

# Children's Advertising Code

**What do  
you think?**

## **The children's advertising code**

The Broadcasting Commission of Ireland (BCI) is making a children's advertising code and we want your help.

## **What is this?**

This children's advertising code will have rules for advertisers about the way they use advertising to sell things to children and young people. We are asking children and young people to tell us what they think should be in the rules.

We will use what you say to help us decide on what the rules will be.

## **Why are we doing this?**

The Government made a law called the Broadcasting Act 2001. This law asks us (the BCI) to make these rules.

## Why do we need rules?

There are already rules for the way advertising sells things to adults.

Many people feel that there should be some rules about the way advertising sells things to children and young people. They think that advertising can have a bad influence on children sometimes, especially young children. So there is a need for rules to make sure that children are protected from any bad influence.

Rules can be a good thing. They can guide advertisers when they are making their ads. That way, advertisers will know what they are allowed to do.

## Why are we asking you?

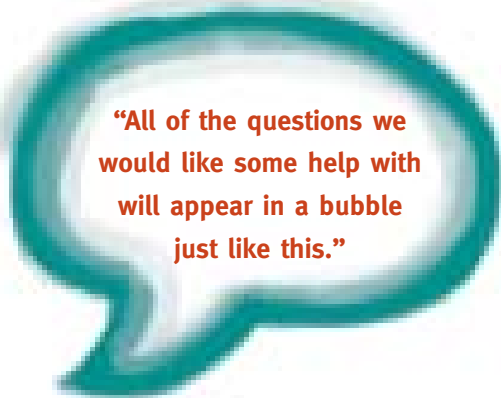
To help us make the rules we want to ask all the people involved what they think. We are looking for opinions from:

- radio and television stations
- the people who make the ads
- parents
- people who work with children
- members of the public.

But this is a code for **children's** advertising so we think it is important that we also ask children to give us their views.

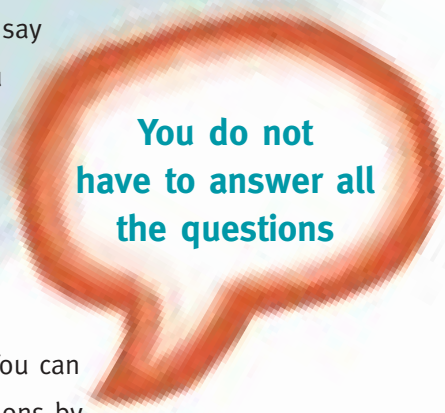
## The questions we want help with

We picked out some things that we would like you to think about. We are asking for your ideas and views on these.



**“All of the questions we would like some help with will appear in a bubble just like this.”**

We would like to hear what you have to say about these questions. Please give us the reasons for your views. For instance if we ask if you think there should be a rule about something and you say yes, tell us why you say yes.



**You do not  
have to answer all  
the questions**

Answer the ones that you are interested in and have ideas about. You can answer these questions by emailing us on *codes@bci.ie* or visit our website *www.bci.ie* and answer on line. Or you can write down your answers and post them to us at Children's Advertising Code, BCI, 2-5 Warrington Place, Dublin 2.

We want you to tell us your views before **December 21st, 2003.**



Broadcasting Commission of Ireland  
Coimisiún Craolacháin na hÉireann

## Who are we?

The Broadcasting Commission of Ireland or the BCI does a number of jobs.


The BCI is in charge of giving licences to radio and television stations in Ireland, except for RTÉ. Radio and television stations must have a licence before they can start broadcasting legally.

We make rules about programmes and advertising and we check that the radio and television stations that we give licences to obey these rules.

The BCI works with stations to provide training for the people who work in radio and television.

We do research so that we have the facts and information that help us make rules and policy.

The BCI also gives information and answers questions from the public about its work.



Some useful  
information before  
you begin!

This advertising code will make rules for the Irish television and radio stations, such as RTÉ 1, Network 2, TG4 and TV3 and radio stations like 2FM, 98FM and Beat FM. It will not make rules for the other channels like Sky or UTV or BBC.

