

Consultation response form

Please complete this form in full and return to vspreulation@ofcom.org.uk

Consultation title	Proposals for the regulation of advertising on video-sharing platforms
Full name	Gemma Shields
Contact phone number	
Representing (delete as appropriate)	Organisation
Organisation name	Which?
Email address	Gemma.shields@which.co.uk

Confidentiality

We ask for your contact details along with your response so that we can engage with you on this consultation. For further information about how Ofcom handles your personal information and your corresponding rights, see [Ofcom's General Privacy Statement](#).

Your details: We will keep your contact number and email address confidential. Is there anything else you want to keep confidential? Delete as appropriate.	Nothing
Your response: Please indicate how much of your response you want to keep confidential. Delete as appropriate.	None
For confidential responses, can Ofcom publish a reference to the contents of your response?	Yes

Your response

Question	Your response
<p>Question 1a: Do stakeholders agree with Ofcom's proposed guidance on control of advertising, including the application of the terms 'marketed, sold or arranged'?</p>	<p>Confidential? – N</p> <p>Which? welcomes the opportunity to share its comments on the Ofcom Proposals for the regulation of advertising on video-sharing platforms.</p> <p>Which? broadly supports Ofcom's proposed guidance on control of advertising. Which? recognises that the online video advertising landscape is complex and agrees with the application of the terms 'marketed, sold or arranged', provided that the non-prescriptive nature of the terms does not allow anything to slip through the net.</p> <p>Which? proposes that VSPs should also be required to undertake verification of business users and advertisers, ahead of adverts being published, for example using the KYBC (Know Your Business Customer) principle.</p> <p>Which? proposes also that where adverts that contravene the requirements end up being published, consumers should have access to easy-to-use reporting tools and should be able to expect communication on how their reports will be handled by VSPs.</p>
<p>Question 1b: If you do not agree with the proposed guidance on control of advertising, please explain why, and include any alternative approaches.</p>	<p>Confidential? – N</p> <p>N/A</p>

Question 2a: Do stakeholders agree with Ofcom's proposed framework for regulating VSP-controlled advertising?

Confidential? – N

Which? broadly agrees with Ofcom's proposed framework for regulating VSP-controlled advertising.

Which? proposes that the general advertising requirements could include the requirement to introduce measures to prevent fake and fraudulent advertising, as bad actors often leverage advertising facilities online to commit fraud.

As for requirements relating to the transparency of advertising, **Which?** believes that VSPs must ensure that adverts are clearly labelled or marked as such and that consumers must know how and when content is being advertised to them.

Question 2b: If you do not agree with the proposed framework for regulating VSP-controlled advertising, please explain why, and include any alternative approaches for regulating advertising on VSPs.

Confidential? – N

N/A

Question 3a: Do stakeholders agree with Ofcom's proposal to designate the ASA as a co-regulator for VSP-controlled advertising?

Confidential? – N

Which? agrees that the ASA should be designated as a co-regulator for VSP-controlled advertising and more broadly supports increased cooperation between regulatory authorities on online regulation.

<p>Question 3b: If you do not agree that it would be appropriate to designate the ASA as a co-regulator for VSP advertising, please explain why, and include any alternative approaches.</p>	<p>Confidential? – N</p> <p>N/A</p>
<p>Question 4a: Do stakeholders agree with Ofcom’s proposed guidance on non-VSP-controlled advertising?</p>	<p>Confidential? – N</p> <p>Which? broadly supports Ofcom’s proposed guidance on non-VSP-controlled advertising. Which? suggests that any terms and conditions relating to advertising requirements be properly and consistently enforced and that this should be auditable.</p> <p>Which? agrees that communicating the presence of advertising to users is vital and that consumers should be aware when and how they are being advertised to.</p>
<p>Question 4b: If you do not agree with the proposed guidance on non-VSP-controlled advertising, please explain why, and include any alternative approaches.</p>	<p>Confidential? – N</p> <p>N/A</p>
<p>Question 5a: Do stakeholders agree with Ofcom’s proposed approach to regulating non-VSP-controlled advertising?</p>	<p>Confidential? – N</p> <p>Which? agrees with Ofcom’s approach to regulating non-VSP-controlled advertising.</p>
<p>Question 5b: If you do not agree with the proposed approach to regulating non-VSP-controlled advertising, please explain why, and include any alternative approaches.</p>	<p>Confidential? – N</p> <p>N/A</p>

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