

## Consultation Document

### **The Broadcasting Authority's Public Consultation on Provisions on Broadcast of Non-programme Materials within Programmes, Programme Sponsorship, and Advertising concerned with Clinics for the Treatment of Hair and Scalp in its Codes of Practice (Ref: WC 1/2010)**

#### **Purpose**

1. One of the functions of the Broadcasting Authority ("BA") is to secure proper standards of broadcasting and to provide guidance for licensees by issuing and revising codes of practice. The BA is now conducting a review of the provisions on the following –

- (A) broadcast of the following non-programme materials within programmes under the Generic Code of Practice on Television Programme Standards ("TV Programme Code"):
  - (i) announcement of programme changes within programmes in the form of superimposed text;
  - (ii) information on local date, time and weather, and emergency situation within programmes in the form of superimposition;
  - (iii) in-programme promotion for a programme in the form of superimposed text;
- (B) programme sponsorship under the Generic Code of Practice on Television Advertising Standards ("TV Advertising Code"); and
- (C) advertising concerned with clinics for the treatment of hair and scalp in the TV Advertising Code and the Radio Code of Practice on Advertising Standards ("Radio Advertising Code").

Members of the public are invited to give written views and suggestions on these issues.

2. To facilitate public understanding of the proposed revisions in relation to certain items in the BA Codes, television licensees had, at the BA's request, provided some pictures of still sample screen shots ("still shots"). The still shots are provided by the television licensees for the public consultation on the code review and are protected by copyright owned by the television licensees concerned. They shall only be reproduced or re-disseminated for non-commercial use in connection with this public consultation. Any reproduction, adaptation, distribution or dissemination of the still shots for any other use is strictly prohibited unless prior written authorization is obtained from the copyright owner.

### **(A) Broadcast of Non-programme Materials within Programmes**

*(i) Announcement of programme changes within programmes in the form of superimposed text*

#### Existing Provisions

3. At present, the domestic free ("Domestic Free TV") and domestic pay ("Domestic Pay TV") television programme service licensees are required to take reasonable steps to make programme change announcements<sup>1</sup>. The licensees are allowed to make programme change announcements in the form of superimposed text within programmes subject to restrictions on presentation, broadcast frequency, duration, positioning and the information provided so as to safeguard viewing interest and to protect children viewers<sup>2</sup>.

4. Details of the relevant provisions are at **Annex A1**.

#### Proposed Amendments

5. It is an obligation of the licensees to let the viewers informed of any programme changes. To provide more flexibility to the licensees in making timely and adequate programme change announcements, which are in the viewers' interest, the BA is considering relaxing the restrictions on presentation and positioning and removing the restrictions on broadcast

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<sup>1</sup> Paragraph 11 of chapter 12 of the TV Programme Code refers.

<sup>2</sup> Paragraph 11A of chapter 12 of the TV Programme Code refers.

frequency and duration of programme change announcements in the form of superimposed text within programmes.

6. Regarding the restrictions on presentation and positioning, it is proposed that such announcements should be generally placed along one of the margins of the television screen, on condition that they should remain mute and not obtrusive on viewing pleasure or entertainment.

7. Subsequent to the proposed relaxation and removal of the restrictions mentioned above, the BA is considering imposing the condition that sponsorship references in such announcements should be limited to the name(s) of the sponsor(s) and his house/trade/brand/product/service name which is/are incorporated into the title of the programme concerned. This would help strike a balance between the provision of timely and adequate programme change announcements and safeguarding viewing pleasure.

8. For protection of children, the BA is considering prohibiting such announcements which involve a programme(s) recommended/intended/restricted for viewing by adults only from being made within programmes targeting children.

*(ii) Information on local date, time and weather, and emergency situation within programmes in the form of superimposition*

### Existing Provisions

9. The existing TV Advertising Code prohibits the placing of “non-programme material” within programmes unless otherwise permitted by the BA<sup>3</sup>. The BA granted approvals to the Domestic Free TV licensees to superimpose on the screen non-programme material within programmes for providing information on time, weather and emergency situations on conditions that such superimposition are not accompanied by any sound and great care is exercised to minimize any disruptive effect which may be caused to viewers.

10. Details of the relevant provision are at **Annex A2**.

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<sup>3</sup> Paragraph 1 of chapter 8 of the TV Advertising Code refers.

## Proposed Amendments

11. The Domestic Free and Pay TV licensees have been providing within different types of programmes information on local date, time and weather in the form of continuous on-screen superimposition as a general service to viewers. The licensees are also providing information of interest to the public during emergency situations in the form of on-screen superimposition.

