

This is an amalgam of the general, minors' and food rules for the German, French and Flemish communities, as expressed in their Decrees transposing the Audiovisual Media Services Directive ([2010/13/EU](#))

We have extracted the main clauses so that, if you are developing television advertising schedule to air in all three, you can see the rules that apply, though the below does not represent *all* the rules - just those to do with general social responsibility, minors, and any food-specific laws. The French Decree is supplemented by an Advice Note for Advertising to Minors, which has been translated relatively "loosely." As with all law anyway, the binding version is always that in the original language, and we show the link to the advice note in the right hand column below. The Decrees themselves are available from the links below.

French Speaking Community: French Media Decree [EN](#) (RTBF Man. Contract: [EN](#))

Flemish Speaking Community: Flemish Media Decree [EN](#)

German Speaking Community: German Media Decree [EN](#)

	German (applicable to public broadcaster, BRF ¹ unless otherwise stated – see Art. 3)	Flemish (VRT ² – cannot broadcast TV advertising ³)	French (applicable to commercial broadcasters and RTBF ⁴ unless specifically stated otherwise ⁵)
General	<p>Commercial communications may not:</p> <ol style="list-style-type: none"> 1. Violate human dignity, 2. Contain or promote discrimination based on gender, race or ethnic origin, nationality, religion or belief, disability, age or sexual orientation; 3. Promote behaviour that jeopardizes health or safety; 4. Promote behaviour that grossly jeopardizes the protection of the environment; 	<ul style="list-style-type: none"> • Commercial communication and public service announcements may not be set up in such a way that they: <ol style="list-style-type: none"> 1. Violate human dignity; 2. Incite violent or discriminatory behaviour. Commercial communication may not be set up in such a way that it contains or promotes any form of discrimination on the basis of gender, race or ethnic origin, nationality, religion or philosophy, disability, age or sexual preference (55) 	<p>The commercial communication must not:</p> <ol style="list-style-type: none"> 1. Undermine respect for human dignity and respect for equality between women and men; 2. Include or promote any discrimination on the grounds of presumed race, ethnic origin, sex, sexual orientation, nationality, disability or age; 3. be offensive to religious, philosophical or political beliefs;

¹ *Belgischer Rundfunk* (BRF) = Belgian Broadcasting = public-service broadcasting organization serving the German-speaking Community of Belgium

² *Vlaamse Radio- en Televisieomroeporganisatie* (VRT) = Flemish Radio and Television Broadcasting Organization = national public-service broadcaster for the Flemish Region and Community of Belgium

³ VRT: Only radio advertising and self-promotion – so provisions will apply to radio advertising; No teleshopping or advertising via teletext service; Sponsorship and PP permitted (but not in children's programmes) See Art. 50, Art. 92 (Sponsorship) and Art. 99.2 (PP)

⁴ *Radio Télévision Belge de la Communauté Française / Radio Télévision Belge Francophone* (RTBF) = public broadcasting organization of the French Community of Belgium

⁵ Scope of French Media Decree: Arts 2 and 8 FrMD – Decree applies to commercial broadcasters and RTBF notwithstanding specific provisions in RTBF Man. Contract.

	<p>5. Impair religious, philosophical or political opinion (6)</p>	<ul style="list-style-type: none"> Commercial communication and public service announcements may not comprise elements with offensive or disapproving statements about religious, philosophical or political convictions. (56) Commercial communication may not discredit those who do not consume or use a given product or service (57) Commercial communication may not contain elements that capitalize on feelings of fear. (59) 	<ol style="list-style-type: none"> Encourage behaviour prejudicial to health or safety, particularly by enhancing violent behaviour; Encourage behaviour grossly prejudicial to the protection of the environment; Contravene the rules on literary, artistic, and industrial property and the right of personal portrayal (image of a person). Contain references to a person or a specific institution, of statements or declarations from them, without their permission or that of their dependents (11)
<p>Minors; general rules</p>	<ul style="list-style-type: none"> Audiovisual commercial communications shall not cause physical or moral detriment to minors. Therefore, they shall not directly exhort minors to buy or hire goods or direct services to minors in order to take advantage of their inexperience or credulity, minors may not directly be encouraged to persuade their parents or a third party to purchase the advertised goods or services. They may not exploit the special trust minors place in parents, teachers or other confidants. It may not show minors in dangerous situations without justified reason (6.2) 	<p>'child' means: a person under the age of 12 (Art. 2.18)</p> <p>'minor' means: any person between twelve and sixteen years of age (Art. 2.15)</p> <ul style="list-style-type: none"> Commercial communication aimed at children and young people has to be clearly recognizable as such to them. (71) Commercial communication shall not cause physical or moral detriment to minors. Therefore, it shall not do the following: <ol style="list-style-type: none"> Directly exhort minors to buy or hire a product or service by exploiting their inexperience or credulity; Directly encourage them to persuade their parents or others to purchase the goods or services being advertised; Unreasonably show minors in dangerous situations; Exploit the special trust minors place in parents, teachers or other persons. Containing pornographic content or scenes of unnecessary violence.(72) <p>§ 1. Commercial communication for children and young people has to be created with the necessary</p>	<p>The commercial communication must not cause physical or moral detriment to minors and must therefore meet the following criteria for their protection:</p> <ol style="list-style-type: none"> It must not directly encourage minors to buy or hire a product or service by exploiting their inexperience or credulity It must not directly encourage them to persuade their parents or others to purchase the goods or services being advertised It must not exploit the special trust minors place in parents, teachers or other persons It must not unreasonably show minors in dangerous situations. <p>Also, from the CSA's Advice Note No. 01/2007 - Regulation / Code of Ethics for Audiovisual Advertising aimed at children FR (points below applicable to both TV and Radio broadcasters)</p> <p>(a) "child": listener or viewer under the age of 12;</p> <p>OBJECTIVITY</p>