We realised that making the rules would not be easy, so we decided to break the job into three bits or stages. In the first stage we needed to make sure that everyone understood the words 'child' and 'children's advertising'.

We asked the general public what they thought. When we got their answers we made some decisions.



## What is a child?

There are lots of ways that people could use to decide if someone is a child or not. The UN Convention on the Rights of the Child says that a child is any human being under 18 years of age. We decided that we would use a person's age. We thought this would be the easiest way to decide rather than using what class in school the person is in or how mature they are.

**The BCI decided that it agrees with what the UN said. It decided that a child or young person is any person under 18 years of age too.**

The BCI know that children and young people are different. There is a difference in the experiences

of children and young people and a difference in the abilities of children. We know there is a difference between a five year old and a fifteen year old or between a three year old and a ten year old. They may each see the world in a different way.

The children's advertising code will recognise that children and young people see advertising in different ways. Older children may understand advertising better. They may know what advertising is trying to do. Sometimes young children may not understand. The children's advertising code will try to protect younger children. But it will make rules for older children too.

## What is children's advertising?

The second thing that we had to do was find out what children's advertising means. This was difficult to do.


Some people thought that children's advertising was advertising that is on when children are watching television. Other people thought that children's advertising is advertising for something that children will want to buy, like toys or sweets. And other people thought that it is advertising that is on when children's programmes are on.

The BCI decided that children's advertising is two things. It is advertising that is targeting children. This means advertising that is trying to sell things to children.

It is also advertising that comes on during a children's programme.

So this means that an ad for a toy or for sweets is children's advertising. But so is an ad for a washing powder if that ad comes on during a children's programme.

Now that we have agreed on what is a child and what is children's advertising the BCI is ready to think about the rules that will be in the children's advertising code.



**The Questions  
that we want your  
help with...**


**Question 1** *Should there be a rule about the way people behave in children's advertising?*

Some people think that there should be a rule about the way people act in children's advertising. They think that if people behave badly in ads, then children might think that it is okay to behave this way too and will copy them.

They think that if children and young people see bad behaviour, like bullying or people being mean that they will think it's okay and might act this way.

Some people say there should be a rule that says that children's advertising should show people acting in a way most people would think is good.

Other people say that children and young people do not try to copy ads and there is no need for a rule.



**Do you think there should  
be a rule about the way  
people behave in children's  
advertising?**


**Why?**

**Question 2** *Do we need a rule to make sure that children and young people understand what is really being advertised?*

When children are very young they can believe what they see and hear and not realise that some things are only make believe.

A child or young person can watch an ad for a toy and think that the toy is really big or that it moves on its own. But in real life the toy is very small and needs batteries. Because the child is very young she doesn't know that the ad had special effects that made it look big. Older children and young people understand special effects and they know what the toy will look like in real life.

**Do you think the children's advertising code should have a rule about this?**



**If you do, what do  
you think this rule  
should say?**

Or it might be a toy that you have to build or make and a young child might not realise this. They might think that the toy comes the way it looks in the ad. Or the toy or game might look easy to use in the ad but it might only be suitable for older children.

Another example would be if the toy is only one part of a set of toys, the child might think that when you buy it, all the parts come with it. But you might have to buy each part separately.

Or the ad might say that a toy is magic and a young child might believe this.

**Question 3** *Pester power – Do we need a rule to make sure children’s advertising doesn’t put children and young people and parents under pressure?*

Some people think that advertising can put parents and children and young people under pressure to buy things. Adults talk about **pester power**. That is when children and young people ask them again and again for something that they have seen on the television. The parents feel under pressure and sometimes end up buying the thing. Some people say that this happens sometimes even if the parents can’t really afford it.