12. Taking into account the licensees' provision of the above-mentioned information appears to be favourably received by viewers and that its likely negative impact, if any, on viewing interest is minimal, the BA is considering introducing a provision in the TV Programme Code to allow all Domestic Free and Pay TV licensees to superimpose on the screen non-programme material within programmes to provide information on local date, time and weather, and information of interest to the public during an emergency situation on conditions that such superimposition should be mute, generally placed along one of the margins of the television screen and should not obtrude on viewing pleasure.

*(iii) In-programme promotion for a programme in the form of superimposed text*

## Existing Provisions

13. Under the existing TV Programme Code, the Domestic Free and Pay TV licensees are allowed to broadcast within programmes a promotion for a programme in the form of superimposed text ("in-programme promotion") subject to restrictions on presentation, positioning, broadcast frequency and duration, and the information provided so as to safeguard viewing pleasure and to protect children viewers<sup>4</sup>.

14. Details of the relevant provisions are at **Annex A3**.

## Proposed Amendments

15. To provide more flexibility in programme production and promotion to the Domestic Free and Pay TV licensees which are providing

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<sup>4</sup> Paragraph 15A of chapter 12 of the TV Programme Code refers.

multi-channel services, the BA is considering relaxing the restrictions on the positioning of in-programme promotion and allowing such promotion, which might promote the programmes broadcast on different channels of a licensee, to be generally placed along one of the margins of the television screen.

16. To alleviate the regulatory burden on the licensees, the BA is considering relaxing the restriction on programme classification, i.e. the programme featured in the in-programme promotion must not be of a higher programme classification than the programme in which the in-programme promotion appears<sup>5</sup>. In view of the fact that different episodes/editions of a programme series/serial may be categorized into different programme classification, the BA is considering exempting in-programme promotion for programmes of the same programme series or serial from the above restriction. For protection of children, the proposed exemption will not apply to in-programme promotion for programmes recommended/intended/restricted for viewing by adults only.

17. The BA is also considering revising the existing condition on broadcast frequency of in-programme promotion (viz. not more than once per programme segment/programme without breaks, regardless of the duration of the programme segment/programme) to tally with the proposed broadcast frequency for the corresponding sponsor identification<sup>6</sup> as detailed in paragraph 25(b) below in this document (viz. essentially once per every 7 minutes). The time allowance for each in-programme promotion (viz. not more than 10 seconds) remains unchanged, except for a programme segment/programme of less than 7 minutes in duration, such time allowance would be capped at 5 seconds.

18. To protect viewing interest, other existing conditions (i.e. in-programme promotion should be mute, should not obtrude on viewing pleasure, should not be split into different parts and is not allowed in news programmes and programmes or channels targeting children, etc.) would remain unchanged.

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<sup>5</sup> For example, in-programme promotion for a “PG” programme should not be broadcast in a programme for general viewing.

<sup>6</sup> The proposal to allow sponsorship of in-programme promotion, among others, is set out in paragraphs 22 to 25 below.

## **(B) Programme Sponsorship**

### Existing Provisions

19. Chapter 9 of the TV Advertising Code sets out the forms of programme sponsorship allowed, the ways to make sponsorship identifications, and the requirements and conditions on programme sponsorship. The Domestic Free and Pay TV licensees are allowed to accept title sponsorship of programme, programme segment and programme feature<sup>7</sup> provided that sponsorship identifications are clearly made and subject to the rules on the format, time allowance, etc. of such identifications. To identify title sponsorship of a programme, programme segment or programme feature, the licensees may, among other ways, incorporate a sponsor's name, his house/trade/brand/product/service name, trademark/logo, advertising slogan and attribute of the sponsor ("sponsorship references") into the title of the sponsored programme, programme segment or programme feature. The display of such in-programme sponsorship references is subject to the ground rules to protect viewing interest and the limit on time allowance<sup>8</sup>.

20. Details of the relevant provisions are at **Annex B**.

### Proposed Amendments

21. To provide a more conducive business environment to the TV licensees, the BA is considering extending the scope of sponsorable material within programmes and allowing a new form of sponsor identifications for such material. To protect viewing interest, all sponsor identifications within programmes would be subject to revised restrictions on size, broadcast frequency and time allowance.

#### *Extended scope of sponsorable material within programmes*

22. The BA is considering allowing sponsorship of in-programme promotion; and information on local date, time and weather superimposed on

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<sup>7</sup> An example of a typical programme feature is a constituent of a contest segment in a contest programme.

<sup>8</sup> Paragraph 8 of chapter 9 of the TV Advertising Code refers. For Domestic Free TV licensees, title sponsorship references permitted within a programme segment or programme of 10 minutes or more in duration are calculated on a pro-rata basis at the ratio of 15 seconds per 10 minutes. For a mini-programme of less than 10 minutes in duration, an aggregate of 5 seconds per programme is allowed. The time limit restriction does not apply to Domestic Pay TV licensees.

screen. A text message within a travelogue or cuisine programme<sup>9</sup> providing information related to the programme under broadcast might also be sponsored. Subsequently, there will be four types of sponsorable material within a programme, viz. the above three new types plus the sponsorship of the title of a programme/programme segment/programme feature.