		<p>sense of social responsibility so that it does not undermine positive social behaviour, lifestyles and attitudes.</p> <p>§ 2. Commercial communication to children may not represent violence, trivialize, tolerate, idealize or encourage or show antisocial or reprehensible behaviour or encourage it. Commercial communication for young people may not represent violence, trivialize, tolerate, idealize or encourage or show antisocial or reprehensible behaviour or encourage it.</p> <p>§ 3. Commercial communication for children and young people may not undermine the authority, the responsibility or the judgment of parents and educators, taking into account the applicable social and cultural values.</p> <p>§ 4. Commercial communication about toys that resemble fire arms is prohibited.(73)</p> <p>§ 1. Commercial communication for children and young people has to respect the dignity of children and young people and may not portray children and young people in such a way that their physical or moral integrity is violated or endangered.</p> <p>§ 2. Commercial communication may not elicit feelings of fear or unease in children and young people.</p> <p>§ 3. Commercial communication for children and young people may not contain texts or visual representations, which can cause mental, moral or physical detriment to children and young people or which can incite them to act dangerously or find themselves in dangerous situations, which can seriously endanger their health or safety or condone this type of behaviour. (74)</p>	<ol style="list-style-type: none"> 1. The advertising communication may not minimise the degree of skill or age generally required to use or enjoy the product or service. 2. The advertising communication may not mislead about the size, value, nature, duration of use and the actual performance of the product or service and, in the case of promotions or contests, the value of prizes and the chances of winning one. 3. In television, if accessories including e.g. batteries or paint are required to produce the result shown or described, this must be clearly stated. 4. In television, a product or service that is part of a series should be clearly reported as such. The means to acquire all the other elements must also be clearly stated. 5. Advertising communication that is based on accomplishments including a child's drawings, constructions, or evaluations may present only what can usually be realized or enjoyed by a child in the age group for which the product was designed. <p>PRICE</p> <ol style="list-style-type: none"> 6. Price communication should not be such as to cause the child to minimise the actual value of the product or service. No advertising aimed at children should imply that the product or service is within the reach of any family budget. <p>GAMES AND COMPETITIONS</p> <ol style="list-style-type: none"> 7. The advertising communication for games and competitions aimed specifically at children must comply with the guidelines and regulations of 8 March 2005 adopted by the CSA. The same provisions apply to electronic commercial
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			shown. 18. The advertising communication should be prepared with a due sense of social responsibility. It cannot present offensive behaviour positively or encourage children to behave in such a way. 20. Advertising communication for children must take care not to arouse among them a sense of anxiety or discomfort, or deploy overly aggressive / urgent injunctions (i.e. no hard sell)
TV	<p><u>TV (Linear/ Non-Linear)</u></p> <ul style="list-style-type: none"> children's programmes must not be interrupted by advertising and teleshopping spots It is forbidden to broadcast advertising or teleshopping spots ten minutes prior to and ten minutes after the end of a children's programme. (7.2) 	<p><u>Linear TV</u></p> <ul style="list-style-type: none"> Children's TV programmes may not be interrupted by advertising and teleshopping (80) Teletext pages aimed at children may contain advertising or teleshopping (80) no teleshopping programmes can be broadcast in the immediate proximity of children's programmes. Immediate proximity means a period of fifteen minutes before and after children's programmes (82.4) Advertising for alcoholic beverages may not be broadcast in the ad slot just before or after children's programmes (83) <p><u>VRT:</u> TV advertising (and advertising via teletext services) not permitted. Teleshopping is not permitted. (50)</p>	<p><u>Linear/ Non-Linear</u></p> <ul style="list-style-type: none"> Advertising, teleshopping and self-promotion cannot be inserted into children's programmes (18.3) <p><u>RTBF:</u></p> <ul style="list-style-type: none"> The RTBF cannot broadcast advertising less than 5 minutes before and after TV programmes specifically intended for children under 12. The RTBF cannot insert advertising and sponsorship before, during or after programmes on demand which is directed specifically at children under 12 years of age. (72.5 RTBF Man. Contract)
Radio	n/a	<p><u>Linear Radio:</u></p> <ul style="list-style-type: none"> Radio advertising for alcoholic beverages may not be broadcast in the ad slot just before or after children's programmes. <p><u>VRT:</u> Radio advertising permitted (50)</p>	<p><u>Linear/ Non-Linear:</u></p> <ul style="list-style-type: none"> Advertising, teleshopping and self-promotion cannot be inserted in children's programmes (23) <p><u>RTBF:</u></p> <ul style="list-style-type: none"> The RTBF cannot broadcast advertising less than 5 minutes before and after radio

