**\*\*ANY QUERIES PLEASE CONTACT YOUR TAM REP \*\***

When a delivery is requested with MUST be OFCOM complaint – what does this in practical terms mean?

We understand that each territory may have differing regulatory bodies with different regulations and that culturally territories will have differing attitudes towards sex, violence and language.

MTV UK is regulated by OFCOM, which has the right to fine us OR ultimately to revoke our licence/s.

This is not intended as a comprehensive guide to UK compliance – rather as an overview of the types of content and the regulatory boundaries that we in the UK need to apply and we hope will be a useful prompt for questions and/or dialogue with your UK colleagues.

**Music Video Guidance**

In September 2011 Ofcom published new Guidance specifically about music videos broadcast before the 9pm watershed. This is a brief summary. Please feel free to discuss this Guidance with us for further clarification.

**Sexual Imagery**

Pre- watershed there can be a cumulative effect of images that can result in a sexualised music video which is unsuitable for child viewers. Intrusive and/or prolonged shots of body parts are likely to increase the overall sexual impact. The portrayal of sexual behaviour or images of partially clothed men and women must be editorially justified and appropriately limited: broadcasters should avoid any explicit images of sexual behaviour, images that inappropriately convey a sexualised theme, explicit images of sexual bondage, dominance and sadomasochism, or any inappropriate cumulative effect.

**Clothing**

There is no prohibition on bikinis, underwear and fetish outfits. However, Ofcom may be concerned if the clothing is presented in a sexualized way e.g. skimpy clothing while dancing provocatively or adopting a sexual position. Ofcom would not expect to see singers and dancers wearing clothing that does not adequately cover their bodies (in particular their breasts, genital area and buttocks).

**Lyrics**

Pre-watershed broadcasters should avoid broadcasting lyrics in music videos that clearly focus on sex or convey a clearly sexualised theme. Broadcasters should take into account the potential offence caused by the combination of particular lyrics and sexualised images.

**Dancing**

Images of provocative or sexualised dancing should be appropriately limited and editorially justified. Ofcom has not attempted to define provocative or sexualised dancing.

**Violence**

Any violence in music videos pre-watershed should be appropriately limited and editorially justified. Therefore, any violent images should not be explicit, gratuitous or easily imitable. Nor should they condone or otherwise glamorise violent, dangerous or seriously antisocial behaviour or be likely to encourage others to copy such behaviour.

**General**

This section contains advice and guidance that applies to all content on our channels.

**Scheduling**

We have a number of timing restrictions that we adopt for music videos:

* Clean – Show Any Time and preferred for MTV Scheduling purposes
* Post 19:00
* Post 21:00
* Post 21:30
* Post 22:00
* Post 23:00

**Language**

As well as swear words, the tone and context in which swearing is used can make the difference between a clean and a restricted video.

A clean video, could contain some mild language e.g. ass or crap – but if the language is used in a violent or aggressive or disrespectful manner this could warrant a harsher restriction. The frequent usage of mild language may also trigger a later restriction.

All bad language needs to be completely disguised through dipping, bleeping or reversing and masking where lip reading is possible. We would prefer if a clean beat is placed over the entire offending word/s.

**Commercial References**

**PP and Undue Prominence**

Product placement is allowed – this is defined as a payment received for the inclusion of a product, service, logo or trademark within editorial. Any product placement deals in music videos should be notified to MTV.

Undue prominence – The level of prominence given to a product, service or trade mark will be judged against the editorial context in which the reference appears. A product that is integral to a scene may justify a greater degree of product exposure, for example shots of a car during a chase scene or the use of a mobile phone between 2 characters communicating.

However, where a product is used as a set prop, care should be taken to avoid close-up or lingering shots. So clothing and speakers and drinks need to be carefully framed and kept to a minimum to avoid prominence.

Spoken references to a product or service will generally assume a greater degree of prominence and should not be used.

There can be no promotional statements about a product, service or trademark within a video – this includes ringtones or downloads at the beginning or end of videos.

**Social Media**

In regards to social media (proprietary platforms) – they are perceived as commercial services by Ofcom and we cannot promote them in any of our content.

Use of Twitter or the inclusion of other contact or commercial identification information by third parties would be likely to breach the undue prominence rules.

Featuring a hashtag within a music video is unduly prominent. The hashtag is there purely as a promotional purpose for the artist/label/album. The music video is already considered an advertisement for the artist.

If a music video has a hashtag in the title, it is fine to feature this hashtag.

**Charity appeals**

We are allowed to feature charity appeals in music videos, provided we as a broadcaster feature a range of appeals throughout the year. To be able to allow appeals, we must ensure that we have taken steps to ensure that:

1. The organisation concerned can produce satisfactory evidence of charitable status, or, in the case of an emergency appeal, that a responsible public fund has been set up to deal with it; and
2. The organisation concerned is not prohibited from advertising on television.
3. Undue prominence rules are abided by.

**Sponsorship credits**

Sponsorship credits are not usually attached to individual music videos. All sponsorship credits must be pre-approved by Compliance.