*New form of sponsor identifications*

23. Instead of title sponsorship, sponsorship of the three news types of sponsorable material mentioned in paragraph 22 above might be identified by the display (alongside the sponsored material) of the sponsor's name, his house/trade/brand/product/service name, trademark/logo, advertising slogan and attribute of the sponsor ("sponsorship references"). Such display should be clearly identifiable as sponsor identifications in terms of presentation or by context<sup>10</sup>. The sponsor identifications plus the sponsored material (except the text message within a travelogue or cuisine programme providing programme-related information) should be mute and generally placed along one of the margins of the television screen.

24. To facilitate the understanding of the proposed new form of sponsor identifications, some of the television licensees had, in response to the request of the BA, provided some still shots for inclusion in this consultation document to demonstrate the display of sponsor identification alongside the following proposed new types of sponsorable material (please see paragraph 2)<sup>11</sup>:

- (i) in-programme promotion (**Annexes C1 and C2**);
- (ii) superimposition of information on local date, time and weather (**Annexes C3 and C4**); and
- (iii) a text message within travelogue providing programme-related message (**Annexes C5 and C6**).

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<sup>9</sup> Travelogue and cuisine programmes are generally leisure programmes providing both entertainment and information. Sponsorship of messages on programme-related information within these programmes would help provide more useful information of interest to viewers and would less likely be considered as obtrusive on viewing pleasure.

<sup>10</sup> For example, the display of sponsorship references plus the words indicating the sponsorship, such as "presents" or "sponsors" or "reminds you that" etc. is considered as a clear sponsor identification.

<sup>11</sup> The layouts of the sponsor identifications and the sponsored materials in the still shots are for reference only.

Revised restrictions on in-programme sponsor identifications

25. To protect viewers' interest and to reduce the possible negative impact on viewing pleasure, the BA may need to consider imposing the following restrictions on top of the basic principles that in-programme sponsor identifications should not be overly obtrusive:

- (a) the sponsor identification appearing in the programme should be limited to one at any one time;
- (b) the broadcast frequency of the sponsor identification for each of the four types of sponsorable material (as set out in paragraph 22 above) should be limited to once per every 7 minutes in a programme segment or programme without breaks of 7 minutes or more in duration. For a programme segment or mini-programme of less than 7 minutes in duration, the sponsor identification for each of the four types of sponsorable material should appear only once within each programme segment or mini-programme;
- (c) the number of sponsor appearing in each in-programme sponsor identification plus the sponsored material should be limited to one;
- (d) the size of the sponsor identification should not exceed a certain proportion, say 5%, of the entire television screen;
- (e) for a programme segment or programme without breaks of 7 minutes or more in duration, the duration of each sponsor identification appearing each time should not be more than 10 seconds. The aggregate duration of sponsor identifications allowed would be calculated on a pro-rata basis at the ratio of 30 seconds per every 7 minutes. For a programme segment or mini-programme of less than 7 minutes in duration, the duration of each sponsor identification should not be more than 5 seconds, the aggregate duration of sponsor identifications should not exceed 15 seconds; and



- (f) the restrictions on time allowance, except that for title sponsorship, should also apply to Domestic Pay TV licensees.

## **(C) Advertising of Clinics for the Treatment of Hair and Scalp**

### Existing Provisions

26. Under the existing TV and Radio Advertising Codes, advertisements for products or services coming within the recognized character of, or specifically concerned with clinics for the treatment of hair and scalp are not acceptable for broadcast on the Domestic Free and Pay TV, other licensable television programme services and the sound broadcasting services.

27. Details of the relevant provisions are at **Annex D**.

### Proposed Amendments

28. The BA is considering the proposal to revise the above restriction in its existing Advertising Codes, viz. “clinics for the treatment of hair and scalp” to “prevention or treatment for any disease of hair or scalp, except for the prevention or treatment of dandruff by means of external applications”. This is to trim the restriction in the BA’s Advertising Codes to align it with the corresponding restriction on medical advertisements as stipulated in the Undesirable Medical Advertisements Ordinance (Cap. 231) (“UMAO”). Under the proposal, any advertisement likely to lead to the use of any product or service for the purpose of treatment or prevention of contracting any disease of hair or scalp is not allowed while advertisements for the purpose of prevention or treatment of dandruff by means of external applications will be permitted.

