



BLACK SEA BROADCASTING REGULATORY AUTHORITIES FORUM

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Commercial Communications

Georgian National
Communications
Commission

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Commercial Communications in Georgia

- The Commercial communications in Georgia is regulated by the “Law on Broadcasting” of Georgia and Georgian “Law on Advertising”;
- In 2014 in order to implement the provisions of Audiovisual Media Services (AVMS) Directive, Georgia has made amendments to the “Law on Broadcasting” of Georgia. These amendments substantially changed the regulations concerning commercial communications.
- Chapter VIII of the “Law on Broadcasting” of Georgia is dedicated to Advertisement, Teleshopping and Sponsorship. After the amendments made last year, “product placement” has been added to this chapter;
- The law distinguishes 3 types of advertisements: Commercial, Social and Pre-election advertisements.



- Commercial Advertisement – Disseminated information (disseminated for fee or other economic benefit) about the product, service or work of physical or legal entity, that is directed to indefinite number of persons and serves for formation of interest or promotion of sale of product, service or work of physical or legal entity.
- Social Advertisement – an advertisement that promotes public good, charitable aim, raises awareness on important social issues and/or promotes the change in social behavior in positive direction, that (an advertisement) is neither commercial or pre-election advertisement and does not include the promotion of state or municipal entities, public or private legal entities or their services.
- Pre-election Advertisement – an advertisement that promotes candidates for the election.



Rules and Restrictions

- Advertisement and teleshopping has to be identified and clearly distinguished from the program;
- It is strictly forbidden to place teleshopping on public broadcaster. Regarding advertising and sponsorship on public broadcaster, there are certain restrictions;
- The following programs cannot be interrupted with advertisement or teleshopping:
 - Speech of high ranked officials;
 - Religious ceremony;
 - Political or religious show, pre election debate program, or documentary film the duration of which is less than 15 minutes.
- News program can be interrupted with advertisement not more than once in every 15 minutes.



- Program for children, the duration of which is less than 30 minutes cannot be interrupted. If the program is longer than 30 minutes, it can be interrupted not more than once in every 30 minutes.
- In case the duration of a Movie is more than 30 minutes, it can also be interrupted not more than once in every 30 minutes.
- It is strictly forbidden to promote any product or service in a News program.
- The duration of Advertisement or Teleshopping for 1 hour should not exceed 20% (Except special Teleshopping channels). Which means it can occupy maximum 12 minutes from 60. This is a new regulation for Georgia, which was amended in 2014 to meet the requirements of EU Directive on Audiovisual Media Services.



Social and Pre-Election Advertisements

- Any broadcaster is obliged to place a social advertisement that was presented to them **for free**, maximum for 90 seconds for every 3 hours;
- The public broadcaster has to distinguish at least 60 seconds in 1 hour for social advertisement.
- Because, the broadcasters have to allocate advertising time for free, they often have disputes with the producers of social advertisements, whether the advertisement is social or commercial. GNCC resolves such disputes.
- In pre-election period (50 days before the election) public broadcaster has to allocate presented election campaign advertisement of a qualified candidate for maximum 60 seconds in every hour **for free**.
- Every general broadcaster (broadcaster that has News and current affairs programs) has to allocate presented election campaign advertisement of a qualified candidate for maximum 90 seconds in every 3 hours **for free**.



Sponsorship

- Government bodies or officials, political parties or election candidates are not allowed to be sponsors of any program.
- After 2016 it will be forbidden during sponsorship, to directly call on buying or using a product or a service.
- In a sponsored program, the sponsor has to be clearly referred by using its name, trademark or other identifying mark in the beginning, during or/and in the end of the program.
- A sponsor can not influence the content of the program or somehow intervene in its editorial independence.
- It is forbidden to sponsor the following programs:
 - News (except sport news and weather reports if they are autonomous parts of the program);
 - Programs on political issues;
 - Programs on consumer rights, or programs related to election campaign.



Product Placement

- Generally it is forbidden to make a product placement. However there are exceptions. It is allowed to make product (good/service) placement in Movies, TV Shows, Sports programs and entertaining programs (except programs for children). It is also possible to use product placement in gambling and game of chance programs by giving a product or service as a prize for free.
- Product placement, when it is allowed, should meet following requirements:
 - It should not influence the content of the program, including its editorial independence;
 - It should not include the direct call on buying the product;
 - It should not give the product an excessive importance.
- The product placement must be clearly identified in the beginning and the end of the program, also after every break if the program has such.





Thank You