			<p>programmes specifically intended for children under 12.</p> <ul style="list-style-type: none"> • RTBF cannot insert advertising before, during or after programmes on demand which are directed specifically at children under 12 years of age. (72.5 RTBF Man. Contract)
Online Services			<p><u>RTBF</u>: any form of “pre-roll” advertising before children's programmes available in non-linear audiovisual media services on offer on RTBF is prohibited (Art. 75(final para) Man. Contract)</p>
Sponsorship	<p><u>TV (Linear/ Non-linear)</u> The showing of sponsorship logos in children's programmes, documentaries and religious programmes are forbidden (10.3)</p>	<p><u>Linear/Non-Linear; TV/Radio</u></p> <ul style="list-style-type: none"> • The mention or display of the logo of a sponsor is forbidden during children's programmes or on teletext pages aimed at children (97) • Children's programmes may not be sponsored by companies whose main business is the production or sale of alcoholic beverages (94) <p><u>VRT</u>: Sponsorship prohibited in children's programmes (50)</p>	<p>CSA Decree does not say that it is prohibited for children's programmes (solely says it is prohibited on RTBF and local TV).</p> <p><u>RTBF</u>:</p> <ul style="list-style-type: none"> • children's programmes cannot be sponsored (24.7) • no sponsorship less than 5 minutes before and after TV/Radio programmes specifically intended for children under 12. (72.5 Man. Contract) • no sponsorship before, during or after programmes on demand which are directed specifically at children under 12 years of age (72.5)
Product Placement	<p><u>TV (Linear/Non-Linear)</u> PP prohibited in children's programmes (10.1)</p>	<p><u>TV; Linear/non-Linear</u></p> <ul style="list-style-type: none"> • PP prohibited in children's programmes (99.1) <p><u>VRT</u>: PP prohibited in children's programmes (50; 99.2)</p>	<p><u>TV (Linear/ Non-Linear)</u>:</p> <ul style="list-style-type: none"> • PP prohibited in children's programmes (21)

<p>Specific Food clauses</p>	<p>§ 2 - Audiovisual media service providers shall develop codes of conduct regarding the development of inappropriate audiovisual commercial communication concerning the excessive intake of food and beverages, nutrients or substances with a nutritional or physiological effect, especially not to be recommended are those like fats, trans fatty acids, salt/sodium and sugar in the diet (6)</p>	<ul style="list-style-type: none"> • Commercial communication pertaining to candy which contains sugar has to show a stylized image of a toothbrush in a clear and contrasting manner for the duration of the commercial communication, respecting a size limitation of one tenth of the height of the film image, as shown here. (69) • Commercial communication for children and young people may not encourage or trivialize the excessive intake of food and beverages containing nutrients of which immoderate use is not recommended, such as fats, trans fatty acids, salt or sodium or sugars. (77 / young people) 	<p>14. The publisher must accompany any advertising communications for confectionery with a visible warning that the impact of such products on health. This warning may take the form of a stylised toothbrush. (Point 14 CSA Advice Note 1/2007)</p> <p><u>RTBF</u>: advertising for confectionery containing sugar is required to insert a warning in any form whatsoever, indicating the impact of this type of product on health (73g RTBF Man. Contract)</p>
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