## **Invitation for Comments and Suggestions**

29. The BA invites views and comments from members of the public on the issues raised in this consultation document. All views and comments should be made in writing and should reach the Broadcasting Authority Secretariat on or before 11 May 2010 through any of the following means -

By Post: Broadcasting Authority Secretariat  
39/F, Revenue Tower  
5, Gloucester Road  
Wanchai, Hong Kong  
(Attn: Content Regulation Section 1 – Consultation on Revision  
of Codes)

By Fax: 2507 2219  
(Attn: Content Regulation Section 1 – Consultation on Revision of  
Codes)

By e-mail: [cr@tela.gov.hk](mailto:cr@tela.gov.hk)

The written views and comments submitted will be referred to the BA and its Codes of Practice Committee for reference and consideration during the review of the relevant Codes. The BA reserves the right to make public all, or parts, of any submissions made in response to this Consultation Paper and reveal the identity of source. Any material claimed to be commercially confidential would need to be clearly marked. The BA would take such marking into account in making its decision on whether to release the material or not.

For enquiries, please send e-mail to [<cr@tela.gov.hk>](mailto:cr@tela.gov.hk) or call the Content Regulation Section 1 at 2594 5723.

Broadcasting Authority Secretariat  
21 April 2010

**Extracts from the Generic Code of Practice  
on Television Programme Standards**

**Chapter 12      Other Programme Matters**

***DOMESTIC FREE AND DOMESTIC PAY TELEVISION PROGRAMME SERVICES***

**Programme Changes**

11. Where programmes are not shown in accordance with publicly announced or published programme schedules, the licensee should take reasonable steps to inform viewers of such changes. These steps may include making on-screen announcements at the beginning of the scheduled time of the programmes affected and at other appropriate times when the intended audience of the programme might be watching television. This rule does not apply to video-on-demand programme services and channels acquired for direct re-transmission where in the opinion of the BA the licensee has no control over the scheduling of programmes.

11A. Notwithstanding the rule in paragraph 1 of Chapter 8 of the Generic Code of Practice on Television Advertising Standards (i.e. restriction on the placing of advertising or non-programme material in a programme), announcement of programme changes, regardless whether or not such changes have been publicly announced or published, within a programme in the form of superimposed text is allowed subject to the following rules:

- (a) the form of presentation of such announcement should be in compliance with the rules set out in subparagraphs (a) to (d) of paragraph 15A of this chapter<sup>(Note)</sup>;
- (b) the information provided in the text is restricted to the title of the programme(s) being affected, reference to the change in broadcast date/time, its appropriate programme classification symbol, if any, and the broadcast channel;
- (c) such announcement should not be made :
  - (i) within programmes targeting children when it involves a programme(s) of higher programme classification; and
  - (ii) within the same programme segment or programme without any breaks where an in-programme promotion under paragraph 15A has been broadcast.
- (d) such announcement in programme(s) or on channel(s) acquired for direct re-transmission may deviate from any of the rules set out in subparagraphs (a) to (c) above provided that the licensee shall take all reasonable steps to ensure as far as reasonably practicable that any deviation should be kept to the minimum necessary.

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<sup>(Note)</sup> The provisions concerned stipulate that such announcement:

- (a) should be mute and should not obtrude on viewing pleasure and entertainment;
- (b) should appear not more than once and not more than 10 seconds within each programme segment or a programme without breaks;
- (c) should not be split up into different parts appearing at different times within each programme segment or a programme without breaks; and
- (d) should be in a readily legible typeface and should be superimposed on the top left or right corner of the television screen.

(Remarks: This Note is inserted for easy reference. The TV Programme Code does not contain this Note.)

**Extracts from the Generic Code of Practice  
on Television Advertising Standards**

**Chapter 8            Advertising Breaks**

***DOMESTIC FREE, DOMESTIC PAY AND OTHER LICENSABLE TELEVISION  
PROGRAMME SERVICES***

1. Unless otherwise permitted by the BA, advertising or non-programme material may be placed only at the beginning or end of a programme or in a natural break occurring therein. For the purpose of this Code, “non-programme material” excludes advertising material but includes materials for the promotion of the licensee’s station and programme services and such announcements as the BA may require to be included in the licensee’s television programme services pursuant to the Broadcasting Ordinance (Cap.562) or the relevant licence. This rule does not apply to a service or part of a service that comprises of home shopping material where the nature of the service or part of a service is, in the opinion of the BA, clearly identified to viewers.

