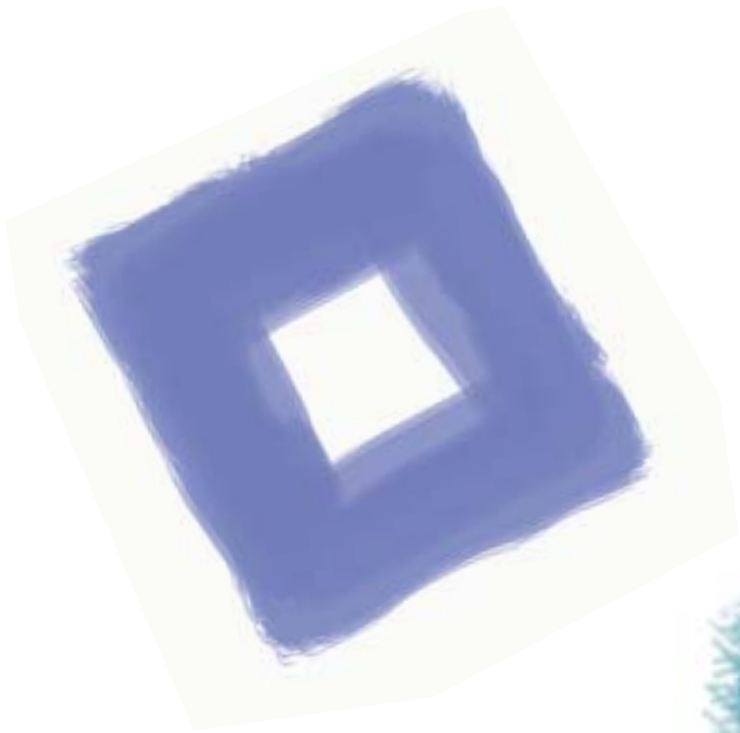


Children's Advertising Code

Cód Fógraíochta do Pháistí



Broadcasting Commission of Ireland
Coimisiún Craolacháin na hÉireann

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Broadcasting Commission of Ireland Children's Advertising Code

Introduction

Section 19(1)(c) of the Broadcasting Act 2001, provides that:

The Commission shall, upon being directed by the Minister to do so and in accordance with the provisions of this section, prepare a code specifying standards to be complied with, and rules and practices to be observed, in respect of advertising, teleshopping material, sponsorship and other forms of commercial promotion employed in any broadcasting service or sound broadcasting service, being advertised and other activities as aforesaid which relate to matters likely to be of direct or indirect interest to children.

It is intended that the *Children's Advertising Code* will replace section 14 of the *Codes of standards, practice and prohibitions in advertising, sponsorship and other forms of commercial promotion in broadcasting services* as drawn up by the Minister for Arts, Culture and the Gaeltacht in the exercise of his powers under Section 14(1) of the Broadcasting Act, 1995.

Choimisiún Craolacháin na hÉireann Cód Fógraíochta do Pháistí

Réamhrá

I measc fhorálacha Alt 19(c) den Acht Craolacháin, 2001, tá an méid seo a leanas:

The Commission shall, upon being directed by the Minister to do so and in accordance with the provisions of this section, prepare – a code specifying standards to be complied with, and rules and practices to be observed, in respect of advertising, teleshopping material, sponsorship and other forms of commercial promotion employed in any broadcasting service or sound broadcasting service, being advertised and other activities as aforesaid which relate to matters likely to be of direct or indirect interest to children.

Tá sé i gceist an *Cód Fógraíochta do Pháistí* a chur in áit alt 14 den doiciméad dar teideal *Codes of standards, practice and prohibitions in advertising, sponsorship and other forms of commercial promotion in broadcasting services* a réitigh an tAire Ealaíon, Cultúir agus Gaeltachta le linn dó a bheith ag feidhmiú na gcumhachtaí a tugadh dó faoi bhun Alt 14(1) den Acht Craolacháin, 1995.



Definitions

- (a) ‘Child’ refers to any person under 18 years of age.

The *Children’s Advertising Code* also recognises the principle that children of different ages require different levels of protection, in particular children under 6 years of age and those aged 15 and over. In order to give this principle practical effect, the code stipulates general principles which apply to all children’s advertising and also stipulates a number of protections that apply to children under 6 years of age and those under 15 years of age. The provisions which apply to each of these age groups are clearly marked.

- (b) ‘Children’s advertising’ refers to advertising that promotes products, services or activities that are deemed to be of particular interest to children and/or are broadcast during and between children’s programmes.
- (c) ‘Children’s programmes’ are programmes that are commonly referred to as such and/or have an audience profile of which over 50% are under 18 years of age. Where provisions of the code are categorised as pertaining to those under 15 years or those under 6 years of age, these provisions will apply to (i) advertising targeting these age groups; (ii) advertising broadcast during programmes where over 50% of the audience are of these age groups.
- (d) The ‘code’ refers to the Broadcasting Commission of Ireland (BCI) *Children’s Advertising Code* and will be referred to hereinafter as the code.

Jurisdiction

This code will apply to broadcasters under the jurisdiction of the Republic of Ireland or those who make use of a frequency or satellite capacity or up-link based in the Republic of Ireland. In practical terms, the code will apply to RTÉ radio and television services and TG4, television and radio services licensed under the Radio and Television Act, 1988 (including TV3 and Today FM) as well as services licensed by the BCI under the Broadcasting Act 2001.

Scheduling

A ‘children’s programme’ is defined with reference to the profile of those watching or listening to that programme. Therefore, a children’s programme is one commonly referred to as such and/or a programme where over 50% of those watching the programme are under 18 years of age. In the case of long running programmes, broadcasters will take an average of the audience figures over a reasonable period of time in determining whether the programme is a children’s programme or not.

The code recognises the principle of parental responsibility. In general terms, programmes broadcast after 9pm are not regarded as children’s programmes. After this time, the primary responsibility for what a child is watching is seen to lie with the parents/guardians. The code recognises, however, that children’s viewing does not end abruptly at 9pm and, therefore, the code will offer some protection in the hour between 9pm and 10pm. If a programme broadcast after 9pm and before 10pm has audience figures which show that over 50% of those watching are under 18, then in this instance the provisions pertaining to under 18s will apply.

