

Warsaw, 18 January 2021

Press release

The protection of children on television and the Internet – effective market self-regulation

We are proud to present you with the latest results of the monitoring and inspection carried out by the National Broadcasting Council concerning the effects of self-regulation of the media market as regards the protection of children. **The monitoring was carried out in 2020 and focused on media service providers' compliance with self-regulatory provisions regarding commercial messages and safety measures to prevent minors from accessing harmful content.**

Areas subject to monitoring:

- Food advertising in children's programmes
- Protection of minors in on-demand audiovisual media services (VOD)
- Charter for the Protection of Children in Advertising

Key findings of the monitoring

"The results of analyses and monitoring of almost two million programmes and advertisements carried out by the National Broadcasting Council in terms of the provisions of three self-regulatory acts established in order to increase the protection of children and young people from content harmful to their development, confirm the high effectiveness of such solutions," says **Agnieszka Wąsowska**, PhD, Director of the Monitoring Department of the National Broadcasting Council.

- Commercial communications in children's programmes generally comply with the nutritional criteria set out in the *"Self-Regulation Concerning Food Advertising Aimed at Children under 12 Years of Age"* and do not contain advertising for products which, if over-consumed, may contribute to overweight and obesity amongst children
- The effectiveness of technical safeguards applied is at the level of 98%



- **The monitoring has found no violations of the Charter for the Protection of Children in Advertising**

For many years, the Union of Associations Advertising Council has been promoting, expanding and strengthening the Polish system of self-regulation as a proper and effective form of creating standards in the market. The “Self-Regulation Concerning Food Advertising Aimed at Children”, which was developed as an agreement between TV broadcasters in cooperation with the National Broadcasting Council, has been verified for many years to ensure that it is properly and universally applied and that its objectives are being met. Thanks to the National Broadcasting Council, which ensures regular monitoring of this initiative, the effectiveness is close to 98-99% of implementation by advertisers and broadcasters, which makes it one of the most effective forms of self-regulation in the European Union.

“The Self-Regulation Concerning Food Advertising Aimed at Children under 12 Years of Age, adopted in 2014, has demonstrated consistent and very high effectiveness in shaping commercial messages accompanying programmes for children. It proves high responsibility and involvement of both food producers and media in shaping health-promoting eating habits of the youngest consumers. The voluntary commitment has, with generally 100% effectiveness, reduced advertisements of products that do not fit the nutritional criteria for children under 12 years of age set out in the Self-regulation. This is one of the most effective self-regulations of business in the whole Europe and a good example that entrepreneurs in cooperation with the National Broadcasting Council are able to respond in an effective way, without any statutory solutions, to the challenges related to the promotion of a balanced diet,” comments **Andrzej Gantner**, PhD, Vice President of the Management Board and General Director of the Polish Federation of Food Industry Union of Employers (PFFI UE).

The most recent results of the National Broadcasting Council’s monitoring of media service providers’ compliance with self-regulatory provisions on safety measures preventing minors from accessing content harmful to them, adopted by IAB Poland already in 2014, constitute also an incentive to adopt self-regulatory solutions.

The monitoring of the effectiveness of the protection of minors in on-demand audiovisual media services (VOD) conducted by the National Broadcasting Council for the third time demonstrated the effectiveness of the technical safeguards applied at the level of 98%, which is a better result



than during the two previous monitoring actions. This demonstrates very high effectiveness of this oldest self-regulation existing in Poland concerning the protection of minors, and thus shows responsibility and concern for their wellbeing.

“Self-regulation is a proven tool that has been used for many years by the media industry and in IAB Poland’s opinion it is an effective measure best suited to its needs. The support of industry organisations in this process is of great benefit for the proper development of the market. The assessment of the functioning of self-regulation so far clearly indicates that it has advantages over other solutions, including co-regulation. It is particularly important in a crisis situation, as it enables taking into account the specificity of operation of entities covered by self-regulation, including quick response to current needs in a given industry,” says **Włodzimierz Schmidt**, President of the Management Board, Association of Internet Industry Employers IAB Poland.

The third self-regulation subjected to the latest monitoring and analysis of the National Broadcasting Council is the “Charter for the Protection of Children in Advertising” adopted in 2019, regulating the protection of the youngest from messages containing content undermining the authority of parents or guardians, discriminating on the basis of financial status, or containing sexual overtones. The Charter also sets out how minors should be treated in the production process of advertisements and what situations should be avoided for their safety.

“Further excellent results of the regular monitoring of the Charter for the Protection of Children in Advertising is a wonderful conclusion of the joint efforts of the broad representation of the advertising market gathered in the Advertising Council and our partner, the National Broadcasting Council, to effectively protect the youngest audience of advertising.” We are unanimous in our view that advertising messages aimed at children and involving children must meet the highest ethical standards. The results of the monitoring prove that the advertising market can very effectively and proactively develop and implement important self-regulatory commitments, such as the protection of children,” said **Agnieszka Kępińska-Sadowska**, President of the Union of Associations Advertising Council.

Protection of children, as the youngest market participants, occupies a special place in the tasks of the National Broadcasting Council. The dynamics of technological and social changes in the field of dissemination and reception of media make it necessary to constantly adapt the



measures protecting the audience from the harmful effects of programmes or other messages, e.g. commercial messages. In the “Regulatory Strategy for the years 2017-2022” published at <http://www.krrit.gov.pl/dla-mediow-ianalitykow/publikacje/strategie/>), the National Broadcasting Council presented a position in which it specifically indicated that the protection of children and young people against content that has or may have a negative impact on their proper development is its priority and strategic task. The National Broadcasting Council has been consistently using the statutory legal measures necessary to perform this significant task.

"We observe positive effects of self-regulation and of taking responsibility by media service providers and other stakeholders - advertisers, marketing agencies, food producers and others - for broadcasting audiovisual content by voluntarily accepting additional, mutually agreed upon obligations and restrictions. In addition to statutory regulations and consumer protection measures, the National Broadcasting Council initiates and actively supports market self-regulatory acts supplementing statutory law. This allows for efficient and effective creation of rules - codes of good practice, by means of which market participants themselves take care of increasing the level of recipient protection," said **Witold Kołodziejski**, President of the National Broadcasting Council, at the conference.

Union of Associations Advertising Council

The mission of the Union of Associations Advertising Council is to eliminate unethical and unfair advertising messages and to promote the highest standards of communication by popularising **the Code of Ethics in Advertising** and supervising compliance with its provisions.

Since 2006, the Advertising Council has been working towards self-regulation, regularly supplementing the Code of Ethics in Advertising with **new self-regulatory obligations of the advertising industry in Poland** and firmly believes that this is the right and effective form of creating proper market standards. In countries such as Poland, where industry self-regulation works well and is regularly extended, there is no need for very detailed legislation.



The Union of Associations Advertising Council currently has 29 members. It is a member of the European Advertising Standards Alliance (EASA), an international organisation comprising self-regulatory organisations from 26 countries.

Previous additions to the Code of Ethics in Advertising by industry self-regulations:

- Standards in beer advertising 2013
- Standards in food advertising aimed at children 2014
- Charter for the Protection of Children in Advertising 2019
- Technical Document on Cosmetic Products Statements

More information available at:

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