## Extracts from the Generic Code of Practice on Television Programme Standards

### Chapter 12 Other Programme Matters

#### *DOMESTIC FREE AND DOMESTIC PAY TELEVISION PROGRAMME SERVICES*

##### **In-Programme Promotions for a Programme in the form of Superimposed Text**

15A. A promotion for a programme in the form of superimposed text within programmes (“in-programme promotion”) is subject to the following rules:

- (a) the superimposition should be mute and should not obtrude on viewing pleasure and entertainment;
- (b) the superimposition should appear not more than once and not more than 10 seconds within each programme segment or a programme without breaks;
- (c) the text superimposed on screen should not be split up into different parts appearing at different times within each programme segment or a programme without breaks;
- (d) the text superimposed should be in a readily legible typeface. It should be superimposed on the top left or right corner of the television screen;
- (e) the information provided in the text is restricted to the title of the programme being promoted, its appropriate programme classification symbol, if any, broadcast date and time, and the broadcast channel. It should not include any advertising material or references to the sponsor(s) of the programme being promoted, save and except for the name(s) of the sponsor(s) and his house/trade/brand/product/service name which is/are incorporated into the programme title;
- (f) each in-programme promotion should be limited to promotion for one programme only ;
- (g) the superimposition of in-programme promotion is not allowed in news programmes and programmes or channels targeting children;
- (h) the programme featured in the in-programme promotion must not be of a higher programme classification than the programme under broadcast. For example, in the context of domestic free television programme service, the broadcast of in-programme promotion for a “PG” programme or a programme classified as not suitable for children in a programme for general viewing, or the in-programme promotion for an “M” programme or “adult only” programme in a “PG” programme (or a programme with similar classification) is not allowed; and
- (i) in-programme promotions in programme(s) or on channel(s) acquired for direct re-transmission may deviate from any of the rules set out in subparagraphs (a) to (h) above provided that the licensee shall take all reasonable steps to ensure as far as reasonably practicable that any deviation should be kept to the minimum necessary.

**Extracts from the Generic Code of Practice  
on Television Advertising Standards**

**Chapter 9 Programme Sponsorship**

***DOMESTIC FREE TELEVISION PROGRAMME SERVICES***

**Sponsor Identifications**

3. All sponsored programmes must be clearly identified. Sponsor identifications other than in the form of advertisements are subject to the following basic ground rules:

- (a) sponsor identifications must be distinguishable from advertisements, and should not contain superlative claims, price information and direct exhortations to the viewing public to purchase or rent the sponsor's products or services;
- (b) viewers should not be subject to hidden editorial influence; and
- (c) sponsor identification within a programme should not be obtrusive or have adverse effect on viewing pleasure.

4. A sponsored programme must be clearly identified as such by:

- (a) a front or an end sponsor credit or both which can be visual and/or aural (subject to paragraphs 5 to 7 of this chapter); and/or
- (b) in case of sponsorship of a whole programme or a programme segment<sup>(Note 1)</sup> or a programme feature<sup>(Note 2)</sup> thereof, incorporating the sponsor's name into a programme title or a programme segment title or a programme feature title (subject to paragraphs 8 and 9 of this chapter); and/or
- (c) in case of product/service sponsorship where payment or other valuable consideration is received by the licensee in return for the commercial product or service to be featured within the programme, sponsor credit(s) in the form as described in (a) above (subject to paragraph 10 of this chapter); and/or
- (d) a front or an end advertisement or both which should count towards the advertising time allowance.

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<sup>(Note 1)</sup> An example of a typical programme segment will be a contest segment in a contest programme.

<sup>(Note 2)</sup> An example of a typical programme feature is a constituent of a contest segment in a contest programme.

## **Front or End Sponsor Credits**

5. A distinction between advertising and front or end sponsor credits should be maintained in order to ensure that credits are not used as a means to extend allowable advertising minutage. Credits may include the sponsor's name and/or his house/trade/brand/product/service name and/or trademark/logo and may show the sponsor's product or service and contact details (e.g. telephone number, address, fax, website address etc.) Subject to paragraph 3 of this chapter, advertising slogans and attributes of the sponsor may also be used.

6. Without prejudice to paragraph 8 of this chapter, sponsor identification, whether incorporated in the title of a programme or not, can appear as a front or an end sponsor credit or both but a front or an end sponsor credit must not exceed 10 seconds in length where one sponsor is involved; and 30 seconds where there is more than one.

7. Front sponsor credits must precede and not be integrated within any part of the programme. End sponsor credits may be integrated with but must not precede the rolling end credits of a programme.