Sainmhínte

- (a) Is ionann ‘*páiste*’ agus aon duine faoi bhun 18 bliain d’aois.

Chomh maith leis sin, aithníonn an *Cód Fógraíochta do Pháistí* go dteastaíonn leibhéal éagsúla chosanta ó pháistí d’aoiseanna éagsúla, go háirithe páistí faoi bhun 6 bliana d’aois agus iad thar 15 bliain d’aois. Le go mbeidh éifeacht phraiticiúil ag an bprionsabal sin, sonraítear prionsabail ghinearálta sa Chód a bhfuil feidhm acu i i gcás gach fógraíochta do pháistí agus a shonraíonn roinnt beart cosanta a bhaineann le páistí faoi bhun 6 bliain d’aois agus iad atá thar 15 bliain d’aois. Sonraítear go han-soiléir na forálacha a bhaineann le gach ceann de na haoisghrúpaí sin.

- (b) Is ionann ‘*fógráin do pháistí*’ agus fógraíocht a chuireann táirgí, seirbhísí nó gníomhaíochtaí chun cinn a mheastar a bheith ina n-ábhair spéise ag páistí go sonrach agus/nó a chraoltar idir cláir do pháistí agus lena linn.

- (c) Is ionann ‘*cláir do pháistí*’ agus cláir a dtugtar an t-ainm sin orthu de ghnáth nó a bhfuil níos mó ná 50% dá lucht féachana faoi bhun 18 bliain d’aois. I gcás go luaitear go mbaineann forálacha an Chóid le daoine thar 15 bliain d’aois nó faoi bhun 6 bliana d’aois, is amhlaidh a bheidh feidhm ag na forálacha sin i gcás (i) fógraíocht atá dírithe ar na haoisghrúpaí sin; (ii) fógraíocht a chraoltar le linn clár a bhfuil níos mó ná 50% dá lucht féachana sna haoisghrúpaí sin.

- (d) Is ionann ‘*an cód*’ agus an Cód Fógraíochta do Pháistí le Coimisiún Craolacháin na hÉireann agus is mar sin a dtagrófar dó as seo amach.

Dlínse

Beidh feidhm leis an gcód seo i leith craoltóirí i ndlínse Phoblacht Éireann, nó craoltóirí a úsáideann minicíocht nó acmhainn satailíte nó uas-nasc atá lonnaithe i bPoblacht Éireann. I dtéarmaí praiticiúla, beidh feidhm ag an gcód fógraíochta do pháistí i leith sheirbhísí teilifíse agus raidió RTÉ agus TG4, i leith sheirbhísí teilifíse agus raidió a cheadúnaítear faoi bhun an Achta um Raidió agus Teilifíse, 1988 (lena n-áirítear TV3 agus Today FM), chomh maith le seirbhísí a cheadúnaíonn Coimisiún Craolacháin Éireann faoi bhun an Achta Chraolacháin 2001.

Sceidealú

Sainmhínítear ‘clár do pháistí’ i gcomhthéacs phróifíl aoise na ndaoine a mbreathnaíonn air nó a n-éisteann leis. Mar sin de, is ionann ‘clár do pháistí’ agus clár ar bith a dtugtar an t-ainm sin air de ghnáth agus/nó clár ar bith a bhfuil os cionn 50% dá lucht féachana faoi bhun 18 bliain d’aois.

I gcás sraitheanna atá ar siúl le fada, úsáidfidh craoltóirí meán na bhfigiúirí féachana thar thréimhse réasúna ama chun cinneadh a dhéanamh acu atá an clár ina chlár do pháistí nó nach bhfuil.

Aithníonn an cód prionsabal an dualgais tuismitheoirí. I dtéarmaí ginearálta, ní mheastar gur cláir do pháistí aon chlár a chraoltar i ndiaidh 9pm. I ndiaidh an ama sin, is ar na tuismitheoirí/caomhnóirí atá an fhreagracht is mó maidir leis na rudaí a mbreathnaíonn an páiste orthu. Aithníonn an cód, áfach, nach stopann páistí ag breathnú go díreach ar 9pm agus, dá bhrí sin, cuirfidh an cód cosaint áirithe ar fáil san uair an chloig idir 9pm agus 10pm. Más rud é go léiríonn na figiúirí féachana do chlár a chraoltar i ndiaidh 9pm agus roimh 10pm go bhfuil níos mó ná 50% den lucht féachana faoi bhun 18 bliain d’aois, is amhlaidh a bheidh feidhm leis na forálacha a bhaineann le daoine faoi bhun 18 bliain d’aois.

There may be exceptional circumstances where regular programmes, which are not ordinarily classified as children's programmes, might attract an audience of which over 50% of those watching are children. Broadcasters are expected to anticipate the likelihood of this happening in view of the content of the programme, the previous history of the programme, the impact of upcoming storylines or cameo appearances that may attract over 50% viewership by children and apply the provisions of the code accordingly.

Audience profiling will be the primary means of implementing the provisions of the code. In the case, however, of once-off programming or a short series, it may not always be possible to predict the audience profile of those watching the programme. In these instances, broadcasters should refer to the indicative scheduling guidelines below. These are indicative times during which particular age groups most usually watch television. In scheduling children's advertising and making an assessment as to the appropriateness of an advertisement, broadcasters are requested to assess this in light of the likely age group watching at that time.

Indicative scheduling guidelines

When audience indexing is not possible, broadcasters should use the following guidelines:

If broadcasters, using reasonable judgement, consider, that particular children's advertising is inappropriate for children under 6 years of age, having regard in particular to the provisions of this code, then it should not be broadcast during and between children's programmes which target that age group.


If broadcasters, using reasonable judgement, consider that particular children's advertising is inappropriate for or likely to cause distress to children under 15 years of age, having regard in particular to the provisions of this code, then it should be broadcast after 9pm.

If broadcasters, using reasonable judgement, consider that children's advertising contains material of a sexual or violent nature not suitable for children under 15, having regard in particular to the provisions of this code, then a post 11pm restriction must be considered.

