

Appendix

Case – Television Programmes “Dolce Vita” (港生活 · 港享受) broadcast on the Pearl Channel of TVB on 19 April 2012 at 9:30pm-10:00pm and “Dolce Vita” (明珠生活) broadcast on the HD Jade Channel of TVB on 25 April 2012 at 5:55pm-6:30pm

A member of the public complained that the programmes amounted to advertisements for exclusive products of several brands.

The CA’s Findings

In line with established practice, the CA considered the complaint case and the representations of TVB in detail. The CA noted the facts of the case, among others, as follows –

- (a) the programmes under complaint were the English and Cantonese versions of the same lifestyle programme broadcast on different channels. A brand of smartphone, among others, was identified as the product sponsor of the programmes;
- (b) in a segment with a duration of more than five minutes, the hosts introduced the features and functions of a smartphone in detail. There were several long shots and a medium shot of the smartphone with the sponsor’s brand name discernible; and
- (c) some of the features demonstrated were unique and special to the sponsor’s product.

The CA, having regard to the relevant facts of the case, considered that –

- (a) the detailed and prolonged illustration of the features and functions of one single product of the sponsor throughout the segment could not be clearly justified by the editorial need of the programme and appeared to be gratuitous; and
- (b) although the brand name of the smartphone was barely shown, the segment as presented still had advertising effect for the product, which was in breach of paragraph 1 of Chapter 11 of the TV Programme Code

and paragraph 10(a) of Chapter 9 of the TV Advertising Code governing indirect advertising and exposure of sponsored products within programmes.

Decision

In view of the above, the CA decided that TVB should be **advised** to observe more closely the relevant provisions in the TV Programme and Advertising Codes.