



THE VANUATU NATIONAL ADVERTISEMENT STANDARDS AND GUIDELINES

FOR BROADCASTING
AND MEDIA SERVICES





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[1]

EXECUTIVE SUMMARY

One function of the Office of the Telecommunication Radiocommunication and Broadcasting Regulator under the Telecommunication Radiocommunication and Broadcasting regulation Act No. 30 of 2009 as amended (“the Act”) is to implement, facilitate and enforce the provision of the Act undersection 7(2) (b).

Pursuant to section 39(5) of the Act all Licensee are obliged not to supply or propose supply of service, or engage in conduct that is misleading or deceptive.

In order to support section 39(5) of the Act, TRBR produces this Advertising Guidelines for the Media and Broadcasting sector.

In accordance with the TRBR Act, Section 7 (2A) © and (d) states The Regulator is to regulate and set ethical standards for broadcasting and media services and to secure proper standards of television and sound broadcasting with regard to both the programme content and technical performance of broadcasts.

This advertising standard is intended to help advertisers, agencies, the media, influencers (“parties” to an advertisement) and the community to understand the steps that should be taken to ensure advertising is clearly identified as such to its audience, as required by the Vanuatu Broadcasting Advertising Standards.

Advertising plays a crucial role in today’s modern business.

Advertising and advertisement(s)” are any message, the content of which is controlled directly or indirectly by the advertiser, expressed in any languages and communicated in any medium with the intent to influence the choice, opinion or behaviour of those of whom it is addressed.

Advertising can appear in the forms of SMS, radio audio message, television, internet advert, social media post.

These guidelines set a basic guiding principle in relation to the promotion of media and broadcasting services for industry to observe on a voluntary basis.

For the avoidance of doubt, nothing in these advertising guidelines absolves any broadcasters from operating with the terms of its license and the Act.



[2] INTRODUCTION

Broadcasting plays a central role in people's lives. Surveys show that people spend more time watching television than consuming any other form of broadcasting media. Radio also plays a pivotal role in everyday life: many people wake up to it and listen to it on their way to and from work; at times of national disasters and emergencies, radio is the main source of potentially lifesaving information. While the growth of the Internet is providing a complementary source of news, information and entertainment, the Internet does not yet match the ubiquity and impact of TV and radio broadcasting. As a consequence of their ubiquity and impact, radio and TV stations have the primary responsibility for ensuring that the Advertisement material they broadcast reflects community values and standards.

The TRBR is required under Section 7(2A) of the Telecommunications Radiocommunications and Broadcasting Regulation Act No. 30 of 2009, as amended ("the Act") to establish Advertisement Guidelines and Standards for broadcasting and media services covering standards in programs, sponsorship, product placement in television programs, fairness and privacy. This Advertisement Standards and Guidelines will be known as the Vanuatu Advertisement Standards and Guidelines for Broadcasting and Media Services (The Advertisement Standards).

Broadcasters are required by the terms of their TRBR license to observe the Advertisement Standards and Guidelines, which are to be interpreted as references to this Advertisement Standards and Guidelines. Any international broadcasters, broadcasting through an agreement with the local licensees are required to observe these Advertisement Standards and Guidelines.

Broadcasters can create programs and contents on any issue, but each broadcaster must ensure that these programs comply with the laws as well as this Advertisement Standards and Guidelines.

The TRBR can provide guidance on the interpretation of this Advertisement Standards, however, any advice given that will not affect TRBR's discretion to judge cases and complaints after transmission, the broadcasters should seek their own legal advice on any compliance issue arising.

[3]

DIFFERENT TYPES OF BROADCASTING ADVERTISEMENT



Advertising in broadcast media appears on different platforms to serve and reach the public. For this purpose, advertisements or advertising that are transmitted through these platforms are subject to these advertising standards and guidelines.

3.1 **Spot Advertising**

An advertising spot of a multimedia advertisement that airs at a specific time.

3.2 **Sponsorship**

Providing a platform for increased visibility and recognition.

3.3 **Promotions**

Promotion which promotes a program airing on a television or radio station/ network to the viewing or listening audience.

3.4 **Cash Back and Giveaways**

A sales promotions strategy where customers receive a refund or rebate after purchasing a product.

3.5 **Outside Broadcasts**

Outside Broadcasting (OB) is a radio or television programme to cover news and or sports events from a mobile remote broadcast television or radio studio.

3.6 **Competition**

Market competition that motivates companies to increase sales volume.

3.7 **Customers Loyalty Schemes**

A loyalty program that encourages customers to purchase products from, are recognized and rewarded for their loyalty. Building trust between customer and business.

3.8 **Proof of Purchase Campaigns**

Enter a competition to win a prize or used to refund products. A document, such as a receipt, that proves that you have purchased something.

3.9 Commercial Spots

Television Commercials: Short video advertisements aired during TV programming, typically ranging from 15 to 60 seconds. They can be scheduled during specific time slots based on the target demographic.

3.10 Radio Commercials

Audio advertisements broadcast over radio stations, often ranging from 15 to 60 seconds. They use sound effects, music, and voiceovers to capture listeners' attention.

3.11 Infomercials

Long-Form Commercials: Extended advertisements, typically 30 minutes to an hour, designed to provide detailed information about a product or service. They often include demonstrations, testimonials, and calls to action.

3.12 Sponsorships

Program Sponsorships: Brands sponsor specific TV or radio programs, often having their logos and names mentioned during the show. This can include sponsored segments or special features.

3.13 Event Sponsorships

Brands sponsor live events or broadcasts, such as sports events or concerts, gaining visibility through mentions and branded content.