Assessment

Each example of children's advertising or an advert will be assessed on its own merit. This means each advert will be assessed based on its content but also the context in which it is broadcast. Context will be based on one or a combination of the following:

- The time it is broadcast;
- The type of programme which is on when it is broadcast;
- The likely profile of the audience that is watching when it is broadcast;
- The target audience of the product.



Is féidir, i dtosca eisceachtúla, go meallfaidh gnáthchláir nach rangáítear mar chláir do pháistí ar chor ar bith, lucht féachana a bhfuil os cionn 50% díobh ina bpáistí. Tá iallach ar chraoltóirí a bheith ar an airdeall faoin seans go dtarlódh sin, i gcomhthéacs ábhar an chláir, stair an chláir go dtí seo, tionchar cibé scéalta nó caimeónna atá le teacht agus a d'fhéadfadh a oiread sin páistí a mhealladh agus go mbeidís os cionn 50% den lucht féachana. Sa chás sin, ní mór dóibh forálacha an chóid a chur i bhfeidhm mar is cuí.

Tá an próifiliú aoise ar cheann de na straitéisí is tábhachtaí chun forálacha an Chóid a chur i bhfeidhm. Maidir le cláir aonuaire nó sraitheanna gearra, áfach, ní i gcónaí is féidir próifíl an lucht féachana a thuair. I gcás mar sin, ba chóir do chraoltóirí tagairt do na treoirlínte sceidealaithe táscacha a imlínítear thíos. Is amanna táscanna iad seo a mhíníonn cad iad na hamanna is mó a mbíonn aoisghrúpaí éagsúla ag breathnú ar an teilifís. Le linn dóibh a bheith ag sceidealú fógrán do pháistí, agus ag measúnú oiriúnacht an fhógráin, caithfidh craoltóirí cinneadh a dhéanamh i bhfianaise aoisphróifíl dhóichúil an lucht féachana in aon am ar leith.

Treoirlínte Sceidealaithe Táscacha

I gcás nach féidir an t-innéacsú lucht féachana a úsáid, ba chóir do chraoltóirí na treoirlínte seo a leanas a úsáid.

Má mheasann craoltóirí, tar éis machnamh réasúnta a dhéanamh, i bhfianaise fhorálacha an chóid seo, go bhfuil fógrán do pháistí mí-oiriúnach do pháistí faoi bhun 6 bliana d'aois, níor chóir an fógrán sin a chraoladh le linn nó idir cláir do pháistí atá dírithe ar an aoisghrúpa sin.

Má mheasann craoltóirí, tar éis machnamh réasúnta a dhéanamh, i bhfianaise fhorálacha an chóid seo, go bhfuil fógrán do pháistí mí-oiriúnach do pháistí faoi bhun 15 bliain d'aois, nó go bhféadfadh sé cur as dóibh, ba chóir an fógrán sin a chraoladh i ndiaidh 9pm.

Má mheasann craoltóirí, tar éis machnamh réasúnta a dhéanamh, i bhfianaise fhorálacha an chóid seo, go bhfuil ábhair de chineál gnéasach nó foréigneach i bhfógrán do pháiste nach bhfuil oiriúnach do pháistí faoi 15, ní mór dóibh a machnamh a dhéanamh i dtaobh an fógrán sin a sceidealú tar éis 11pm.

Measúnú

Déanfar gach fógrán agus gach sampla d'fhógraíocht do pháistí a mheas de réir a fhiúntais féin. Is ionann sin agus a rá go measfar gach fógrán de réir an ábhair atá ann agus an chomhthéacs ina bhfuil sé le craoladh. Beidh an chomhthéacs bunaithe ar cheann amháin nó ar roinnt de na rudaí seo a leanas:

- Am craolta;
- An cineál cláir atá ar siúl nuair a chraoltar é;
- Próifíl dhóichúil an lucht féachana atá ag breathnú le linn a chraolta;
- Sprioc-lucht féachana an tairge.

1 Social Values

- 1.1** Children's advertising shall not reflect a range of values which are inconsistent with the moral or ethical standards or diversity of contemporary Irish society. It shall respect human dignity and not discriminate on grounds of gender, marital status, family status, sexual orientation, religion, age, disability, race or membership of the Traveller community. Nor shall it be offensive to religious or political beliefs or encourage behaviour which is damaging to the environment. It shall respect the principle of equality and avoid sex stereotyping and any exploitation or the demeaning of men, women or children. **U/18**

2 Inexperience and Credulity

- 2.1** Children's advertising shall not take advantage of the natural credulity and sense of loyalty of children. It must not by implication, omission, ambiguity or exaggerated claim, mislead or deceive or be likely to mislead or deceive children, abuse their trust or exploit the lack of knowledge of children. It shall not exploit or without justifiable reason play on fear. **U/18**

2.2 *Factual Presentation*

Children's advertising shall:

- 2.2.1** Clearly indicate what parts, elements or accessories are included as part of the normal purchase of the product or service and differentiate between those which are only available at extra cost. **U/18**

- 2.2.2** Ensure that on-screen messages and 'small print' are clear, simple and legible and remains on screen for a sufficient length of time to enable a child to read it. **U/15**

- 2.2.3** Give children an indication of the actual size of the product. **U/15**

- 2.2.4** Clearly indicate when batteries are required for the operation of the product and whether these are supplied with the product. **U/15**

- 2.2.5** Clearly indicate when a product has to be assembled and what age level is generally required to assemble the product. **U/15**

- 2.2.6** Avoid the use of language, special effects or imaginative scenes which could confuse the child or have them believe the product or service has capabilities or characteristics which it does not have in reality. **U/15**

- 2.2.7** In the case of toys or children's possessions, children's advertising shall not make direct comparisons between existing and 'improved' versions/models of the product, even when the statements or claims are valid¹. **U/15**

- 2.2.8** State orally any on-screen messages or small print in order to ensure children of this age understand the message. **U/6**

¹ These are products that persons under 15 years of age could ordinarily be expected to possess.