## **Title Sponsorship**

8. Apart from front or end sponsor credits, the licensee may incorporate a sponsor's name, his house/trade/brand/product/service name, trademark/logo, advertising slogan and attribute of the sponsor into the title of a programme/programme segment/programme feature subject to the following rules:

- (a) references to programme titles, programme segment titles and programme feature titles, whether visually or aurally, are acceptable provided that they do not contravene the ground rules of paragraph 3 of this chapter and do not exceed the following durations:
  - (i) subject to the provisions herein or a programme segment between 9 and 10 minutes, an aggregate of 15 seconds for every 10 minutes of a programme segment. For the purpose of this provision, "programme segment" has the same meaning as in paragraph 12 of Chapter 12 of the Generic Code of Practice on Television Programme Standards, that is, the part of a programme between breaks or between an interval and a break and is subject to the minimum segment duration of not less than 10 minutes. For the purpose of this sub-paragraph, a programme segment between 9 minutes and 10 minutes, where approval has been obtained from the BA to deviate from the 10-minute rule, will be deemed a 10-minute programme segment;
  - (ii) for the avoidance of doubt, in the case of a programme segment exceeding 10 minutes, the aggregate duration of references to title sponsorship referred to in sub-paragraph (i) may be calculated on a pro-rata basis at the ratio of 15 seconds per 10 minutes of the programme segment, provided that the licensee should exercise

due care in presenting the title sponsorship references to avoid bunching of such references which might otherwise obtrude on viewing pleasure; and

- (iii) in the case of a mini-programme of less than 10-minute duration, an aggregate of 5 seconds per programme; and
- (b) for the purpose of subparagraph (a) above, none of the following will be counted towards the time allowance prescribed in paragraphs 8(a)(i), (ii) and (iii) for sponsored programme/programme segment/programme feature titles:
- (i) programme breakers<sup>(Note 3)</sup> featuring the sponsored titles;
  - (ii) backdrops featuring the sponsored titles;
  - (iii) superimposition of, and/or aural reference to a sponsored programme title once each at the beginning and end of the entire programme;
  - (iv) stay tune announcement<sup>(Note 4)</sup> mentioning the sponsored titles;
  - (v) references to the sponsored programme titles in the station's promotional programme; and
  - (vi) superimposition of a sponsored programme title within programme segments as permitted under paragraph 15A of Chapter 12 of the *Generic Code of Practice on Television Programme Standards*.

9. The licensee must at all times have regard to the average viewer's interest when presenting sponsors' references under paragraph 8 of this chapter. Should any conflict arise between preserving viewers' interest and full application of paragraph 8, the preservation of viewers' interest prevails.

### **Product/Service Sponsorship**

10. The licensee may include one or more product(s) or service(s) within a programme in return for payment or other valuable consideration, provided that

- (a) their exposure or use is clearly justified editorially, not obtrusive to viewing pleasure and not gratuitous;
- (b) the sponsor for the product or service featured must be clearly identified in the front and/or end sponsor credits of the programme. The content of the

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<sup>(Note 3)</sup> An example of a typical programme breaker is a flipcard featuring a programme title when entering and/or leaving a commercial break.

<sup>(Note 4)</sup> An example of a typical stay tune announcement is the aural and/or visual reference to the title of a forthcoming programme, usually presented at the end of a programme.



front and/or end sponsor credits must comply with the rules set out in paragraphs 5 to 7 of this chapter;

- (c) the product or service featured in a programme must not be unacceptable for advertising under this Code; and
- (d) the advertising standards set out in other chapters of this Code shall apply to product/service sponsorship where appropriate, including but not limited to the provisions governing substantiation of factual claims and disparagement of competitors.

### **Sponsorship Considerations for Specific Types of Programme**

#### *Drama Programmes*

- 11. Deleted.

#### *Children's Programmes*

- 12. Sponsorship of children's programmes requires special caution. To avoid the programmes becoming too commercialized, title sponsorship which has the meanings as in paragraph 8 of this chapter may apply to children's programmes save and except for attributes and advertising slogans of the sponsor. The licensee is prohibited from accepting product/service sponsorship which has the meaning as in paragraph 10 of this chapter in respect of children's programmes.

#### *Educational Programmes*

- 13. The licensee has to ensure that the rule mentioned in paragraph 12 above is also strictly observed in educational programmes. For the purpose of this paragraph, "educational programmes" refer to programmes with a clear educational purpose, usually in connection with the pursuit of a formal course of academic studies, but do not include general instructional ('how to do') programmes.

#### *Current Affairs Programmes*

- 14. Title sponsorship and product/service sponsorship, which have the meanings as in paragraphs 8 to 10 of this chapter, may apply to current affairs programmes. Due to the special nature of these programmes, the licensee should exercise care in the choice of sponsor so as to safeguard the credibility and integrity of such programmes.

### **Unsponsorable Programme**

- 18. News programmes and programmes, announcements or other material included at the direction of the BA from time to time must not be sponsored.
- 19. Religious service or other devotional programmes must not be sponsored.