**Do you think that advertising makes children and young people ask their parents for things they have seen on television?**

**Do you think we should have a rule that says that ads can't tell children and young people to ask their parents to buy things?**

Other people say that children and young people feel under pressure if they do not have the latest fashion or toy. That children and young people can feel bad or unpopular in school if they don't have what everyone else has and that sometimes advertising makes children and young people believe that if they have a certain thing they will be happier.

But some people say that advertising does not do this. They say that children and young people ask their parents for things because other children have these things and not because they saw it in an ad.

They also say that parents make the decision what to buy their children not advertising.

## Question 4 *Responsibility of parents – Whose job is it to protect children and young people?*

This question is about what is called **'parental responsibility'**. Some people think that television stations should take the responsibility for not letting children and young people watch unsuitable things. Other people think parents should take the responsibility for what their children are watching.

The rules in the children's advertising code will try to protect children and young people. But sometimes children and young people watch programmes that are not supposed to be watched by children.

The advertisers say that even if they stick to the rules they can't stop children and young people watching television late at night when there is adult stuff on. They say this is the parent's job.

The advertisers and the television stations say that they can help parents by not putting on unsuitable programmes or ads in the daytime or the early evening. This is because children might be watching during this time.

But when it is later in the evening, the television stations put on adult programmes because they think children and young people are in bed. The television stations feel that it is the parent's job to make sure that children are not watching the television late at night and are not watching programmes that are unsuitable for their age.

Some parents say that advertisers and television stations should be careful all the time because children are watching television late at night and there should not be things on at that time that's unsuitable.

**Do you think children and young people watch things that are unsuitable for them sometimes?**

**Who do you think should make sure this doesn't happen, the parents or the television station?**

**Why?**

**Question 5** *Do we need rules about children who are in ads?*

We want to know if you think there should be rules about children and young people who appear in ads.

We have been asked to think about a few things.

**Adults pretending to be children**

Some ads have adult actors pretending to be children. Some people think this makes the ad funny. Some people think that it is not funny and that it is insulting to children and young people.

**Do you think adults should be allowed to pretend they are children in ads?**

**Why?**

**Do you think there should be a rule that says that children and young people in advertising should not be made to look like a grown up or older than they are or to do grown up things?**

**Why?**

**Children advertising things that are for older people or being made to look older**

Some people worry that children and young people in ads are sometimes made to look sexy or to look grown up and older than they are and this isn't right. Or that they are used in ads that are selling things that children and young people that age wouldn't usually buy.

### **Sending private information to advertisers**

Sometimes ads ask children and young people to send on information about themselves or their families by ringing or texting or using email. Adults worry that children and young people might not understand how this information will be used or that some information is private. They think that ads should always tell children and young people to ask their parents first before they do this.

**Do you think there should be a rule that says that ads should tell children and young people to ask their parents' permission before they send in information about themselves?**

## **Children and young people in ads saying that something is really good**

Sometimes children and young people in ads are there to say that the thing being advertised is really good. Some people think this is unfair because children will believe the child in the ad, maybe more than they would believe an adult. They think that if a child is talking in the ad it will influence other children unfairly to buy the thing being advertised.


**What do you think?  
Should ads be allowed to have children and young people in them telling other children how good something is?**

**Question 6** *Should people and puppets and characters from children's programmes be allowed in children's advertising?*

In some countries there are rules to stop characters, puppets or presenters from children's programmes from also being in ads for children.

People think that because children and young people like these characters they will feel under

pressure to buy what is being advertised. If they don't buy the thing being advertised they might feel that they are being disloyal or betraying their favourite characters and presenters. Some people believe this is unfair on children if it makes them feel bad in this way.



**Do you think this should be a rule that people and puppets who are in children's programmes should not be allowed to be in children's advertising?**

## **Question 7** *Safety – how do we make sure that children’s advertising doesn’t put children in danger?*

Some people believe that children and young people copy what they see in advertising. They believe that it’s important that advertising shows children and young people doing things safely. This means that even if they do copy what they see in advertising they will be safe.

There will be some rules in the children’s advertising code about this.