1 Luachanna Sóisialta

1.1 Ní léireodh an fhógraíocht do pháistí raon de luachanna atá ag teacht salach ar chaighdeáin mhorálta agus eiticiúla agus le héagsúlacht shochaí chomhaimseartha na hÉireann. Ní dhéanfaidh aon fhógrán dínit aon duine a dhíspeagadh, ná leithcheal a dhéanamh ó thaobh inscne, stádas pósta, stádas teaghlaigh, claonadh gnéasach, creideamh, aois, míchumas, cine nó bainteacht leis an Lucht Siúil. Ná ní bheidh aon fhógrán maslach do dhearcadh reiligiúnach nó polaitiúil ná ní spreagfaidh sé iompar a bheadh dochrach don timpeallacht. Beidh meas ar phrionsabal an chomhionannais idir fir agus mná, gan steiréitíopaí gnéis a chruthú ná teacht i dtír nó díspeagadh a dhéanamh ar fhir nó ar mhná. **U/18**

2 Easpa Taithí agus Saontacht

2.1 Ní dhéanfaidh fógráin do pháistí teacht i dtír ar shaontacht nádúrtha nó ar dhílseacht na bpáistí. Ní dhéanfar, trí leid, trí fhaillí, trí dhébhríocht nó trí mhaíomh áibhéalach, míthreoir ná dallamullóg a chur ar pháistí, mí-úsáid a bhaint as muinín nó easpa eolais na bpáistí. Ní bheifear ag teacht i dtír ar eagla, gan údar fóna a bheith leis. **U/18**

2.2 Léiriú Fíriciúil

Déanfaidh fógráin do pháistí na nithe seo a leanas:

2.2.1 A léiriú go soiléir cad iad na páirteanna, píosaí nó gabhálaí ar cuid den bhuntáirge iad agus deighilt idir iad sin agus na rudaí a gcaithfear iad a cheannach ar chostas breise. **U/18**

2.2.2 A dhéanamh cinnte go mbíonn teachtaireachtaí scáileáin agus ‘cló beag’ soiléir, simplí soléite

agus go bhfanann siad ar an scáileán fada go leor chun go léifeadh an páiste iad. **U/15**

2.2.3 Méid réalaíoch an táirge a léiriú do na páistí. **U/15**

2.2.4 Má theastaíonn batairí le haghaidh an táirge a oibriú, an méid sin a léiriú go soiléir agus a chur in iúl cé acu a chuirtear ar fáil leis an táirge iad nó nach gcuirtear. **U/15**


2.2.5 Má tá an táirge le cóimeáil, an méid sin a léiriú go soiléir agus a chur in iúl cén leibhéal aoise a theastaíonn de ghnáth chun an táirge a chóimeáil. **U/15**

2.2.6 Gan aon fhriotal, cleasanna físe nó radhairc shamhalta a úsáid a d’fhéadfadh meascán mearaí a chur ar pháistí nó a thabharfadh orthu smaoineamh go bhfuil acmhainní nó tréithe ag baint le táirge nó le seirbhís nach ann dóibh dáiríre. **U/15**

2.2.7 Maidir le bréagáin nó earraí do pháistí, gan comparáid dhíreach a dhéanamh idir leaganacha atá ann cheana agus leaganacha/samhlacha ‘feabhsaithe’ den táirge, fíú má tá bunús maith lena leithéid a mhaíomh¹. **U/15**

2.2.8 Cibé teachtaireachtaí nó cló beag a bheadh ar an scáileán a léamh amach chun a chinntiú go dtuigeann páistí den aois seo an teachtaireacht. **U/6**

¹ Is táirgí iad seo a bheadh i seilbh daoine faoi bhun 15 bliain d’aois.



2.3 Price of product/service

With regard to how the price of a product or service is presented in children's advertising, the following rules shall apply:

- 2.3.1 The price, when given, shall be in euro and be inclusive of VAT or any other extra or related charges. **U/18**
- 2.3.2 If the price is dependent on the purchase of another item, then this must be made clear in the advert. **U/18**
- 2.3.3 If there are a number of products in the advert and the price of an item/or items is highlighted, then it must be made clear that the price refers to this item/items only. **U/18**
- 2.3.4 Children's advertising that refers to 'free gifts' or offers must specify any and all qualifying terms and conditions, e.g. any time limit, how many products need to be bought, how many wrappers need to be collected. Children's advertising must not offer prizes or rewards to children for attracting new purchasers for the product or service. **U/18**
- 2.3.5 The price shall be presented in clear, simple and legible font and where appropriate be voiced as part of the audio. **U/15**

2.3.6 The language used in presenting the price shall not minimise its cost; e.g. through the use of words such as 'only' or 'just'. **U/15**

2.3.7 Expensive toys shall state the price in the advert. A toy will not be regarded as expensive if it, plus any essential accessories, are generally available at a retail price below a figure specified by the BCI. At January 2005, this figure is €30 but is subject to review. **U/15**

3 Undue Pressure

- 3.1 Children's advertising shall not directly encourage or exhort children to ask adults to buy them the products or services being advertised. **U/18**
- 3.2 Children's advertising should not imply that possession or use of the product or service will make the child or his/her family superior, either physically, socially or psychologically. **U/18**
- 3.3 Children's advertising shall not imply that the child or his/her family will be inferior or open to ridicule or contempt if they do not possess the particular product or service. It should not imply that the product is affordable to all families. **U/18**
- 3.4 Children's advertising must be particularly careful to avoid the implication that possession of a product or service will contribute to or detract from the child's popularity or acquisition of friends. **U/18**
- 3.5 Children's advertising should not make the child feel inferior, disloyal or doubtful about their self-image. **U/18**

2.3 Pragas an Táirge/na Seirbhíse

Maidir le conas a léirítear praghas an táirge nó na seirbhíse i bhfógráin do pháistí, beidh na rialacha seo a leanas i bhfeidhm:

- 2.3.1 I gcás go luaitear praghas, is é an praghas euro a luafar, CBL agus aon táillí breise nó gaolmhara san áireamh. **U/18**
- 2.3.2 Má tá an praghas ag brath ar earra eile a cheannach, caithfidh an méid sin a chur in iúl go soiléir san fhógrán. **U/18**
- 2.3.3 Má tá roinnt earraí éagsúla le feiceáil san fhógrán, agus má tharraingtear aird ar an bpragas atá ar earra/earraí ar leith, caithfidh a chur in iúl go soiléir gur don earra/earraí sin amháin atá an praghas ag tagairt. **U/18**
- 2.3.4 Má luaitear ‘branntanais saor in aisce’ nó tairiscintí i bhfógrán do pháistí, ní mór na coinníollacha cáilithe go léir a lua freisin, m.sh. teorainn ama, cá mhéad táirgí a chaithfidh a cheannach, cá mhéad scaoilteog a chaithfidh a bhailiú agus araile. Ní ceadmhach d’fhógráin do pháistí duaiseanna ná branntanais a thairiscint do pháistí as ucht tuilleadh custaiméirí a mhealladh chun an táirge nó an tseirbhís a cheannach. **U/18**
- 2.3.5 Taispeánfar an praghas i gcló soiléir simplí soléite agus, i gcásanna cuí, déarfar amach mar chuid den fhuaimrian é. **U/15**
- 2.3.6 Ní dhéanfaidh an tráchttaireacht beag de phraghas an táirge, m.sh. le focail ar nós ‘X _ amháin’ nó ‘gan ach X _’. **U/15**

- 2.3.7 Maidir le bréagáin chostasacha, luafar a bpragas san fhógrán. Ní mheastar bréagán a bheith costasach más féidir an bréagán agus aon ghabháilais riachtanacha a cheannach ar ghnáthphraghas atá níos ísle ná figiúr a shonraíonn an Coimisiún. €30 an figiúr atá i gceist i mí Eanáir 2005, ach beidh an figiúr sin le hathrú amach anseo. **U/15**

3 Brú Mí-oiriúnach

- 3.1 Ní bheidh aon achainí dhíreach in aon fhógrán do pháistí ag tathaint ar pháistí iarraidh ar dhaoine fásta na táirgí nó na seirbhísí atá á bhfógairt a cheannach dóibh. **U/18**
- 3.2 Ní ceadmhach d’fhógráin do pháistí a thabhairt le fios go mbeadh an páiste nó an teaghlach níos fearr ná daoine eile, go fisiceach, go sóisialta ná go síceolaíoch, toisc táirge nó seirbhís a bheith ina seilbh nó á úsáid acu. **U/18**
- 3.3 Ní ceadmhach a thabhairt le fios go mbeadh an páiste nó an teaghlach níos suaraí ná daoine eile, nó go mbeifear ag magadh orthu nó ag déanamh beag díobh toisc nach bhfuil táirge nó seirbhís áirithe acu. Ní thabharfaidh an fógrán le fios go bhfuil sé d’acmhainn ag gach teaghlach an táirge a cheannach. **U/18**
- 3.4 Caithfidh fógráin do pháistí iarracht ar leith a dhéanamh gan a thabhairt le fios go gcabhródh táirge nó seirbhís ar bith le páiste chun cairde a dhéanamh nó gean na ndaoine a tharraingt air/uirthe féin, nó go mbeadh sé/sí níos measa as in éagmais an táirge nó na seirbhíse. **U/18**
- 3.5 Ní ceadmhach d’fhógráin do pháistí aon pháiste a dhéanamh imníoch faoina fhiúntas féin, faoina dhílseacht ná faoina íomhá phearsanta. **U/18**

4 Special Protection for Children in Advertising

Children Endorsing Products

- 4.1** The use of children to comment on or endorse products in children's advertising is only permitted for products and services they could reasonably be expected to use and would usually be interested in themselves.

Children may appear in children's advertising for adult products if their appearance is as a natural element in the depicted environment or necessary to explain or demonstrate the use of the product or service. **U/18**

Sexualisation of Children

- 4.2** Children's Advertising shall not portray a child in a sexually provocative manner or provoke anxiety in children over their bodily appearance. **U/18**

Privacy and Provision of Information

- 4.3** Children's advertising shall not ask children to submit private information or details regarding themselves, their family or friends, unless the advert is as part of a campaign which relates to their safety, health or wellbeing. When this practice is used, children's advertising should state, where reasonable, that children must seek adult approval before sending the information. **U/18**

Adults pretending to be children

- 4.4** The use of adults pretending to be children in children's advertising must not be offensive to the dignity of children. **U/18**

5 General Safety

- 5.1** Children's advertising shall not encourage children to enter into unsafe situations or strange places or to talk to strangers. **U/18**
- 5.2** Children's advertising shall not show children in morally or physically dangerous situations or behaving dangerously in the home or outside, including street and road scenes, except when the sole purpose of the advert is to promote safety. **U/18**
- 5.3** Children's advertising shall show children using appropriate safety equipment and respecting all applicable safety rules, when engaged in activities that require such and with adult supervision where appropriate, for example, as passengers in vehicles, pedestrians, cyclists, when rollerblading, skateboarding, swimming, watersports or horse riding. **U/18**
- 5.4** Children's advertising should not show children using the internet without appropriate adult supervision. **U/18**
- 5.5** Children's advertising should not unreasonably show children using or close to dangerous substances or dangerous equipment; for example, matches, gas appliances, petrol, certain household substances or in possession of, or administering, medicines unless under appropriate adult supervision. **U/15**

4 Cosaint ar leith do Pháistí i gCúrsaí Fógraíochta

Táirgí á moladh ag Páistí

- 4.1** Ní úsáidfeadh páistí i bhfógráin do pháistí chun cur síos ar tháirgí nó chun táirgí a mholadh ach amháin i gcás go bhfuil sé réasúnta a bheith ag súil go n-úsáidfeadh na páistí féin natáirgí nó go mbeadh spéis acu iontu.

