

Full title of law or regulation

THE CHARTER FOR THE PROTECTION OF CHILDREN

The standalone charter in Polish:

https://www.radareklamy.pl/images/Dokumenty/informacje_prasowe/KartaOchronyDzieciwReklamie.pdf

The full Code of Ethics; charter included under Annex 3

https://www.radareklamy.pl/images/Nowe_Procedury/Kodeks_Etyki_Reklamy_11.09.2019.pdf

Chapter 1: SELF-REGULATORY OBJECTIVES

Articles 1 to 3

Article 1. The purpose of the Charter is to define the conditions that should be met so that the interests of children and in particular children under 12 years of age are properly protected in marketing communications. The conditions are in accordance with the [Act on Radio and Television Broadcasting of December 29, 1992](#) (Journal of Laws 1993 No. 7, item 34 with amendments), hereinafter referred to as the Act, and in particular with article 18 clauses 1, 3 and 5 of the Act. *(The earlier link is to our translation of this legislation)*

Article 2. The signatories of the Charter are aware that an advertising message may provide children with new knowledge and skills, positive values and beliefs about the world and people, but may also carry some threats, especially as:

- accessing Internet content and watching TV, including advertising messages, is one of the principal ways that children spend their free time
- using the image of a child as a way of enhancing the effectiveness of advertising can increase the likelihood of exposure of children seeing the advertising to threats arising both from messages addressed directly to them, as well as from advertising using the images of children that are actually targeted at adults
- the use of child actors in advertising strengthens the impact of such advertising, especially on kids themselves.

Article 3. The signatories of the Charter will strive both to protect children as recipients of advertising, as well as to limit the showing of child actors appearing in commercials where doing so is unreasonable, and not related either to the nature of the product or to the advertising message.

Chapter 2: ADVERTISING OF PRODUCTS AND SERVICES THAT CHILDREN MAY RECEIVE

Articles 4 and 5

Article 4. The Charter signatories declare that they will use the utmost diligence to ensure that in advertising messages addressed to children and in advertising messages that are not directly addressed to them but, due to their form and placement, children see them, there is no content that could adversely affect their development.

Article 5. The Charter signatories comply with the provisions of article 16 b paragraph 2-5, according to which commercial broadcasting is prohibited that:

1. Encourages minors to put pressure on parents or other persons in order to encourage them to buy the advertised products or services;
2. Exploits the trust of minors in parents, teachers and other persons;
3. Unreasonably depicts minors in dangerous situations;
4. Acts in a surreptitious manner.

They declare that advertisements which due to their content, form, communication channel and presentation are received by children will not contain, in particular:

1. Content that may endanger their health or safety;
 2. Scenes of physical and psychological violence;
 3. Scenes containing problematic family relations (e.g. child neglect, appearing to be adult, negative attitude of the child towards adults, including parents);
 4. A message that directly or indirectly undermines the authority of parents or legal guardians and their attempt to exercise parental authority or care, in particular, presents the exercise of this authority or care in a negative way, contrary to the best interests of the child;
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5. Scenes encouraging conflicts in any form (child - peers, child - parents and child - institutions);
 6. Threatening scenes (e.g. dangerous games or accidents), unless their presentation is intended to promote the protective role of the product;
 7. The motive of excess consumption and consumerist lifestyle as the optimum value in life, taking into account the nature of the medium that is television advertising;
 8. The message that directly or indirectly suggests that fun and entertainment do not coincide with any responsibility or restraint or excludes such responsibility or restraint
 9. Discriminatory content, in particular on the basis of race, gender, nationality, religious beliefs or disability;
 10. A message that directly or indirectly uses a sexual subtext, including the use of sexual jokes and the meaning of individual words hidden in this aspect, or presents a false image of sex and sexual relationship only as part of fun and entertainment;
 11. The showing of a child persistently forcing shopping and other decisions on adults;
 12. Promoting negative patterns of generally unacceptable behaviour;
 13. Promoting products that do not meet the criteria of other broadcaster self-regulation, primarily "agreements of television broadcasters on the principles of dissemination of advertisements and sponsorship indications regarding foodstuffs or beverages containing ingredients whose presence in excessive amounts in the daily diet is inadvisable."
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Chapter 3: CHILDREN IN ADVERTISING

Articles 6 to 8

Article 6. The signatories of the Code undertake to comply at all stages of creating and disseminating advertising messages with the following principles:

1. The use of a child's image in commercials advertising products or services that are not related to children's everyday life and activities should be limited through careful analysis of appropriateness;
2. Children participating in advertising should be shown in a friendly social environment, especially family and peers;
3. The image of a child in advertising cannot be treated instrumentally to praise products and suggest other children or parents to buy them.

Article 7. The signatories of the Charter will use the utmost diligence to ensure that children's heroes do not appear in advertising messages in the context of:

1. Acceptance of social stigmatisation of the individual and persecution by the group as a model of social behaviour;
2. Content of developmental problems (associations with alcohol consumption, references to sex life and others);
3. Extreme glorification of the product as the only remedy for children's problems & life needs;
4. Imitation of adult behavior that is inappropriate from the point of view of children's developmental needs.

Article 8. In the advertising production process with the participation of child actors, the following shall be avoided:

1. Any threats to their health or safety;
 2. Their exposure to high stress;
 3. Using the hero's role in the narrative of the advertisement, in such a way as may result in the ridicule of the child actor;
 4. Exposure to content not in line with their development stage;
 5. Situations leading to a misperception of reality, e.g. in the case of the participation of very young children in advertisements with a story of extreme fantasy
 6. Settings leading to anxiety, typically social advertising, warning of dangerous situations.
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