

13 April 2016

Codes Review Panel
ASA Secretariat
P O Box 10675
WELLINGTON

REVIEW OF THE CHILDREN'S CODES - SUBMISSION BY MEDIAWORKS

Thank you for the opportunity to participate in this consultation.

MediaWorks considers that the industry is working effectively to ensure that children and young persons are adequately protected in relation to food and other advertising.

MediaWorks takes its responsibilities as a broadcaster (TV and radio) and a content provider (digital) seriously, and has robust systems in place to ensure that advertisements are vetted and appropriately scheduled. The ThinkTV "Getting it Right for Children" rules provide useful guidance within these processes.

We note that there does not appear to be any clear evidence of harm caused by the existing regime, which would justify greater regulation. Any steps to create additional burdens on broadcasters and/or content providers should only be taken if a full impact assessment on the local broadcasting and media industry is conducted.

Nutrient profiling

We have some concerns about any rigid nutrient profiling approach. We understand these kinds of systems can lead to unusual results and capture foods which would not necessarily be considered unhealthy. The current Children's Food (CF) Classification System takes a pragmatic and realistic approach to food classification, and there does not appear to be any justification for creating additional regulation and costs to the industry which may arise due to a nutrient profiling approach.

Definition of child

The Children's Codes currently define a child as under the age of 14. We support retaining this definition and note that it is consistent with the BSA definition, being:

Child, where referring to an audience member, means a person under the age of 14. In privacy cases, a parent, guardian or person over the age of 18 acting in loco parentis (standing in the shoes of the parent or guardian) may consent on behalf of a child under the age of 16.

We understand that this definition is also consistent with internationally accepted norms, i.e. that persons aged 14 years and older have sound levels of media literacy and do not require the same protections in relation to advertising as persons aged 13 years and younger.

Sponsorship

We support a specific guideline on sponsorship, with a particular emphasis on online sponsorship. We are particularly concerned that there is a real risk of an uneven media playing field in respect of brand messages being received from offshore via online media (i.e. for major sporting events and other programmes with appeal to young people) whereby the same messages may not be permitted to originate in New Zealand. It would be helpful to have some guidance in this area.

Compliance monitoring

MediaWorks questions whether the costs involved with a compliance monitoring programme is justified, given the lack of any evidence of harm being caused under the current regime. In our view the current process for making a complaint and resolving complaints is effective and works well.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'JR' or 'Jodie Reid', written in a cursive style.

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