Is ceadmhach páistí a úsáid i bhfógráin do pháistí le haghaidh táirgí daoine fásta má tá páistí ina ngné nádúrtha den timpeallacht atá á léiriú nó má theastaíonn siad chun úsáid an táirge nó na seirbhíse a mhíniú nó a léiriú. **U/18**

Páistí a Léiriú ar Shlí Ghnéasach

- 4.2** Ní ceadmhach d'fhógráin do pháistí aon pháiste a léiriú ar shlí ghnéasach nó aon imní a chur ar pháistí mar gheall ar a gcuma féin nó a gcolainn féin. **U/18**

Príobháideacht agus Soláthar Eolais

- 4.3** Ní iarrfaidh fógróirí ar pháistí eolas pearsanta a sholáthar fúthu féin, faoina dteaghlach nó faoina gcairde, ach amháin má tá an fógrán ina pháirt d'fheachtas a bhaineann le sábháilteacht, sláinte nó leas páistí. I gcás go n-úsáidtear an nós seo ba chóir a chur in iúl, oiread agus atá réasúnta, go gcaithfidh an páiste cead a fháil ó dhuine fásta sula seachadaítear an t-eolas. **U/18**

Daoine Fásta ag Ligean Orthu Féin gur Páistí iad

- 4.4** Maidir le daoine fásta a bheadh le feiceáil i bhfógráin do pháistí ag ligean orthu féin gur páistí iad, ní ceadmhach aon mhasla ná díspeagadh a dhéanamh ar dhínit pháistí. **U/18**

5 Sábháilteacht Ghinearálta

- 5.1** Ní dhéanfaidh fógráin do pháistí páistí a spreagadh chun iad féin a chur i mbaol, ná dul isteach in áiteanna nach bhfuil eolas acu orthu ná labhairt le strainséirí. **U/18**
- 5.2** I bhfógráin do pháistí, ní thaispeánfar páistí i ndálaí a bhfuil contúirt mhorálta nó fhisiceach ag baint leo, ná páistí á n-iompar féin ar shlí chontúirteach sa bhaile nó lasmuigh, ach amháin más é aonchuspóir an fhógráin an tsábháilteacht a chur cinn. **U/18**
- 5.3** I bhfógráin do pháistí, taispeánfar páistí ag baint úsáide as trealamh sábháilteachta agus ag cloí le gach riail sábháilteachta a bhaineann le hábhar le linn dóibh a bheith i mbun gníomhaíochtaí ina dteastaíonn a leithéid, agus go mbeidh daoine fásta ag faire orthu, más cuí, mar shampla, le linn do pháistí a bheith ina bpaisinéirí i bhfeithiclí, nó le linn dóibh a bheith ag síúl ar na sráideanna, ag rotháocht, ag lannrolláil, ag clársclátáil, ag snámh, ag marcaíocht ar chapall nó a bheith i mbun spóirt uisce. **U/18**
- 5.4** I bhfógráin do pháistí, ní thaispeánfar páistí ag úsáid an Idirlín gan daoine fásta a bheith ag faire orthu mar is cuí. **U/18**

Behaviour


- 5.6** Children's advertising shall not encourage children to engage in, or be portrayed engaging in, anti social behaviour; in particular bullying, taunting or teasing other children, unless the sole purpose of the advertisement is to discourage such behaviour. **U/18**
- 5.7** Children's advertising should not disparage education or condone aggression or greed as admirable qualities. **U/18**

6 Violence

- 6.1** Children's advertising should not generally, as a principle, include violence or include scenes that will cause distress to children. **U/18**
- 6.2** In instances where the inclusion of violent scenes may be necessary as part of a public service message or in order to demonstrate the product, broadcasters must schedule responsibly so as to ensure that such advertising does not cause distress to children of this age group. **U/6**

7 Diet and Nutrition

- 7.1** Children's advertising shall be responsible in the manner in which food and drink are portrayed. It should not encourage an unhealthy lifestyle or unhealthy eating or drinking habits such as immoderate consumption, excessive or compulsive eating. **U/18**
- 7.2** Children's advertising representing mealtime should clearly and adequately depict the role of the product within the framework of a balanced diet. **U/18**
- 7.3** Children's advertising must not contain any misleading or incorrect information about the nutritional value of the product. It must not make misleading or incorrect comparisons between foods. It must not imply that particular foods are a substitute or replacement for fruit and/or vegetables. **U/18**
- 7.4** All children's advertising for fast food products, outlets and/or brands must display an acoustic or visual message stating 'should be eaten in moderation and as part of a balanced diet'. 'Fast food' is defined as 'food coming under the recognised character of fast food and/or inexpensive cooked food which is prepared and served quickly and is readily accessible for purchase by children'. It is not the intention of the definition to include prepared and convenience foods or food which is purchased for preparation and cooking in the home. Fast food in this instance does not refer to the actual amount of time required to cook the food but rather the speed and ease with which the food can be procured and consumed. **U/18**

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- 5.5** I bhfógráin do pháistí, níor chóir páistí a thaispeáint in aice le substaintí contúirteacha nó ag baint úsáide as a leithéid, mar shampla cipíní, gairis gháis, peitreal, substaintí áirithe tí, ná cógais a bheith ina seilbh nó a bheith á ndáileadh acu gan mhaoirsiú cuí ó dhaoine fásta. **U/15**

Iompar Pearsanta

- 5.6** I bhfógráin do pháistí, níor chóir páistí a spreagadh chun páirt a ghlacadh, ná iad a thaispeáint ag glacadh páirte, in iompar frithshóisialta, go háirithe bulaíocht nó magadh faoi pháistí eile nó páistí eile a chiapadh, ach amháin i gcás gurb é aonchuspóir an fhógráin a leithéid d'iompar a dhímholadh. **U/18**
- 5.7** Ní dhéanfaidh fógráin do pháistí aon díspeagadh ar an oideachas ná a thabhairt le fios gur dea-thréithe iad iompar trodach nó saint. **U/18**

6 Foréigean

- 6.1** Tríd is tríd, mar phrionsabal, ní bheidh foréigean ná radhairc a chuirfeadh as do pháistí á dtaispeáint i bhfógráin do pháistí. **U/18**
- 6.2** I gcás go bhfuil sé riachtanach radhairc fhoréigneacha a chur san fhógrán, toisc gur teachtaireacht sheirbhís phoiblí atá ann, nó chun úsáid an táirge a thaispeáint, ní mór do chraoltóirí an fógrán a sceidealú le haghaidh amanna oiriúnacha chun a chinntiú nach gcuireann a leithéid d'fhógrán as do pháistí den aoisghrúpa seo. **U/6**

