
STATUTORY INSTRUMENTS

2020 No. 1062

The Audiovisual Media Services Regulations 2020

PART 3

On-demand programme services

- 35.** In section 368H (prohibition of product placement and exceptions)⁽¹⁾—
- (a) for subsection (3) substitute—

“(3) Product placement is prohibited in any of the following included in on-demand programme services—

 - (a) children’s programmes;
 - (b) news and current affairs programmes;
 - (c) consumer affairs programmes;
 - (d) religious programmes.”;
 - (b) in subsection (4)—
 - (i) at the end of paragraph (ba), omit “or”;
 - (ii) after paragraph (ba) insert—

“(bb) it is by or on behalf of an undertaking whose principal activity is the manufacture or sale of electronic cigarettes or electronic cigarette refill containers, or”;
 - (c) in subsection (6)(a), for “A” substitute “B”;
 - (d) omit subsection (7);
 - (e) in subsection (12)(e), after “physical” insert “, mental”;
 - (f) after subsection 12(e) insert—

“(ea) directly exhort such persons to purchase or rent goods or services in a manner which exploits their inexperience or credulity;”;
 - (g) in subsection (15), for “subsection (15A)” substitute “subsections (15A), (15B) and (15C)”;
 - (h) after subsection (15A) insert—

“(15B) Subsection (4)(bb) applies only in relation to programmes the production of which begins after 31 October 2020.

(15C) This section applies in relation to a programme the production of which began before 1 November 2020 as if—

 - (a) subsection (3)(b) to (d) were omitted, and
 - (b) subsection (6)(a) included a reference to a condition that the programme in which the product, service or trademark, or the reference to it, is included is—

⁽¹⁾ Section 368H was inserted by [S.I. 2009/2979](#), and amended by [S.I. 2016/507](#) and [2010/831](#).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (i) a film made for cinema,
- (ii) a film or series made for a television programme service or for an on-demand programme service,
- (iii) a sports programme, or
- (iv) a light entertainment programme.”.