Here is a list of the kind of rules that there are in other countries. We want you to tell us if you think these are good rules for us to have.

- (a) Children and young people in advertising should not be seen going to strange places or talking to strangers.
- (b) Children and young people in advertising should be seen using the safe cross code when they are crossing the road.
- (c) Children and young people in advertising should be seen wearing helmets if they are cycling or skateboarding or skating and wearing safety belts if they are in a car.
- (d) Children and young people in advertising should not be seen bullying other children or behaving badly to other people.

- (e) Children and young people in advertising should not be seen using machinery or matches or near fire.
- (f) Children and young people in advertising should not be seen using medicines without parents help.

**Do you think it is a good idea to have these rules?**

**Why?**


**Are there any other rules that you think would be useful to make sure that children and young people in advertising are showing a safe example?**

### **Children's diet**

Some countries also have rules about the way some types of food are advertised to children. For example, the way snack foods, soft drinks, sweets and chocolates are advertised to children. These rules say that if there is an ad for this type of food, it should not encourage children and young people to eat too much of it and it must remind children and young people that regular meals are important.

**Do you think we  
should have a rule about  
advertising for this  
type of food?**

**Why?**



**What do you think?  
Should there be a rule  
about violence in  
children's advertising?**

**Why?**

### **Violence in children's advertising**


Another rule that some countries have is that children's advertising should not have violence in it because this can scare children and young people. Other people say that older children understand that violence is make believe in ads, for example violence in an ad about a computer game. They say that if the ad is on later in the evening then only older children and adults will see it and they will not be frightened by it.

**Question 8** *Should we ban some things from being advertised to children and young people?*

There are some things that are not allowed to be advertised to children and young people. These are cigarettes and tobacco, medicines and alcohol.

In Ireland there is advertising for alcohol for adults. This is not supposed to be aimed at children and young people.

In some countries they have made rules that stop other things being advertised to children. For example, the lottery, matches, vitamins or slimming products cannot be advertised to children and young people. Some countries say that these things can be advertised to adults, but they cannot be advertised during children's programmes.



**What things do you  
think should not be  
advertised to children?**

**Why?**


**Question 9** *How much will it cost? Should there be rules about the way the price of things is put into children's advertising?*

We want to know if you think there should be a rule about the way that the price of a thing is put into children's advertising.

Some people say that it is important that children's advertising says how much the thing being advertised will cost so that children and young people will know this and not think that it is very cheap or very easy to buy.

They also think that children's advertising should not use the word 'only' or 'just' because this makes it sound like the thing is cheap and that everyone's family can afford it.

They also think that children's advertising should not say that the thing being advertised is a better version because this is unfair to the children and young people who have the older version.



**Do you think there should be rules about the way that the price of things is put into children's advertising?**

## Question 10 *The ads are on... How should advertising be separated from programmes?*

There is a law in Europe that says that when we are watching television or listening to radio we should find it easy to tell the difference between an ad and a programme. Some people think this is really important for children and young people because very young children find it difficult to tell the difference between the two.

There are some rules in other countries and in Ireland that try to make it easier to tell the difference. We want you to tell us if you think these are good rules and if we should put them into the children's advertising code.

- An ad should not look or sound like a well known television or radio programme or film in case people get mixed up.
- People in programmes, for example the presenters, should not talk about a thing so much that really they are advertising the thing but pretending not to.
- Presenters in programmes should not say that they think a thing is very good and that people should get it or use it, as this is really advertising the thing.



**Do you think these are  
good rules to have in the  
children's advertising code?**


**Why?**

**Question 11** *When should children's advertising be on?*

These questions are about rules that say when children's advertising can be broadcast.

There is a law in Europe that says that if a children's programme is on for less than a half hour then it shouldn't have an ad break because the programme is too short.

**Do you think these are good rules for us to have in the children's advertising code?**



**Do you think that the rules should be different for children's advertising that's on when very young children are watching and when older children and young people are watching?**

**Why?**

Some other countries say that if the ad is for something that is connected to a children's programme, for example, a toy version of the main character, then it can't be advertised near the time the programme is on.

