

## SUMMARY OF UNDERTAKINGS PROVIDED TO THE CMA

### SOCIAL CHAIN LTD

Social Chain Ltd (the Company), registered office 2<sup>nd</sup> Floor The Lexicon, 10-12 Mount Street, Manchester M2 5NT has voluntarily engaged with the Competition and Markets Authority (CMA) and agreed to provide undertakings, summarised below, to address concerns raised under the Consumer Protection from Unfair Trading Regulations 2008 (CPRs).

### UNDERTAKING

**'Editorial content'** includes, but is not limited to, articles, blog posts, video blogs, commentary, Tweets, status updates and advertorials in any media.

**'Blog'** includes an online article, web log, video log (vlog), or microblog on social media.

**'Paid'** includes payment through money or other incentives (financial or otherwise).

**'Product'** includes goods, services, digital content, immovable property or rights and obligations.

**'Trader'** means a person acting for purposes relating to that person's business, whether acting personally or through another person acting in the trader's name or on the trader's behalf, including a person acting in the name of or on behalf of a trader.

1. The Company will ensure that any editorial content it uses to promote the products of a third party, where a trader has paid for the promotion, will make that fact clear in the content or through images or sounds clearly identifiable by the consumer.<sup>1</sup> For the avoidance of doubt, this includes editorial content which is published on a continuing basis, even if publication began before the date of these undertakings. In particular the Company will:
  - a. not accept instructions to design, draft, prepare or arrange the publication of editorial content which promotes a product but does not make clear that a trader has paid for the promotion;
  - b. not design, draft, prepare or cause to be published editorial content which promotes a product but does not make clear that a trader has paid for the promotion;

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<sup>1</sup> Please note that the provisions of this undertaking would also apply in the event that the Company used editorial content to promote its own products or published editorial content itself.

- c. not instruct (directly or indirectly) any publisher of the editorial content to not make clear that a trader has paid for editorial content to promote a product;
- d. check before publication that the editorial content makes clear that a trader has paid for it to promote a product, and where necessary take steps to ensure that this is made clear;
- e. comply with the UK Code of Non-Broadcast Advertising, Sales Promotion and Direct Marketing, in particular Section 2 on the Recognition of Marketing Communications<sup>2</sup> (including any subsequent amendments); and
- f. make best endeavours to ensure that the Company, its employees and any third parties acting in its name or on its behalf comply with this undertaking, including but not limited to introducing suitable policies and procedures and monitoring compliance with those policies and procedures.

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<sup>2</sup> See <https://www.cap.org.uk/Advertising-Codes/Non-Broadcast/CodItem.aspx?cscid=%7Bddd2e81c-7bc4-4b46-a770-76d7c396162a%7D#.VmqlIGcrjIU>

## SUMMARY OF UNDERTAKINGS PROVIDED TO THE CMA

### MR STEVEN BARTLETT AND MR DOMINIC MCGREGOR

Mr Steven Bartlett and Mr Dominic McGregor have voluntarily engaged with the Competition and Markets Authority (CMA) and agreed to provide undertakings, summarised below, to address concerns raised under the Consumer Protection from Unfair Trading Regulations 2008 (CPRs).

#### UNDERTAKING

**‘Editorial content’** includes, but is not limited to, articles, blog posts, video blogs, commentary, Tweets, status updates and advertorials in any media.

**‘Blog’** includes an online article, web log, video log (vlog), or microblog on social media.

**‘Paid’** includes payment through money or other incentives (financial or otherwise).

**‘Product’** includes goods, services, digital content, immovable property or rights and obligations.

**‘Trader’** means a person acting for purposes relating to that person's business, whether acting personally or through another person acting in the trader's name or on the trader's behalf, including a person acting in the name of or on behalf of a trader.

1. Mr Steven Bartlett and Mr Dominic McGregor will ensure that any editorial content used by a company with which they have a special relationship to promote the products of a third party, where a trader has paid for the promotion, will make that fact clear in the content or through images or sounds clearly identifiable by the consumer.<sup>3</sup> For the avoidance of doubt, this includes editorial content which is published on a continuing basis, even if publication began before the date of these undertakings. In particular, Mr Steven Bartlett and Mr Dominic McGregor will:
  - a. not accept instructions to design, draft, prepare, or arrange the publication of editorial content which promotes a product but does not make clear that a trader has paid for the promotion;

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<sup>3</sup> Please note that the provisions of this undertaking would also apply in the event that a company with which they have a special relationship used editorial content to promote its own products or published editorial content itself.

- b. not design, draft, prepare or cause to be published editorial content which promotes a product but does not make clear that a trader has paid for the promotion;
- c. not instruct (directly or indirectly) any publisher of the editorial content to not make clear that a trader has paid for editorial content to promote a product;
- d. check before publication that the editorial content makes clear that a trader has paid for it to promote a product, and where necessary take steps to ensure that this is made clear;
- e. comply with the UK Code of Non-Broadcast Advertising, Sales Promotion and Direct Marketing, in particular Section 2 on the Recognition of Marketing Communications<sup>4</sup> (including any subsequent amendments); and
- f. make best endeavours to ensure that any company with which they have a special relationship, its employees and any third parties acting in the company's name or on its behalf comply with this undertaking, including but not limited to introducing suitable policies and procedures and monitoring compliance with those policies and procedures.

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<sup>4</sup> See <https://www.cap.org.uk/Advertising-Codes/Non-Broadcast/CodItem.aspx?cscid=%7Bddd2e81c-7bc4-4b46-a770-76d7c396162a%7D#.VmqlIGcrjIU>