***DOMESTIC PAY TELEVISION PROGRAMME SERVICES AND OTHER LICENSABLE TELEVISION PROGRAMME SERVICES***

21. Surreptitious sponsorship is not allowed. All sponsorship must be clearly identified at the beginning and/or end of the programme and/or within the programme as part of a programme title, programme segment title or programme feature title. Such identifications may include references to a sponsor's name, product/service, house/trade/brand/product/service name, trademark/logo, advertising slogan and attribute, and sponsored prizes in connection with contest programmes provided that they comply with the basic ground rules as set out in paragraph 3 of this chapter. Paragraphs 10 (save and except for the time limit restriction set out in paragraph 6), 12 to 14 and 17 to 20 of this chapter also apply to the licensees.

22. Programmes of satellite feed services provided by the licensee may deviate from the standards set out in paragraph 21 of this chapter only when this is unavoidable.

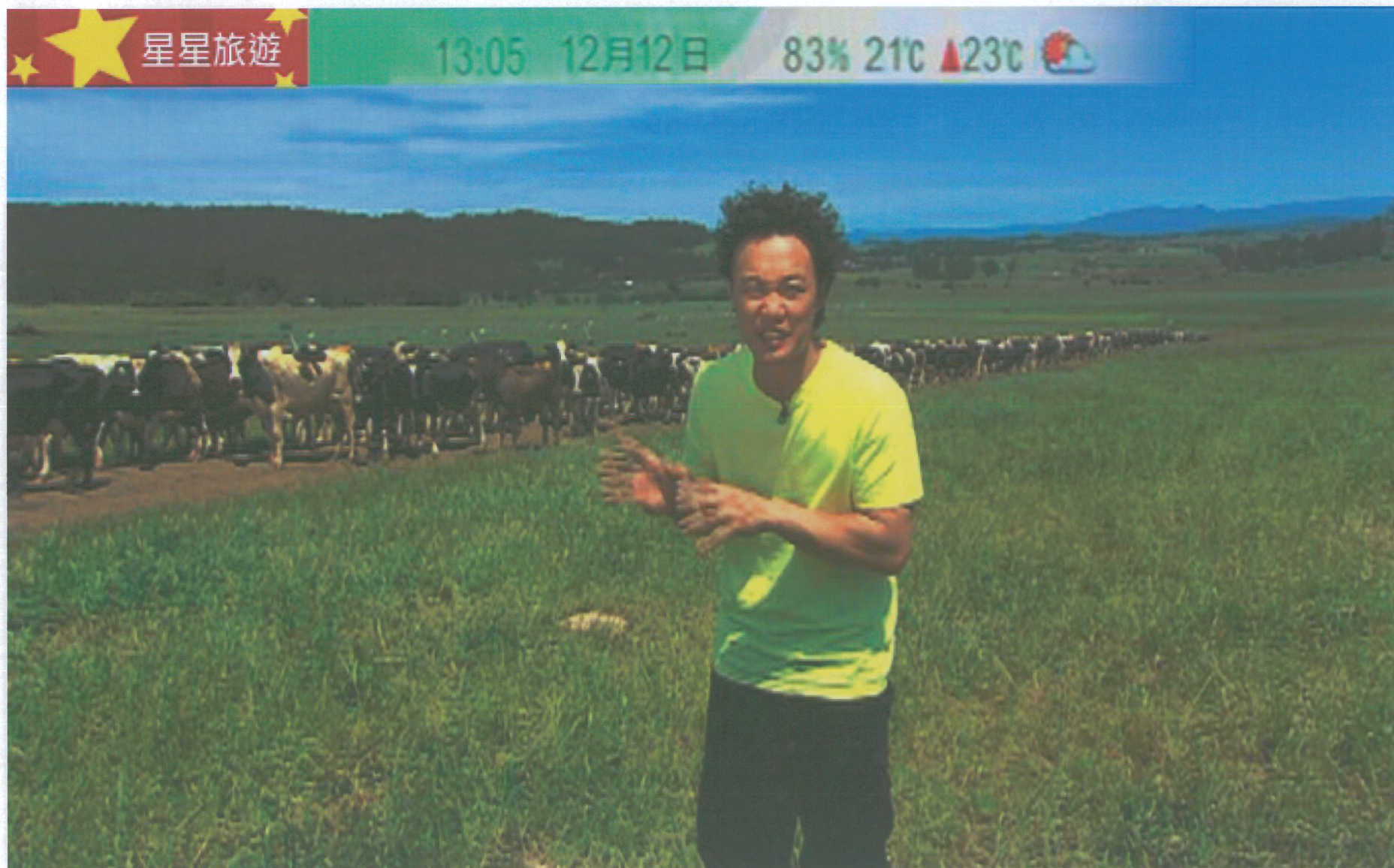