**Human Dignity**

Broadcasters should respect human dignity. No content should exploit people caught up in emergencies, victims of accidents or those suffering a personal tragedy. The right to privacy must be respected.

Broadcasters must be aware that the situation at that time may cause an individual to react in a manner that they would not have done in usual circumstances.

**Animals**

No cruelty or abuse of animals will be allowed – if using animals in production appropriate expertise would be required to be available. MTV may require written confirmation that no harm has occurred. Cock or dog fighting are banned unless in the context of a serious documentary.

**Ethnic Minorities**

Similar to Human Dignity – representation or actual inclusion of ethnic minorities, or minority groups – homosexuals; religious groups etc must be treated with due respect.

**Hypnosis**

There are specific guidelines in relation to the use of hypnotists and the practice within UK content, e.g. people who are hypnotised should be 18+, and that there should be no full demonstration of the act to camera to avoid any viewing audience member claiming that they have been affected.

**Impartiality**

Balance is required in relation to any political or controversial position – due consideration should be given to opposing viewpoints.

**News footage**

As long as the material has been cleared appropriately and is not too graphic and within context this should be fine.

**Occult**

Paranormal demonstrations should not be broadcast pre-21:00. Paranormal videos created for entertainment purposes are not to be broadcast during periods when large numbers of children are watching.

**Religion**

Respect for all religions and their practices is required.

**Suicide**

No ‘how to do’ imagery and nothing too graphic.

**Flashing Images**

Avoid flashing imagery – including camera flashes – general rule no more than 3 flashes per second of broadcast. We have a machine which checks spatial/strobing and luminance issues which are sometimes hard to spot even on things like graphics. All music videos received by MTV will be put through our internal FPA testing technology.

<http://stakeholders.ofcom.org.uk/binaries/broadcast/guidance/831193/section2.pdf>

**RESTRICTION SPECIFIC GUIDANCE**

The following brief explanations should help you with identifying where your video may be scheduled once it reaches us. It should also help you to minimise any objectionable content to get the lowest restriction possible for the creative you have in mind.

**CLEAN**

A clean requirement means that there should be no content that would be considered offensive by the majority of people. This includes viewers that may just happen upon our channel and is a restriction to be used when it is expected that all content would be acceptable to view by anyone – young children, your mum, your granny etc.

**Language**

A video for this slot should not contain swearing, sexual references or adult content. To give you an indication of the type of the language that would be acceptable for this rating we have attached the below:

# **Unrestricted: (this is just a sample list)**

|  |  |  |
| --- | --- | --- |
| Crap | Willy | Life’s a bitch |
| Bloody | Boobs | Bitchy |
| Arse | Pillock | Bitch (non aggressive) |
| Ass | Freakin’ | Prat |

**Violence**

Only the very mild forms of non graphic violence would be acceptable.

No dangerous behaviour that could be imitable by kids.

**Drugs/Alcohol/Cigarettes**

No visuals of drug taking or glamorisation of drugs/alcohol/cigarettes

**Crime**

No glamorisation of criminal activity – and again nothing that encourages criminal activity. (From guns to graffiti – it all counts)

**Sex**

Only very mild references would be considered ok – but any nudity would gain a harsher restriction.

**POST 19:00**

A post 19:00 restriction is intended to reflect that our audience has become more mature. It is not an adult only environment, however, it is not expected that a lot of very young children will be watching. The channel can become slightly more edgy.

This is still before the viewing watershed and therefore it is expected that content still conforms to what is called the ‘Family Viewing Policy’ – which means that if all of the family were gathered around the sofa and chose to watch MTV nothing should embarrass or be unexpected.

A video for this slot could contain language which is considered to be more moderate; however, no extremely strong or offensive language would be tolerated. To give you an indication of the type of the strongest language that would be acceptable for this restriction we have attached the below:

**Post-7pm – considered moderate: (this is just a sample list)**

|  |  |  |
| --- | --- | --- |
| Whore or Ho | Shit | Arsehole |
| Bitch (aggressive use | Dickhead | Tosser |
| Son-of-a-bitch | Bullshit | Slag |
| Bollocks | Prick/ Knob Head | Balls (sexual) |

However, please note that frequent use of the terms above could still be an issue due to an accumulative effect language can have. The words above should only be used in isolation and where they can be editorially justified which is going to be hard to convey in a 4min video. Please bear context in mind.

**Violence**

It would be acceptable to have some degree of violence contained – if you think of soap operas and the type of staged, but realistic violence, this is the level that we can expect. However, with soap operas storylines can be built up and the bad guy gets caught – in music videos there is a limited time frame to build the story and therefore, we should be considerate of how informed the viewer could be regarded.

No dangerous behaviour that could be imitable by kids, however, it is expected that the audience will be slightly older and therefore able to distinguish between reality and fantasy.

**Drugs/Alcohol/Cigarettes**

Mild visuals of drugs/alcohol/cigarettes would be acceptable. Still nothing to be included that would suggest how to use drugs, and nothing that would glamorise drugs, alcohol or cigarettes.

**Crime**

No glamorisation of criminal activity – and again nothing that encourages criminal activity. (From guns to graffiti – it all counts)

**Sex**

Only mild references would be considered ok – but any nudity would gain a harsher restriction.

