

## **TV ADVERTISING CODE**

### **PREAMBLE**

1. Television exerts a strong influence on the community. It is easily accessible to all people, including the young. It is also recognised that advertisements on television have a strong influence on the public. As such, they should be produced with a strong sense of responsibility to audiences and their social impact and implications be given due consideration.
2. The TV Advertising Code (hereinafter referred to as “the Code”) outlines the general standards to be observed for advertisements shown on all TV broadcast services including Free-to-Air Television and Subscription Television.
3. All television advertisements should be presented within the guidelines provided under this Code, and it is the broadcaster’s responsibility to ensure that advertisements which fail to comply with the spirit and the letter of the Code are not broadcast.
4. In view of the rapid development of technology in communications and broadcasting, the guidelines in this Code will be reviewed regularly to safeguard the interests of viewers and ensure their relevance to broadcasters.
5. All advertisements described in paragraph 6 should be guided by the Singapore Code of Advertising Practice issued by the Advertising Standards Authority of Singapore. The advertisements must also satisfy the requirements in the relevant Television Programme Codes applicable to each TV broadcast service.
6. For the purpose of this Code, the term ‘advertisement’ refers to the following forms of advertisements:
  - a. Any material designed to advance the sale of any particular product or service, or to promote the interest of any organisation, commercial concern or individual in return for payment or other reward or consideration to the broadcaster. Such material could be in the form of words, sound effects (including music), and/or of visual presentation and whether in the form of direct announcements, slogans, descriptions, crawlers or otherwise, as well as any promotional reference to a product or service during a programme.

- b. announcements made in the public interest;
- c. trailers connected to government approved charities and appeals for which the broadcaster does not receive payment in cash or kind;
- d. Infomercials which are long form advertisements of varying duration designed to sell products or services in an information-based format.

7. Broadcasters should consult the Info-communications Media Development Authority (“IMDA”) in cases where they are unsure whether a proposed advertisement would breach guidelines.

## **GENERAL PRINCIPLES**

8. The general principles and guidelines drawn up in this Code will apply to both the analogue and digital television environment(s).

9. Advertisements must be truthful and lawful, in particular –

- a. They should not expressly or by implication such as through their description, claims or illustrations, mislead about the product or service advertised or about its suitability for the purpose recommended.
- b. Irrelevant data and scientific jargon must not be used to support claims that do not have a scientific basis.
- c. They must comply with the prevailing laws of Singapore. For example, the use of music and/or visuals must not infringe the rights of the relevant copyright owners.

10. Advertisements must be decent and tasteful in their content and presentation, and should not cause offence to the community.

11. Advertisements should take care to avoid stereotyping which could be demeaning or offensive to certain sectors of the audience; for example, stereotyping in relation to race, religion, gender, age and those with disabilities.

12. Advertisements should be clearly distinguishable from programmes.

13. Advertisements should not be made to look like programmes. For example, advertisements should not simulate a television news presentation in a manner that makes it difficult for viewers to distinguish it from a real-life television news presentation.

14. On the other hand, programmes should not contain strong elements of advertising and appear like an advertorial. For example, products and

services should not be blatantly highlighted within programmes such as being mentioned or endorsed repeatedly by programme presenters/commentators, or being displayed boldly and continuously in the programme.

15. News/Current Affairs/Info-Educational programmes which report on businesses, products or services, including light informational programmes that regularly feature commercial establishment or products, may highlight specific products or services as part of the programme in a balanced and factual manner.

16. Any advertisement that has the effect of indirectly publicising an unacceptable product or service should not be accepted for telecast.

## **GENERAL GUIDELINES**

All advertisements broadcast should observe the following:

### **National Policies**

17. a. Advertisements should not contain visuals or messages that constitute a breach of applicable laws, nor should they appear to condone any illegal activity.
- b. Advertisements should not, directly or otherwise, attempt to disrupt the harmony or stability of the country.
- c. Any advertisement that could be seen as detrimental to Singapore's relationship with other countries should not be broadcast.

### **Race and Religion**

18. a. Advertisements should not contain statements or suggestions that may offend the sensitivities of any racial or religious group, and should not in any way visually or through audio means depict any race or religion in a flippant, frivolous or inaccurate manner.
- b. Advertisements should not directly or indirectly promote the views of any race or religion. Claims to the effect that a particular religion is the 'only' or 'true' faith are not acceptable.
- c. Advertisements should not make use of the beliefs or practices of any religion to sell products or services.
- d. Advertisements by any religious group should not be allowed.
- e. Advertisements aimed at promoting or propagating any religious cause or event are not allowed.

f. Advertisements for religious products and services are not acceptable.

