

Title:

Forename:

Surname:

Representing:

Organisation (if applicable):

Email:

What do you want Ofcom to keep confidential?:

Keep name 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 as they give no consideration AT ALL to viewers wishes, or even properly conducted viewer surveys. You are supposed to be a regulator in THE PUBLIC INTEREST, which is does not mean in the BUSINESS INTEREST(s).

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

No, I see no need for such a change.

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?:

No, clear separation is important this proposal violates that.

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?:

I have no strong opinion on this but (despite being a monarchist) I generally see no need for specific rules for this class of programs, however the rule only allowing breaks at natural break points (if practicable and foreseeable) should be maintained in ALL programs.

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

No, but I have already seen this rule violated many times and it is very annoying!

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 should be limits, the existing ones seem reasonable, but there should be only one per 30 minute program. As a real example of a case that demonstrated why they should exist (and C4 lose its special case) was the way in which the Grand Designs live programs got destroyed for the viewer by the break-2 minutess result portion-break timing at the end of them.

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

No. There should in fact be less breaks permitted in short programs, i.e. 1 not the 2 currently permitted (on non-PSB). For the longer (60 minute scale) programs a 15 minute, instead of 20 minute would be OK, but only if the total time and number of breaks did NOT increase. You should strongly avoid the "hook then advert" pattern as it is a significant problem for viewers trying to catch the start of a program since it increases the chance of missing it (for a variety of reasons, not all avoidable by the viewer).

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? :

I have no certain opinion, but see no advantage to relaxing 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?:

I have no certain opinion on this.

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 have no certain opinion on these except for:-

c yes

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

No, just because there have been no violations does not mean that the rules are not needed. It just means that they are being followed!

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

No. N.B. The evidence does not support your conclusion/proposal!

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?:

No as prescriptive rules have the major benefit of clarity, fuzzy rules lend themselves to the defenses of "we thought this was ok" and "it is only slightly different from x" which will both allow a drift to no real distinction. There is already a problem with the practice of the news programs plugging documentaries on their own channels by "reporting" on them! You can tell they are plugging, not reporting, as the coverage is different from the few cases where they truly reporting a rivals significant documentary!

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?:

Transferring minutes is a bad idea as it causes a violation of the viewing experience for the MOST viewers possible! Perhaps C4 could get directly compensated with money? I assume advertising is taxed! It should be possible to work out a suitable formula based on other channels prices for these time slots.

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

I have no certain opinion on this.

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

I have no certain opinion on this.

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

No thanks you to teleshopping!

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.:

You may be right about the impact on broadcasters and advertisers but ignoring the impact on viewers.

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.:

No. You may be right about the impact on broadcasters and advertisers but ignoring the impact on viewers.

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.:

You are ignoring what happens in the one case where there are more breaks and minutes (C4's schools transfer). See example in Q6

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?:

I have no certain opinion on this.

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.:

I have no certain opinion on this.

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?:

You are ignore ways of making adverts less annoying in favour of options that make them more!

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.:

I have no certain opinion on this.

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.:

I have no certain opinion on this.

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

You are ignoring the viewers in your models.

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.:

I have no certain opinion on this but you seem to be ignoring the viewers in your models.

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?:

I have no certain opinion on this.

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.:

I have no certain opinion on this.

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?:

You are ignoring the viewers in your models.

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.:

I have no certain opinion on this.

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.:

You are ignoring the viewers desires and behaviour in your models.

Additional comments:

You are ignoring the viewers desires and behaviour and have only (with one slight exception) looked at ways of adding more adverts.