Réim Bia agus Cothú

- 7.1** Déanfaidh fógráin do pháistí cúram den chaoi ina léirítear bia agus deoch. Ní dhéanfar stíl mhaireachtála mhífholláin nó nósanna itheacháin is ólacháin atá mífholláin a spreagadh, mar shampla nósanna itheacháin is ólacháin atá míchuíosach nó éigníoch. **U/18**
- 7.2** Má thaispeántar daoine ag ithe béile le chéile i bhfógrán do pháistí, ba chóir a léiriú go soiléir cén ról atá ag an táirge laistigh de réim cothrom bia. **U/18**
- 7.3** Ní bheidh aon eolas míchruinn i bhfógráin do pháistí, ná aon eolas a chuirfeadh míthreoir ar dhaoine, maidir le luach cothaitheach an táirge. Ní dhéanfaidh fógráin do pháistí aon chomparáid gan bhunús idir bianna nó a thabhairt le fios gur féidir bianna áirithe a chur in ionad torthaí agus/nó glasraí. **U/18**
- 7.4** Maidir le gach fógrán do pháistí ar ar son táirgí, siopaí agus/nó brandaí mearbhia, caithfidh teachtaireacht fhuaimne nó fhíse a chraoladh ag rá gur cheart an bia seo a ithe mar pháirt de réim chothrom bia agus nár cheart an iomarca de a ithe. Is mar seo a shainmhínítear mearbhia: bia den chineál a dtugtar an t-ainm sin de ghnáth agus/nó bia cócaráilte neamhchostasach a ullmhaítear agus a dháiltear go tapa agus ar féidir le páistí é a cheannach. Ní mian linn go gclúdódh an sainmhíniú bia réamhullmhaithe agus bia saoráideach a cheannaítear le haghaidh é a ullmhú agus a chócaráil sa bhaile. Is é atá i gceist le 'mearbhia' sa chás seo ná cé chomh tapa agus chomh héasca atá sé



7.5 Children’s advertising shall not portray or refer to celebrities or sports stars to promote food or drink products, unless the advert is part of a public health or education campaign. Celebrities, in this instance, are defined as persons who are widely acclaimed, honoured and/or known to children. It does not include those persons or characters that become known to children solely as a result of their participation in advertising. **U/15**

7.6 Children’s advertising for confectionery products must display an acoustic or visual message stating ‘snacking on sugary foods and drinks can damage teeth.’ ‘Confectionery’ in this instance includes sugar, honey, preserves, chocolate, chocolate covered bars (excluding biscuits), non-chocolate confectionery – e.g. cereal bars – and artificial sweeteners.¹ Carbonated drinks are included with the exception of water. **U/18**

¹ This definition of ‘confectionery’ is in accordance with the Food Safety Authority of Ireland. Samples are classified by EU category as defined by the European Communities. See Food Safety Authority of Ireland (2001), *Guidance Note on the EU Classification of Food No. 2*, p.15. For further clarification of the foodstuffs identified, see FSAI (2001) Appendix I, p.44.

8 Parental Responsibility

8.1 Parents and guardians have primary responsibility for children but advertisers should support the parent/guardian relationship by scheduling responsibly and by not undermining the authority, responsibility or judgement of parents or guardians in the content of the advertisement. This includes the use of plot lines which encourage children to deceive or manipulate adults into purchasing or providing the product or service advertised. Children’s advertising shall not suggest that a parent or adult who purchases or provides a product or service for the child, is better, more intelligent or more generous than one who does not. **U/18**

9 Programme Characters

9.1 Characters and personalities from children’s programmes which are currently broadcast on indigenous services shall not be used to endorse or advertise products or services in children’s advertising. In this instance ‘currently’ includes regular programming due for return in the next broadcast season.

This provision does not apply to children’s advertising for products, events or services, directly associated with programmes in which the characters or personalities normally appear. In the case of children’s advertising for products, events or services directly associated with the children’s programme, then these adverts must not be broadcast for two hours prior to the beginning and following the end of the programme in question. **U/18**

an bia a fháil agus a ithe, murab ionann agus an fad ama atá riachtanach le é a chócaráil. **U/18**

7.5 I bhfógráin do pháistí, ní thaispeánfar ná ní thagrófar do dhaoine clúiteacha, do réaltaí spóirt d'fhonn táirgí bia nó deochanna a mholadh, ach amháin má tá an fógrán mar chuid d'fheachtas poiblí sláinte nó oideachais. Is mar seo a shainmhíneáir 'daoine clúiteacha's a chás seo, i.e. daoine a mbíonn moladh nó ómós forleathan ag baint leo i measc páistí. Ní chlúdaíonn sé daoine nó carachtair a bhfuil aithne ag páistí orthu díreach de bharr iad a bheith bainteach le fógraíocht.

7.6 Ní mór, i ngach fógrán do pháistí ar son táirgí milseogra, teachtaireacht fuaime nó físe a thaispeáint ag rá: 'féadann sé dochar a dhéanamh d'fhiacla bianna agus deochanna siúcru a ithe nó a ól'. Is é atá i gceist le 'milseogra' sa chás seo ná siúcra, mil, subh, seacláid, barraí atá clúdaithe le seacláid (ach amháin brioscaí), agus milseogra neamhsheacláide - m.sh. barraí gránaigh - agus milsitheoirí saorga.¹ Clúdaíonn sé deochanna carbónaithe freisin, ach amháin uisce. **U/18**

¹ Tá an sainmhíniú seo ar 'milseogra' ag teacht le sainmhíniú Údarás Sábháilteachta Bia na hÉireann (FSAI). Rangaítear na samplaí de réir chatagóirí an AE faoi mar atá sainmhíniú ag na Pobail Eorpacha. Féach Údarás Sábháilteachta Bia na hÉireann (2001), *Guidance Note on the EU Classification of Food No.2, lch.15*. Le haghaidh tuilleadh eolais ar na bianna atá i gceist, féach FSAI (2001), *Aguisín 1*, p.44.