### **Moral Standards/Social Behaviour**

19. a. Advertisements should not promote, justify or glamourise lifestyles and behaviours such as homosexuality, promiscuity, juvenile delinquency and drug abuse. Advertisements should also not portray these lifestyles or behaviours as normal or mainstream.

b. Advertisements containing sexual innuendoes and sexually suggestive scenes (i.e. dialogue and visuals suggestive of sex), should not be broadcast.

c. Advertisements should not feature skimpily clad men and women, for example, wearing G-strings.

d. Advertisements should not undermine the importance of the family as the basic unit of society. In this respect, any references to lifestyles that undermine family life and values, such as cohabitation, should not be condoned or presented in a positive light.

e. Advertisements that feature or make references to condoms and other forms of contraception are not allowed for broadcast as TV reaches all audiences, including children.

f. Advertisements for all tobacco products and advertisements that make references to smoking should not be telecast unless they are public service messages by the relevant government agencies. Brand names of tobacco companies in association with other products are not allowed in advertisements unless prior approval is sought from the relevant government authorities. Please see Section 38 on Legislation Affecting Advertising.

g. Advertisements that promote gambling should not be broadcast. However public service messages on or related to gambling can be allowed.

### **Children and Advertising**

20. For the purpose of this Code, children are defined as those aged 14 years and below. The guidelines take into account the fact that children's ability to distinguish between fact and fantasy will vary according to their age, and that children in general tend to be imitative by nature.

a. Advertisements should not promote unwholesome values and behaviour to children, for example, delinquent behaviour and disrespect to parents and elders.

b. Advertisements primarily targeted at children, or placed in programmes likely to be seen by children, should not contain any visuals, effects or words that might result in harm to them morally or psychologically.

c. Advertisements that feature children should be carefully considered from the point of view of safety of children and should not show them doing acts which might endanger themselves or others.

### **Use of Language**

21. a. All advertisements should maintain a good standard of language. For example, Singlish and ungrammatical English should not be used.

b. Advertisements containing dialect are not to be broadcast, unless approved by the Authority. However, commonly used dialect terms such as 'Bak Kut Teh' or 'Siew Mai' may still be used as the Mandarin equivalent may not be easily understood.

c. Advertisements should not use vulgar or crude language in their presentation.

### **Claims & Comparisons**

22. a. Advertisements should not contain claims or comparisons that are misleading or highly exaggerated.

b. All claims and comparisons must be capable of substantiation.

c. Comparisons with other products/services are acceptable provided they are based on fact, use similar basis of comparison.

23. Advertisements that may lead to the employment of money in products and services where the returns are not guaranteed should indicate the potential risks involved by way of a disclaimer.

### **Use of Public Figures**

24. Footages, or caricatures, of public figures should not be used in a manner that may be denigrating to them.

## **Advertisements of TV Programmes, Movies and Arts/ Theatrical Performances**

25. a. Advertisements (including paid advertisements and in-house trailers) of cinematic movies, telemovies, TV programmes and arts/ theatrical performances should not contain excessively violent scenes such as close-up shots of infliction of injury and bloody wounds; gory or horrifying scenes; titillating or sexually exploitative scenes. Vulgar language should also not be featured.
- b. On Free-To-Air television, advertisements for content rated M18 such as cinematic movies and DVDs may only be telecast between 10pm and 6am and should be suitably edited according to the appropriate programme guidelines. Advertisements for all content (i.e. TV programmes, cinematic movies and DVDs) rated PG13, NC16 and M18 should highlight their classification in the visuals. Advertisements for content rated PG13 and above should not be aired during timeslots for children's programmes.
- c. On subscription television, advertisements for content rated PG13, NC16 and M18 should be suitably edited according to the appropriate programme guidelines, highlight their classification in the visuals and not be aired on channels targeted at children.
- d. Advertisements for cinematic movies rated R21 (Restricted 21) and arts/ theatrical performances rated R18 (Restricted 18) should not be broadcast.

## **Advertisements resembling News**

26. a. Expressions such as 'News Flash' are reserved for important news and public service announcements. Their use in advertisements and programme promotions is not acceptable.
- b. A long form advertisement that publicises an event or a public function can be mistaken for a news item. It should be identified as an advertisement at the beginning and at the end. If scheduled after a news bulletin, there should be clear separation between the two.

## **Political Advertising**

27. No advertisement may be inserted by or on behalf of any body whose objectives are wholly or mainly of a political nature and no advertisement may be directed towards any political end.

## **Advertisements for Contests & Premium Charge Telephone Services**

28. If advertisements, which invite viewers to use a premium charge telephone service (including SMS) to download content into their handphones, register an opinion, obtain a free trial or take part in a competition or lucky draw, are scheduled in time belts or programmes that primarily target children, information on the cost of the call and charging mechanisms must be presented in a form which children can understand. The advertisements must also make it clear to children that they must get their parents' permission and enlist their parents' help to sign up for such services.

## **Fortune Telling and Superstitious Beliefs**

29. a. Advertisements which promote directly or indirectly fortune-telling, geomancy, occult practices and other superstitious beliefs should not be telecast.
- b. Advertisements for products and services related to fortune-telling, geomancy and the propagation of other superstitious beliefs should not be telecast.
- c. Advertisements must not, without justifiable reason, play on fear and superstition.

