

Draft - Relevant sections in Act No 127 of 4 December 1992 relating to Broadcasting and On-Demand Audiovisual Services

(Changes in italics)

§ 2-17 Police certificate

Broadcasters and providers of audiovisual media services may request that staff that carry out tasks that involve regular contact with minors must produce a police certificate pursuant to the Act on criminal records § 39, when offering a contract or position.

The same applies to staff in production companies that produce programmes commissioned by a broadcaster or provider of audiovisual media services.

In the event that the police certificate contains a criminal record, the person in question may not carry out tasks that involve regular contact with minors.

The Ministry may issue further regulations concerning the requirement of police certificates.

§ 3-1 third paragraph

Television, teletext services, *and on-demand audiovisual media services* may not contain advertisements to promote belief systems or political ends.

§ 3-4 fifth paragraph Sponsorship of television programmes and *on-demand audiovisual media services*

Broadcasting programmes or *on-demand audiovisual media services* may not be sponsored by natural or legal persons whose principal activity it is to manufacture, sell or hire out products or services the advertising of which is prohibited by Norwegian legislation or regulations issued pursuant to Norwegian legislation. Political party organizations may not sponsor programmes.

§ 3-5 Prizes in broadcasting programmes *and on-demand audiovisual media services*

In programmes involving prizes, sections 3-3 and 3-4 third paragraph are not applicable to the presentation of a prize so long as such presentation does not include information extending beyond that which is reasonably required to inform the audience about the prize. The presentation must not include information about the donor or about other products of the donor. Oral information about the donor's identity is nonetheless permitted. Caution shall in particular be shown when presenting prizes in children's programmes.

The King may issue further regulations concerning the elaboration of prize presentations.

§ 3-3a *Product placement*

Product placement shall be prohibited in programmes that the audiovisual media service provider or associated companies has wholly or partly produced or commissioned, with the exceptions pursuant to the third paragraph of this section.

“Product placement” means any form of audiovisual commercial communication consisting of the inclusion of or reference to a product, a service or the trade mark thereof so that it is featured within a programme, in return for payment or for similar consideration

For audiovisual media service providers other than the Norwegian Broadcasting Corporation, product placement shall be admissible in films, series, sports programmes and light entertainment programmes produced or commissioned by the media service provider itself or a company affiliated to the media service provider, with the exception of such programmes that are specifically directed at children.

Programmes containing product placement shall fulfil the following requirements:

- a) The programme’s content and scheduling shall in no circumstances be influenced in such a way as to affect the responsibility and editorial independence of the media service provider,*
- b) The product placement shall not directly encourage the purchase or rental of goods or services and shall not contain special promotional references to those goods or services,*
- c) The product placement shall not give undue prominence to the product in question.*
- d) Viewers shall be clearly informed of the existence of product placement. In order to avoid any confusion on the part of the viewer, programmes produced or commissioned by the media service provider containing product placement shall be appropriately identified at the start and the end of the programme, and when a programme resumes after an advertising break,*
- e) Programmes may not contain product placement of products or services the advertising of which is prohibited by Norwegian legislation or regulations issued pursuant to Norwegian legislation.*

The King may issue further regulations concerning product placement, inter alia requirements concerning information to the viewers, and delimitation against instances of third party contributions of goods or services of limited value to a production without compensation.

Draft - Relevant sections in regulation no 153 of 28 February 1997 relating to Broadcasting and On-Demand Audiovisual Services

(Changes in italics)

§ 3-15 Audiovisual commercial communications directed at minors in on-demand audiovisual media services.

§§ 3-6, 3-11 first paragraph and 3-13 second paragraph c) apply correspondingly to on-demand audiovisual media services.