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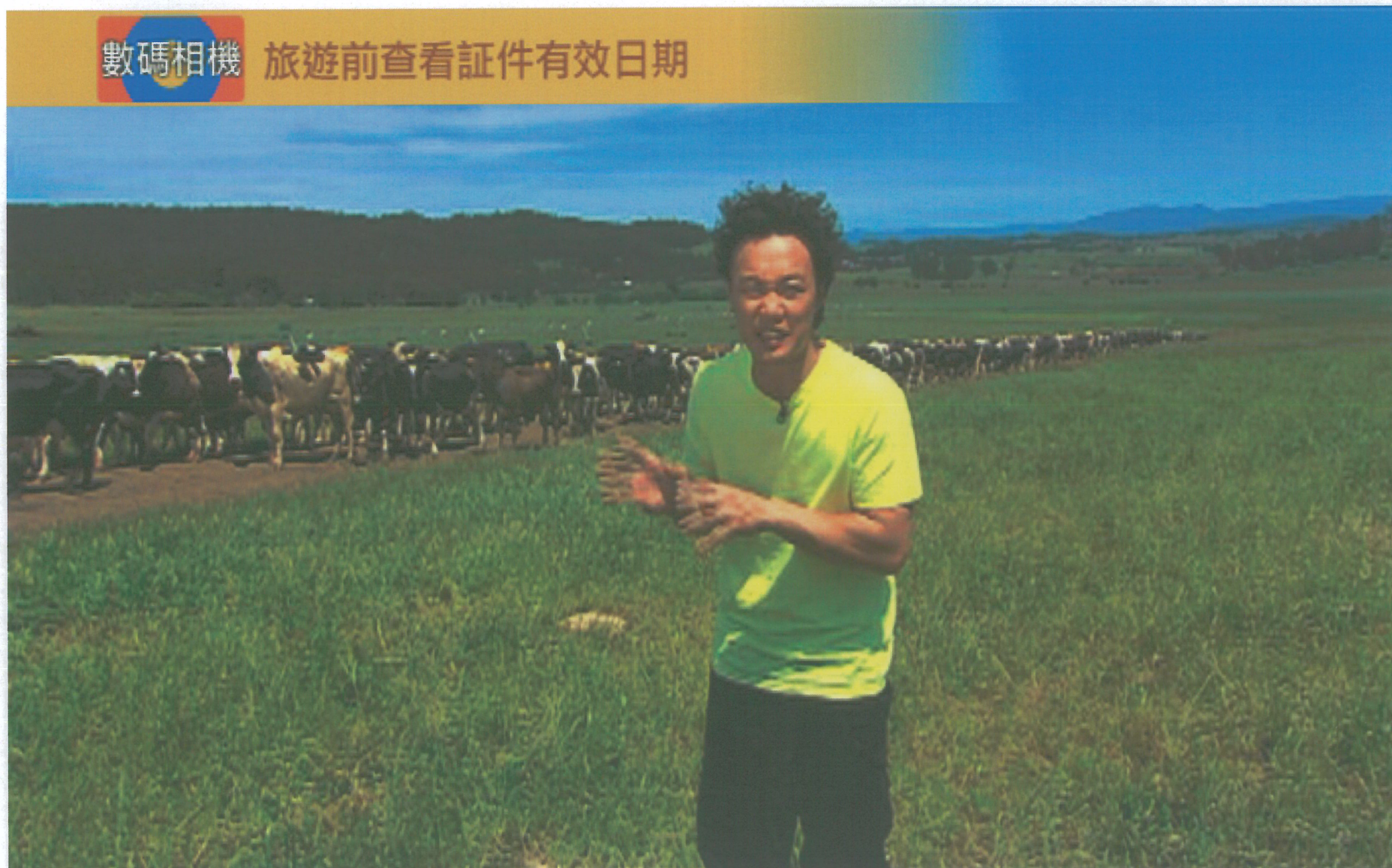
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**Extracts from the Generic Code of Practice  
on Television Advertising Standards**

**Chapter 6 Specific Categories of Advertisement**

***DOMESTIC FREE, DOMESTIC PAY AND OTHER LICENSABLE TELEVISION  
PROGRAMME SERVICES***

**Unacceptable Products or Services**

10. Advertisements for products or services coming within the recognised character of, or specifically concerned with, the following are not acceptable:

...

(b) clinics for the treatment of hair and scalp;

...

**Extracts from the Radio Code of Practice  
on Advertising Standards**

***Appendix II***

***SUPPLEMENTARY STANDARDS ON MEDICAL PREPARATIONS AND  
TREATMENTS***

***Unacceptable Products or Services***

4. Advertisements for products or services coming within the recognised character of, or specifically concerned with, the following are not acceptable:

...

(b) clinics for the treatment of hair and scalp;

...