Another rule is that if advertising has violence in it or if people think it might scare children and young people then it shouldn't be on at a time when small children are watching television.

**Question 12** *There are new ways of advertising. Some of these have not started in Ireland yet but we thought it better to think about them all the same.*

The first type is called **virtual advertising**. This is where advertisers are able to make it look like something is there in reality but it isn't really.

An example is when you are watching football matches on television. Around the pitch there are signs that advertise things. Let's say the sign says that Duffy's biscuits are great.


If I am at the match I will see the sign saying Duffy's biscuits and it will be the same sign all the way though the match.

But if I am watching the match on television, that sign will change during the match. This is because television stations are able to change these signs, using technology. So for some of the match the sign advertises Duffy's biscuits but for another part of the match it advertises Coca Cola. Some people think that people watching television should be told that this is being done.

Another type of advertising is called **interactive advertising**. This means a type of ad that says you can find out more about the thing being advertised

by pressing your remote control. This then tells you more about the thing being advertised and it could also allow you to send information to the people who make the thing being advertised.

The last type of advertising is called **split screen advertising**. Usually when ads are on, it's between programmes or during programmes. But this type of advertising is where advertising and the programme are on the screen at the same time, so the screen is split into two parts.



**Do you think we need any rules for children and young people about these types of advertising?**

**Why?**

### **Question 13** *What is a children's programme?*

We decided that children's advertising is advertising that is selling things to children and young people. It is also advertising that comes on during a children's programme.

But people have asked what is a children's programme?


It is easy to say that some programmes like Sesame Street or the Den are children's programmes. But what about programmes that children and adults watch? Are these children's programmes?

For example, lots of adults and children watch Coronation Street, Fair City or Eastenders. These programmes are made for adults but children and young people watch them too.

The advertisers say that these are adult programmes so the advertising that comes on during them should not have to obey the children's advertising code. They say that they should be able to put adult advertising on during this time.

Some parents say that if children are watching these programmes then they should be called children's programmes. This would mean that the ads that come on during them should have to obey the children's advertising code.

In some countries what they do is they check if there are more children and young people than adults watching a programme and if there are, then it's called a children's programme.



**Do you think this is a good way to check if a programme is a children's programme?**

**Why?**

**Question 14** *How should we check if people are obeying the rules in the children's advertising code?*

**How do we check?**

The BCI listens and watches recordings from radio and television stations. We have a team of people whose job it is to check that the stations are obeying the rules.

**Do you think this is the way we should check if stations are obeying the children's advertising code?**


**Question 15** *How should the BCI let children and young people know about the children's advertising code?*

**What do you think would be the best way for us to get the information to children about the children's advertising code?**

We want children and young people to know about the children's advertising code. We want them to know what the rules are so that if they see an ad that they think is bad they can check the rules and see if it obeys them. If it doesn't then children and young people can make a complaint about the ad and say it is breaking the children's advertising code.

**Question 16** *How should we update the children's advertising code?*

We are going to check the children's advertising code every three years to make sure it is still up to date. We have asked for your help in making the rules and we think we should continue to ask for your help when we are updating the rules.



**Do you think we should  
ask children and young people  
every three years to tell us how  
they think the code should be  
updated?**

**What would be the best way  
to get your input?**


### **So what happens next?**

We are asking children and young people to send us their views. You have to send us your views before December 21st, 2003. Adults have to send us their views before this date as well.

When we have all your responses we will read through them and write down what are the main points that you have come up with.

We will then begin to write the rules for the children's advertising code. When we have finished we will put the new rules in the newspaper and on our website so that you can see them. We will ask adults, children and young people what they think of the rules and then we will make them our new children's advertising code.

We hope to have all this work done before next June, 2004.



**Thank you for helping  
us make these rules. We  
think it is important that you  
help us so that the views of  
children and young people  
are included.**