## **Death-related services**

30. Advertisements for death-related and undertaker services may only be telecast between 11pm and 6am provided they meet the following criterion:

- (i) The treatment of these advertisements is subtle, tasteful, and does not offend viewers or has explicit references to morbid details.
- (ii) The advertisements are not aired during festive seasons and public holidays.
- (iii) The advertisements for death-related services offered by religiously affiliated organisations, such as Christian columbariums, should avoid religious overtones, e.g. by using imagery and music with religious connotations. This is to ensure that the broadcast media remains secular.
- (iv) The advertisements are not aired too frequently. They should be spaced apart and not concentrated in a single time block.
- (v) The advertisements should be targeted at an appropriate audience.

### **Chatline and Dating services**

31. Advertisements for chatline and non-accredited dating services are not to be telecast.

### **Dubious Establishments & Services**

32. Advertisements promoting establishments or services of dubious propriety which are subsequently found to be fronts for socially harmful, undesirable or illegal activities should not be accepted.

### **Subliminal Advertising**

33. No advertisement may include any technical device that, by using images of very brief duration or by any other means, exploits the possibility of conveying a message to, or otherwise influencing the minds of, members of an audience without their being aware, or fully aware, of what has been done.

### **Advertising Time Limit**

34. Unless otherwise approved by the Authority, the limits for advertisements and trailers in each and every clock hour (which would include in-house programme publicity trailers, station identifications and programme schedules) should not be more than 14 minutes in each clock hour for free-to-air and subscription television services with scheduled programming.

### **Interactive/Enhanced Advertising**

35. For digital transmission which covers interactive advertising, the advertising limits stated in Clause 34 need not be applied to programmes where it is clear to viewers that a particular choice they make will lead them to an advertisement/commercial environment. Viewers should be able to distinguish easily between interactive options that lead to advertising and those that lead to additional programme information.

### **Scheduling of Advertisements and Trailers**

36. Broadcasters should exercise discretion when scheduling advertisements so as to ensure their appropriateness to the target audience and to take into account racial, religious, cultural and social sensitivities that prevail in Singapore society as well as when there is likely to be a large audience of young viewers. For example, liquor advertisements should not be placed within/alongside Malay programmes or Children's/Teen programmes, and movie trailers with scenes of horror, violence or adult themes should not be placed at times when children can reasonably be expected to be watching.



### **Noise and Stridency**

37. Broadcasters should ensure that the telecast of advertisements is not excessively noisy or strident. The audio level of advertisements must not be higher than that of programmes.

### **Legislation affecting Television Advertising**

38. Broadcasters should exercise due care to ensure that their advertisements do not contravene or in any way violate any applicable laws, regulations, codes or guidelines of any kind including but not limited to the following:

- a. Medicines Act (Cap 176)
- b. Medicines (Medical Advertisements) Regulations
- c. Smoking (Control of Advertisements and Sale of Tobacco) Act (Cap 309)
- d. Common Gaming Houses Act (Cap 49)
- e. Betting Act (Cap 21)
- f. National Emblems (Control of Display) Act (Cap 196)
- g. Banking Act (Cap 19)
- h. Finance Companies Act (Cap 108)
- i. Securities and Futures Act (Cap 289)
- j. Insurance Act (Cap 142)
- k. Casino Control Act (Cap 33A)
- l. Casino Control (Advertising) Regulations 2010

### **Infomercials**

39. The following guidelines outlined apply to channels and not programming genre belts:

- (i) Infomercials up to 3 minutes in duration can be telecast in commercial breaks before, after or within programmes. However, their duration together with other spot commercials or advertisements should not exceed the advertising time limits per clock hour as stipulated in Clause 34.

(ii) Infomercials are not to be aired before, after or during children's programmes.

(iii) Infomercials above three minutes in duration should be telecast as a recognisable programme or blocks of programmes.

(iv) Each channel can telecast up to a maximum duration of four hours of Infomercial blocks per day, of which one half-hour infomercial block can be scheduled between 10pm and 12 midnight. For channels transmitting more than 18 hours per day, another half-hour infomercial block can be scheduled between 6am and 7pm and the remaining three hours of infomercial blocks can be scheduled between 12 midnight and 6am. For channels transmitting less than 18 hours per day, the remaining 3.5 hours of infomercial blocks can only be telecast before or after the day's transmission.

(v) Infomercial blocks are not allowed to be broadcast between 7pm and 10pm on all channels as these are primetime hours.

(vi) Infomercial blocks or programmes are to be visually identifiable at the beginning of each block and after each commercial break (if any) so that viewers are aware of their commercial nature. This should be in the form of a graphic inserted at the beginning of the Infomercial, and if there are commercial breaks, superimposed during the Infomercial in the top corner of the screen after each commercial break. The graphic should inform viewers that the programme is an Infomercial or Paid Presentation. Programme listings and guides also need to clearly identify such Infomercial blocks or Programmes.

### **Sponsorship of Programmes**

40. Please refer to IMDA's Television Programme Sponsorship Code for Sponsorship of Programmes.

### **IMPLEMENTATION OF THE TV ADVERTISING CODE**

This Code takes effect as from 18 January 2012 and replaces the TV Advertising Code that was issued on 28 February 2011. IMDA may from time to time revise or update the Code to maintain currency. Broadcasters are encouraged to operationalise this Code to facilitate its implementation.

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