3.14 Product Placements

Television and Film Product Placements: Brands pay to have their products featured prominently within TV shows, movies, or other entertainment content. This can include having characters use or reference the products in a natural context.

3.15 Radio Mentions

Occasional mentions of products or services within radio programming, often integrated into talk segments or interviews.



3.16 Public Service Announcements (PSAs)

Community-Focused Ads: These are non-commercial ads aimed at raising awareness about social issues, health campaigns, or public safety. They are typically sponsored by government agencies, non-profits, or community organizations and often air at no cost.

3.17 Native Advertising

Branded Content: Ads that blend seamlessly with the surrounding content, making them less intrusive. For TV, this can be embedded within regular programming; for radio, it may involve sponsored segments that match the show's style.

3.18 Interactive Ads

Interactive TV Ads: TV ads that encourage viewer interaction, such as voting or requesting more information through interactive features available on smart TVs.

Radio Interactive Ads: Ads that prompt listeners to engage through online platforms, such as visiting a website or participating in a contest.

3.19 Pre-Roll and Mid-Roll Ads

Pre-Roll Ads: Short advertisements that play before the main content, commonly seen on streaming platforms and video-on-demand services.

Mid-Roll Ads: Ads that air during breaks in longer content, such as during a TV show or a streaming video.



[4]

CONTENT RESTRICTION AND PROHIBITED PRACTICE

Broadcasters or licensee shall not provide any advertisement or engage in any conduct that is misleading or deceptive, it is mandated for TRBR to enforce guideline to ensure advertisement are truthful and not deceptive. Deceptive advertisements includes;

4.1 False Claims

Advertisements might make exaggerated or unsubstantiated claims about a product's benefits. For instance, a weight loss supplement might be advertised as a "miracle cure" without scientific evidence to back it up.

4.2 The promotion of food items

Promotions that are deemed unhealthy by the relevant health authorities and/or harmful to children's health must be avoided and carefully screened broadcast.

4.3 Advertisement of potentially harmful products

In the event of advertisements for potentially harmful products, goods, or services are broadcast, a warning should be included in all three official languages. This warning should be displayed in a manner similar to the health messages on cigarette packaging.

4.4 Children featured in Advertisements

Children should not be featured in advertisements unless the content promotes family health and well-being. Written parental or guardian consent must be obtained.

4.5 Political broadcasts

Political broadcasts should be carefully scrutinized to ensure alignment with policies, such as those outlined in VBTC's editorial guidelines and other internal editorial standards and Policies.

4.6 Advertisements that promotes women as sexual objects

Advertisements that promote women as sexual objects or portray women as such must not be broadcast.



4.7 Discriminate advertisements

Any form of advertisements that discriminate on the grounds of ethnicity, religious beliefs, gender, and social class must not be broadcast.

4.8 Gambling

Gambling in any form should be banned from broadcasts including advertisements promoting casinos and online gambling.

4.9 Deceptive Imagery

Visuals can be manipulated to create a false impression of a product's effectiveness or appearance. For example, a fast-food ad might show a burger that looks much more appealing than the actual product. Such products should not be advertised.

4.10 Omissions of Key Information

Advertisements may highlight positive aspects while omitting important details. For example, an ad for a financial product might emphasize high returns but downplay the associated risks or fees. Such advertisement should not be allowed.

4.11 Misleading Comparisons

Some ads compare their products to inferior ones, using misleading data or manipulating conditions to make their product seem superior. Such advertisement should be allowed.

4.12 Fine Print

Important terms and conditions may be buried in fine print, which is often read too quickly or ignored. This can lead to misunderstandings about the true cost or nature of a product or service. Such advertisement should not be allowed.



[5]

ETHICAL REFLECTIONS AND RULES IN ADVERTISING

5.1 Truthfulness and Accuracy

Advertisements must not be misleading or deceptive. They should provide clear and accurate information about the product or service being promoted.

5.2 Substantiation

Claims made in advertisements should be supported by evidence. For instance, if an ad claims that a product is the best in its category, it should have data or research to back up that claim.

5.3 Avoiding Harmful Content

Ads should not contain content that is offensive, discriminatory, or harmful. This includes avoiding stereotypes, explicit content, or messages that could incite violence or hatred.

5.4 Advertisements must not exploit

Advertisements must not exploit vulnerable populations, including children, the elderly or those in distressing situations

5.5 Advertisements by credible evidence

Ads claiming health or safety benefits of any kind must be supported by credible evidence and should not encourage harmful behaviour.

5.6 Clear Identification and Transparency

Advertisements must be clearly distinguishable from regular programming. This often means that ads should be clearly labelled or separated from editorial content to avoid confusion.

5.7 Children's Advertising

Special rules often apply to advertisements targeting children. These rules aim to protect young viewers from potentially manipulative or inappropriate content.

5.8 Sponsorship and Endorsements

Guidelines often require that sponsorships and endorsements are disclosed clearly. This helps ensure that viewers understand the nature of the relationship between the content and the advertiser.



5.9 Social Responsibility

Advertisements should promote social responsibility and not encourage harmful behaviours such as excessive drinking, drug use, or irresponsible gambling.

5.10 Advertisements must be clear

Advertisements must clearly disclose any material information that could affect consumer choices such as financial obligations or conditions of offer.



[6] ENFORCEMENT

This Advertisement Guild line is voluntary but may be revised to a regulation if the industry does not follow the ethical standard of advertisement. This will be measured by the number of complaints received by customers and the general public.

This applies to all promotional and advertisement made within the mandate and jurisdiction of Vanuatu.



[7] VARIATION



TRBR reserve the right to amend and approve modifications to the guideline as and when necessary.

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