Question 8: Do stakeholders agree that the restrictions on advertising in films, documentaries and religious programmes and children?s programming should be relaxed to the extent permitted by the AVMS Directive? :

No, at no point should this be relaxed, as, especially for childrens programs, it could be regarded as directly selling to them.

Question 9: Do stakeholders agree that changes to the rules on advertising breaks in news and children?s programmes that must be made to secure compliance with the AVMS Directive should be deferred until December 2009?:

It would be preferable to scrap all idea of the directive, but if it is going ahead then delaying it as much as possible would be a good idea.

Question 10: Do stakeholders agree that:

a. **the Code should make clear that advertisements are permitted between schools programmes?**

b. **the requirement for a buffer between coverage of a religious service or Royal occasion and advertising should be discontinued?**
c. **the rule prohibiting advertising after an epilogue should be discontinued? and**
d. **the rule allowing Ofcom to exclude adverts from specified programmes should be discontinued?**

:

I dont agree with any of this

Question 11: Do stakeholders agree that the rules limiting the length of individual advertisements on PSB channels should be discontinued?:

No, this should not be discontinued, otherwise you'll get people giving very long speeches.

Question 12: Do stakeholders agree that the new Code should discontinue rules on the length of breaks on PSB channels?:

No - the length of breaks should still be regulated.

Question 13: Do stakeholders agree that the draft Code should establish the principle that the distinction between advertising and editorial content must be readily recognisable, and set out the means for doing this, but avoid more prescriptive rules?:

Yes, there needs to be a distinction.

Question 14: Do stakeholders agree that the current arrangements for transferring unused minutage should remain in place, and be applied to Channel 4 in place of the special arrangements in respect of schools programmes?:

Yes, it should.

Question 15: What views do stakeholders have on the possible approaches to advertising minutage regulation outlined above?:

None

Question 16: What views to stakeholders have on the teleshopping options and preliminary assessment outlined above in relation to non-PSB channels?:

None - dont use teleshopping

Question 17: What views do stakeholders have on the teleshopping options and preliminary assessment outlined above in relation to PSB channels?:

None

Question IA1: Do you agree with this overview of the impact of the current rules? Do you agree with our starting hypothesis in respect of the extent to

which the current rules are likely to impose a constraint on different broadcasters i.e. PSBs and non-PSBs? If not, please set out your reasoning.:

I think allowing extra advertisements would reduce the number of people would be watch commercial television.

Question IA2: Do you agree with the broad assessment of the impact on different stakeholders of changes to the rules on the distribution of TV advertising set out in Part 2? If not, please set out your reasoning.:

Yes

Question IA3: Do you consider that our optimisation approach is a reasonable approximation as to how additional advertising minutage would be used by broadcasters in practice? If not, please set out how you would approach this modelling issue and what assumptions you would adopt.:

The problem is that advertisers dont realise that the viewer doesn't want to watch continual adverts (which is what we would end up with).

I do think it would be preferable to allow the BBC to carry advertising rather than increase the amount of advertising.

Question IA4: Do you consider dividing non-PSB channels into the three categories of "sold out", "nearly sold out" and "unsold inventory" reflects the realities of the TV advertising market for non-PSB channels. If not, how would you suggest we approach this issue in modelling terms?:

Yes

Question IA5: Do you agree that the assumptions of no drop-off effect is a reasonable assumption to make for the purposes of this modelling exercise? If you disagree, please explain your reasoning and provide data to support any alternative assumptions that you would use.:

Yes

Question IA6: Do you consider that this range of scenarios is appropriate? Are there any other types of scenarios that you believe we should explore as part of our modelling work?:

Yes

Question IA7: Is the modelling of the changes in the volume of commercial impacts/share of commercial impacts for these different scenarios broadly in line with any modelling work you have carried out? If not, we would be interested to understand what results you have obtained in modelling these scenarios.:

Yes

Question IA8: To what extent do you think that is reasonable to assume a constant price premium in light of changes to minutage restrictions? If you

think that this could be unreasonable, please set out what you think might happen and how that could be modelled.:

Yes

Question IA9: To what extent do you think that this approach would be a reasonable modelling approach to adopt?:

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Question IA10: To what extent do you think that is reasonable to make use of the elasticity estimates derived from the PwC study? Are they in line with your own views as to the operation of the TV advertising market? If not, please explain your reasoning.:

Quite reasonable

Question IA11: To what extent is there evidence to support the argument that an increase in advertising minutage could reduce overall advertising expenditure on TV, i.e. that the advertising market is inelastic?:

People are already either changing channels during adverts or record the program and then skip all the adverts.

Question IA12: To what extent do you consider that these estimates of the financial impact of changes to the rules on the amount of advertising minutage provide an indication of the potential overall scale of any changes as well as the distribution of the impact between PSBs and non-PSBs? Are they in line with your own views as to how the TV advertising market would adjust to such changes? If not, please explain your reasoning.:

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Question IA13: The discussion of the modelling approach set out above has focused on the potential impact on different types of broadcasters. To what extent could there be an impact on other stakeholders, particularly media buying agencies and their clients, the advertisers? What is the attitude of these stakeholders to changes in the volume of advertising minutage?:

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Question IA14: Do stakeholders agree with the analysis of the impact of these options on non-PSB channels? If not, please set out your reasons, providing evidence to support your analysis wherever possible.:

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Question IA15: Do stakeholders agree with our analysis of the impact on PSB channels of these three options? If not, please explain your reasons, providing evidence to support your analysis wherever possible.:

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Additional comments:

Things should be kept as they are.

Extra adverts breaking up programs (especially films) are not wanted.