8 Dualgas Tuismitheoirí

8.1 Is ar thuismitheoirí agus ar chaomhnóirí is mó atá dualgas as a gcuid páistí, ach ba chóir d'fhógróirí tacú leis an gcaidreamh idir tuismitheoirí/caomhnóirí agus a gcuid páistí trí chlár agus fógráin a sceidealú in amanna oiriúnacha agus gan baint d'údarás, d'fhreagracht nó de bhreithiúnas na dtuismitheoirí nó na gcaomhnóirí maidir le hábhar na bhfógrán. Clúdaíonn seo plotaí a spreagann páistí chun cluin nó dallamullóg a chur ar dhaoine fásta chun go gceannóidh nó go soláthróidh siad an táirge nó an tseirbhís san fhógrán. Ní thabharfaidh fógráin do pháistí le fios go bhfuil tuismitheoir nó duine fásta a cheannaíonn nó a sholáthraíonn an táirge nó an tseirbhís don pháiste, go bhfuil sé níos fearr, níos cliste nó níos flaithiúla ná duine nach gceannaíonn nó nach soláthraíonn. **U/18**

9 Carachtair ó Chláir

9.1 Ní úsáidfeair carachtair nó daoine ó chláir reatha do pháistí a chraoltar ar na seirbhísí dúchasacha chun táirgí nó seirbhísí a mholadh nó a fhógairt i bhfógráin do pháistí. Sa chás seo, is ionann 'reatha' agus cláir rialta atá le teacht ar ais sa chéad séasúr craolta eile.

Níl feidhm ag an bhforáil seo maidir le fógráin do pháistí ar son táirgí, imeachtaí nó seirbhísí a bhfuil baint dhíreach acu leis an gclár a mbíonn na carachtair nó na daoine le feiceáil de ghnáth. Maidir le fógráin do pháistí ar son táirgí, imeachtaí nó seirbhísí a bhfuil baint dhíreach acu leis an gclár do pháistí, ní ceadmhach na fógráin seo a chraoladh ar feadh an dá uair an chloig roimh thús agus tar éis dheireadh cibé cláir a bheadh i gceist. **U/18**



10 Product Prohibitions and Restrictions U/18

10.1 The *Codes of standards, practice and prohibitions in advertising, sponsorship and other forms of commercial promotion in broadcasting services* sets out prohibitions and restrictions on a range of products and services. These include medications, alcohol, tobacco and financial and legal products. These restrictions also apply to children's advertising.

In addition to the restrictions and prohibitions listed in that document, the following products, services, treatments or establishments shall not be advertised in children's advertising:

- Betting and Gaming services or products (except the National Lottery as permitted by the National Lottery Act 1986)
- Slimming products, services, treatments or establishments, (slimming being defined as weight reduction, limitation or control);
- Introduction and dating services;
- Services of a sexual nature. **U/18**

11 Identification and Separation

11.1 Children's advertising must be clearly distinguishable from programme content with respect to image, text and sound. It must not include excerpts from children's programmes which might blur the distinction between advertising and programme content. **U/18**

11.2 Children's advertising shall be clearly separated from programming content. Broadcasters are required to provide a visual or acoustic cue to the child during and around children's programming to denote when a commercial break is beginning and ending. Such a cue shall not be sponsored or itself contain advertising material. **U/18**

12 Insertion of Advertising

12.1 Christmas themed children's advertising may not be broadcast prior to November 1st each year. Christmas themed advertising refers to advertising that contains references, either visual or acoustic, to Christmas. **U/18**

12.2 A children's programme of less than 30 minutes scheduled duration, may not be interrupted by advertising. **U/15**

10 Toirmisc agus Sriantha ar Tháirgí U/18

10.1 Tá toirmisc agus sriantha ar raon de tháirgí agus de sheirbhísí leagtha síos in *The Codes of standards, practice and prohibitions in advertising, sponsorship and other forms of commercial promotion in broadcasting services*. Ina measc seo tá cógais, alcól, tobac agus táirgí dlíthiúla. Tá feidhm leis na sriantha seo i leith na fógraíochta do pháistí chomh maith.

Chomh maith leis na sriantha agus na toirmisc a liostaítear sa doiciméad sin, ní fhógrófar na táirgí, seirbhísí, cóireálacha ná gnóthaí seo a leanas i bhfógráin do pháistí:

- Seirbhísí nó táirgí Geallchuir agus Cluichíochta (ach amháin an Crannchur Náisiúnta faoi mar a cheadaítear faoi bhun an Achta um Chrannchur Náisiúnta 1986)
- Táirgí, seirbhísí, cóireálacha nó gnóthaí tanaithe (sainmhínítear ‘tanú’ mar seo: meáchan a laghdú, a shrianadh nó a rialú).
- Seirbhísí a chuireann daoine in aithne dá chéile nó a dhéanann coinní eatarthu
- Seirbhísí de chineál gnéasach. **U/18**

11 Sainaitheint agus Deighilt

11.1 Caithfidh deighilt shoiléir a bheith idir fógráin do pháistí agus ábhair chraolta eile maidir le híomhá, téacs agus fuaim. Ní ceadmhach píosaí ó chláir do pháistí a fhí isteach i bhfógráin ar shlí a bhféadfadh an deighilt idir fógráin agus ábhair chraolta eile a dhoiléiriú. **U/18**

11.2 Beidh deighilt shoiléir idir fógráin do pháistí agus ábhair chraolta eile. Tá iallach ar chraoltóirí leid fhíse nó fhuaim a chraoladh le linn agus timpeall clár do pháistí chun a chur in iúl do pháistí go bhfuil sos fógraíochta ag teacht nó ag teacht chun deiridh. Ní bheidh urraíocht ná ábhair fhógraíochta ar bith mar chuid d’aon leid den chineál sin. **U/18**

12 Fógráin a Fhí Isteach

12.1 Ní ceadmhach fógráin do pháistí le téama Nollag a chraoladh roimh Shamhain 1 gach bliain. Is é atá i gceist le fógráin le téama Nollag ná aon fhógrán ina bhfuil tagairtí físe nó fuaime don Nollaig. **U/18**

12.2 Ní ceadmhach fógráin a chraoladh le linn cláir do pháistí a mhaireann níos lú ná 30 nóiméad, de réir sceidil. **U/18**

