

Dear Sirs,

This response to the Consultation on Exemptions to the Video Recordings Act and on Advertising in Cinemas dated 9<sup>th</sup> May 2012 is submitted on behalf of the Video Standards Council ('VSC') and is restricted to comments on the Advertising in Cinemas section of the consultation document.

Preamble:

- The VSC was established in 1989 at the request of Government and is a non profit making body set up to develop and oversee a Code of Practice designed to promote high standards within the video industry. The Code has subsequently been expanded to promote high standards within the video games industry.
- Since 2003 the VSC has acted as the joint administrator of the Pan-European Game Information ('PEGI') system of age rating for video games. The PEGI system now operates in the UK and over 30 other countries.
- It is anticipated that the PEGI system of age rating for video games will be incorporated into UK law on the 30<sup>th</sup> July 2012 pursuant to amendments to the Video Recordings Act 1984. These amendments are contained in the Digital Economy Act 2010.
- It is also anticipated that the VSC will on the 30<sup>th</sup> July 2012 be designated as the UK body responsible for the age rating of video games supplied in the UK using the PEGI system.

Comments:

- The VSC would support the removal of the requirement for cinema advertisements to be age rated by the BBFC when they are shown together with feature films at the cinema.
- The VSC would support the general industry view that the current situation represents an unnecessary duplication of effort and expense.
- The VSC would support the general industry view that the current situation can be both confusing and misleading to the public (and in particular parents of children and young teenagers).
- Specifically the VSC would support the removal of the requirement for cinema advertisements to be age rated by the BBFC as the current situation can on occasions result in the age rating for video games being unclear and confusing.
- The PEGI system has its own advertising guidelines, which are designed to ensure that advertisements for video games prominently display the PEGI age ratings (and age rating logos). This is to ensure that viewers of such advertisements are properly informed of the age suitability of the video games being advertised. This enables such viewers to make informed decisions when purchasing such games (particularly when they are purchasing for children and young persons).
- At present advertisements for video games for showing in the cinema are required to be submitted to the BBFC for age rating. The age rating given by the BBFC for such advertisements can be lower than the PEGI age rating given to the video game being advertised. This results in the lower BBFC rating being shown in the cinema.

- For example an advertisement for a video game with PEGI 18 age rating may receive a BBFC 15 or even a BBFC 12 classification. An advertisement for a video game with a PEGI 16 age rating may receive a BBFC classification of 12 or even lower.
- Currently when giving a BBFC classification for a cinema advertisement for a video game the BBFC may require the portrayal of the PEGI age rating (and PEGI age rating logo) to be modified or even removed with the result that the advertisement does not always make it clear what PEGI age rating has been given to the video game concerned. This can mean that the viewing audience in the cinema is lead to believe that the video game is suitable for an inappropriate age group.
- PEGI age ratings for video games are given to indicate the age suitability of the video games concerned. They are given to enable the purchasers of video games the means to make an informed decision when purchasing a video game. This is of particular importance to parents (and other guardians) when they are making a purchase for a child or young teenager. To enable them to do this it is important that the information they are given is clear and concise. For cinema advertisements this is not always the case.
- On child safety grounds the VSC would support the removal of the requirement for the BBFC to classify cinema advertisements.

Laurie Hall  
Director General  
The Video Standards Council

[laurie.hall@videostandards.org.uk](mailto:laurie.hall@videostandards.org.uk)  
Tel: +44 (0)208 387 4022  
Fax: +44 (0) 208 387 4004

