

GAMBLING COMMISSION

Chris Bone
Product Placement Consultation
5th Floor
Department for Culture, Media and Sport
2-4 Cockspur Street
London
SW1Y 5DH

21 January 2010

Dear Chris

Department for Culture, Media and Sport (DCMS) consultation on product placement

Thank you for allowing the Gambling Commission (the Commission) the opportunity to respond to the DCMS consultation on product placement. Our views on the issues set out in your consultation document are below.

Due to the safeguards already in place through the Audiovisual Media Services Directive (AVMS), we do not consider there to be significant threat to our licensing objectives from the proposals to relax the rules on product placement that are in the document. The Commission therefore has no very strong views one way or the other, as to whether product placement should be legalised in the UK. We can identify no fundamental reasons why the current somewhat anomalous position, which permits gambling advertising around and during programmes (including by such means as hoardings and sponsors' boards at broadcast sporting events and venues) but does not permit product placement, should continue.

However, if gambling product placement is to be permitted, the Commission considers it should be subject to the same general principles designed to protect the public as underpin the broadcasting codes relevant to other forms of gambling advertising. In particular we would hope to see strong consideration given to what safeguards could be put into place for programming that has a disproportionately high child audience. This should be sufficient when combined with the other protections in the AVMS Directive.

We would also offer the observation that it may be difficult to place gambling products within sports programming without it having an influence on editorial content.



Victoria Square House
Victoria Square
Birmingham B2 4BP

T 0121 230 6666
F 0121 230 6720
www.gamblingcommission.gov.uk

The Commission thinks that Ofcom is best placed to determine how these principles may be best applied through their Code and that Ofcom should be given sufficient powers to ensure that there are similar safeguards for product placement as there are for other forms of advertising to prevent undesirable practices.

Please don't hesitate to contact me should you wish to discuss any element of the above views. I look forward to hearing the outcome of the consultation.

Yours sincerely

Louise Notley
Policy Development Manager