such as YouTube where the media service provider does not have effective control over both the selection of programmes and their organisation.

Controls

Controls on advertising and product placement

In addition to modernising the TVWF and reasserting some key European values (such as the country of origin principle), the AVMS introduces new controls on the level of advertising and product placement in television services.

To strengthen consumer protection, the AVMS limits the number of commercial breaks permitted for films, cinematographic works and news programmes to one every 30 minutes and places a cap of 12 minutes of advertisements every hour.

Product placement is also banned during current affairs programmes, documentaries and programmes providing advice. Where programmes contain product placement, clear signs must indicate the start and end of those programmes as well as the end of commercial breaks.

Protection of minors

One key concern addressed by the AVMS is the protection of minors:

- advertisements will only be permitted during children's programmes of over 30 minutes
- product placement during children's programmes will be prohibited
- member states will be required to encourage media service providers to develop a code of conduct towards children.

Two years for implementation

Member states have been given up to two years for full implementation of the AVMS.

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Internet: Financial promotions fall short of standards

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Journal of Direct, Data and Digital Marketing Practice (2008) **9**, 395–396.
doi:10.1057/dddmp.2008.15

After a year-long review, the FSA (Financial Services Authority) has announced that firms are failing to meet financial promotion requirements on the internet.

Financial promotions must be fair, clear and not misleading. The FSA raised concerns that firms are not paying enough attention to ensure that their internet financial promotions fulfil these criteria.

Bad practices

Examples of bad practices uncovered include:

Examples of bad practice

- not giving equal weight to the advantages and disadvantages of a product on the same internet page
- displaying risk warnings in a way that can be easily overlooked and
- on some occasions failing to update information promptly, leaving incorrect information on the site.

What are the required standards?

The FSA expects information to be presented in a clear and accurate way, for risk warnings to be fixed on a page or repeated to ensure they are not overlooked, and for the benefits and drawbacks of a product to be placed in close proximity to each other in order to promote a balanced view.

Standards

Twenty-five per cent of the 77 websites reviewed were said to fall short of the FSA standards and were asked to make the appropriate change to their websites. The FSA intends to carry out a further review in March next year and have indicated that they will be taking a stricter approach to problematic websites.

Sponsored links

The FSA has also investigated the use of sponsored links. If a sponsored link is made by an FSA-authorized firm or contains a financial promotion, it too must meet the FSA requirements of fairness, clarity and not being misleading.

The findings from a review covering 200 sponsored links suggest that firms fall short of these standards by advertising products that are not available or only available if onerous conditions are fulfilled. The sponsored link creates an expectation that is not met when the website is accessed.

There is a further problem that a search for, for example, 'independent financial advisor' produces sponsored links to financial advisors that are not independent. The FSA suggests that firms should look at search terms that will exclude their website from the results in order to avoid misleading internet users.

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