**THE WATERSHED**

**POST 21:00**

A post 21:00 restriction is intended as the transition between family viewing to the adult sphere known as the Watershed. It is not yet an adult only environment, so there has to be a slow transition between the two zones. Therefore it’s expected that strong content will not be broadcast immediately at 21:00, so that the viewers have a chance to adjust to the change of tone.

**POST 21:30**

A post 21:30 restriction is intended to reflect that our audience is now expected to have chosen to watch MTV and is aware of the type of content that we broadcast. It should be more of an adult only environment by now and the responsibility for viewing choice now becomes much more a parental issue.

**Language**

From 21 – 21:30 we would only allow isolated uses of strong language as the Watershed is supposed to be a gradual transition to more adult content. A video for this slot can contain language which is considered to be a bit adult; however, no extremely strong or offensive language would be tolerated. To give you an indication of the type of the strong language that would be acceptable for this restriction we have attached the below, but please bear in mind that we will differentiate given the transition issue already explained:

**From 9pm onwards – considered strong: (this is just a sample list)**

|  |  |  |
| --- | --- | --- |
| ASSMUNCH | COCKSUCKER | FUCK/FUCKING |
| BASTARD | PRICKTEASER | SCREW/POKE (sexual) |
| JERKING/WHACKING/TOSSING OFF | JISM/CUM/SPUNK | F OFF |
| WANKER | DICK/COCK/CLITORIS (sex) | MILF |
| MIDDLE FINGER/TWO FINGER SYMBOL | BUGGER | QUEER/FAG/LESBO.DYKE/BATTY BOY - context |
| PUSSY (sex) | TO BUGGER (sex) | WTF |
| WHORE/HO (aggressive) | PRICK (If very offensive | GET LAID (If said crudely/sleazy) |

**Violence**

Violence is now ok – however, the degree of violence contained – will affect the scheduling time of the video. The more graphic the depiction - the later the schedule time bearing in mind the transition time we use from the Watershed.

The audience is expected to be largely adult and therefore it is assumed that viewers will have made a conscious decision to view the channel and will know the level of content to anticipate.

**Drugs/Alcohol/Cigarettes**

Moderate visuals of drugs/alcohol/cigarettes within videos, but within editorial pieces where the storylines can be developed it would be acceptable to have stronger content.

**Crime**

Moderate visuals of criminal activity would be acceptable. Again as above within editorial pieces it would be acceptable to have stronger content

**Sex**

Post 21:00 it is ok to have degrees of nudity – full frontal nudity would not be anticipated at 9pm, however, it is not acceptable to have content of a strong sexual nature. The more graphic the depiction - the later the schedule time bearing in mind the transition time we use from the Watershed.

**POST 22:00**

A post 22:00 restriction is the second harshest restriction that content can warrant. A video that falls into this category is expected to have been made for an adult only audience.

It would be expected that stronger content will be included and that viewers will be aware of the type of content that they could be exposed to.

A video for this slot can contain language which is considered to be adult. To give you an indication of the type of the strongest language that would be acceptable for this restriction we have attached the below:

**From 10pm onwards – most offensive: (this is just a sample list)**

|  |  |
| --- | --- |
| Motherfucker/MOTHER (derivatives of) | Rasclaat (context) |
| Cunt | Bloodclaat (context) |
| PIKEY/GYPO (context) | JESUS FUCKING CHRIST |

**Violence**

Violence is now ok. The more graphic violence would be expected to attract a post 22:00 restriction.

**Drugs/Alcohol/Cigarettes**

Strong and graphic depictions of drugs, alcohol etc will be reserved for a post 22:00 transmission.

**Crime**

Graphic depictions of criminal activity will be reserved for post 22:00 transmission.

**Sex**

Post 22:00 it is ok to have sexual content. Within the UK, graphic sexual content is still not acceptable on television broadcasts except on specialist services; therefore it will not be acceptable to have any explicit or pornographic content at this timeslot.

**POST 23:00**

A Post 23:00 is essentially a specialist restriction – due to the limited time for broadcast it would be expected that content that warrants this degree of restriction is bordering upon an unacceptable classification.

A video in this category would include extreme themes made for adult only and potentially is quite niche.

In this instance it would be expected that there is a strong editorial justification for maintaining the strength of the content.

It is recommended that the producers work with the broadcaster if the editorial of a video was to include extreme themes.

**\*\*ANY QUERIES PLEASE CONTACT YOUR TAM REP\*\***

**References**

**General Codes:**

<http://stakeholders.ofcom.org.uk/broadcasting/broadcast-codes/broadcast-code/>

**Commercial Guidance:**

<http://stakeholders.ofcom.org.uk/binaries/broadcast/guidance/831193/section9.pdf>

**Protecting the Under-Eighteens: Observing the watershed on television and music videos**

<http://www.ofcom.org.uk/files/2011/11/1-189291759_annex.pdf>

**Guidance Note on Flashing Images and Regular Patterns in Television – see Annex 1**

<http://stakeholders.ofcom.org.uk/binaries/broadcast/guidance/831193/section2.pdf>