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*Changes to legislation: Communications Act 2003, Cross Heading: Conditions applying to product placement is up to date with all changes known to be in force on or before 27 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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## SCHEDULES

### [<sup>F1</sup>SCHEDULE 11A

#### RESTRICTIONS ON PRODUCT PLACEMENT

##### Textual Amendments

- F1** Sch. 11A inserted (16.4.2010) by [The Audiovisual Media Services \(Product Placement\) Regulations 2010 \(S.I. 2010/831\)](#), regs. 1(1), **9**

##### *Conditions applying to product placement*

7. (1) These are the conditions referred to in paragraph 2(b).
- <sup>F2</sup>(2) .....
- (3) Condition B is that the product placement has not influenced the content or scheduling of the programme in a way that affects the editorial independence of the provider of the television programme service in which the programme is included.
- (4) Condition C is that the product placement does not directly encourage the purchase or rental of goods or services, whether by making promotional reference to those goods or services or otherwise.
- (5) Condition D is that the programme does not give undue prominence to the products, services or trade marks concerned.
- (6) Condition E is that the product placement does not use techniques which exploit the possibility of conveying a message subliminally or surreptitiously.
- (7) Condition F is that the way in which the product, service or trade mark, or the reference to it, is included in the programme by way of product placement does not—
- (a) prejudice respect for human dignity;
  - (b) promote discrimination based on sex, racial or ethnic origin, nationality, religion or belief, disability, age or sexual orientation;
  - (c) encourage behaviour prejudicial to health or safety;
  - (d) encourage behaviour grossly prejudicial to the protection of the environment;
  - (e) cause physical [<sup>F3</sup>, mental] or moral detriment to persons under the age of eighteen;
    - [<sup>F4</sup>(ea) directly exhort such persons to purchase or rent goods or services in a manner which exploits their inexperience or credulity;]
    - (f) directly encourage such persons to persuade their parents or others to purchase or rent goods or services;
    - (g) exploit the trust of such persons in parents, teachers or others; or
    - (h) unreasonably show such persons in dangerous situations.

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#### Textual Amendments

- F2** Sch. 11A para. 7(2) omitted (1.11.2020) by virtue of [The Audiovisual Media Services Regulations 2020 \(S.I. 2020/1062\)](#), regs. 1(2), **18(e)** (with Pt. 7)
- F3** Word in Sch. 11A para. 7(7)(e) inserted (1.11.2020) by [The Audiovisual Media Services Regulations 2020 \(S.I. 2020/1062\)](#), regs. 1(2), **18(f)(i)** (with Pt. 7)
- F4** Sch. 11A para. 7(7)(ea) inserted (1.11.2020) by [The Audiovisual Media Services Regulations 2020 \(S.I. 2020/1062\)](#), regs. 1(2), **18(f)(ii)** (with Pt. 7)

8. (1) This paragraph applies where the programme featuring the product placement has been produced or commissioned by the provider of the television programme service in which it is included or by a person connected with that provider.
- (2) The condition referred to in paragraph 2(c) is that the television programme service in which the programme is included signals appropriately the fact that product placement is contained in a programme no less frequently than—
- (a) at the start and end of such a programme; and
  - (b) in the case of a television programme service which includes advertising breaks within it, at the recommencement of the programme after each such advertising break.]

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing SI 2003/1900, art. 3(2) by [S.I. 2003/3142 art. 1\(3\)](#)
- specified provision(s) amendment to earlier commencing SI 2003/3142 by [S.I. 2004/1492 art. 2](#)
- specified provision(s) amendment to earlier commencing SI 2003/3142 by [S.I. 2004/697 art. 2](#)
- specified provision(s) amendment to earlier commencing SI 2003/3142 art. 4 Sch. 2 by [S.I. 2004/545 art. 2](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 124Q(7)(a) words substituted by [2013 c. 22 Sch. 9 para. 52](#)
- s. 148A and cross-heading inserted by [2022 c. 46 s. 73\(2\)](#)
- s. 368E(5)(d)(e) inserted by [2017 c. 30 s. 94\(3\)](#)
- s. 402(2A)(za)(zb) inserted by [2022 c. 46 Sch. para. 2](#)
- Sch. 3A para. 21(6) inserted by [2022 c. 46 Sch. para. 3\(5\)\(b\)](#)
- Sch. 3A para. 37(3)(aza) inserted by [2022 c. 46 Sch. para. 3\(9\)](#)
- Sch. 3A para. 84(1)(aza) inserted by [2022 c. 46 Sch. para. 3\(10\)](#)
- Sch. 3A para. 103(1)(ca) inserted by [2022 c. 46 s. 70](#)
- Sch. 3A para. 119A inserted by [2022 c. 46 s. 72](#)
- Sch. 3A Pt. 4ZA inserted by [2022 c. 46 s. 67\(1\)](#)