



## ADVERTISING POLICY

### 1. Purpose

- 1.1 The purpose of this policy is to set out high level principles, together with the decision making framework and criteria, governing the approval of advertisements which appear on TfL's services and information campaigns undertaken by TfL and to ensure TfL's compliance with its obligations in section 404 of the GLA Act.
- 1.2 In addition, TfL will ensure that advertisements which appear on TfL's services and information campaigns undertaken by TfL are consistent with the obligations in section 404 of the GLA Act.
- 1.3 All advertisements appearing on TfL's services and information campaigns undertaken by TfL must be in accordance with this policy.

### 2. Definitions

- (a) **Advertisement** includes advertisements in any form proposed to appear on TfL's services and includes information campaigns undertaken by TfL.
- (b) **The applicant** means the person seeking approval for an advertisement to appear on TfL's services.
- (c) **The ASA** means the Advertising Standards Authority.
- (d) **The Authority** means the Greater London Authority.
- (e) **CAP** means the Committee of Advertising Practice
- (f) **The Commissioner** means the Commissioner of Transport for London.
- (g) **Days** means working days.
- (h) **The GLA Act** means the Greater London Authority Act 1999.
- (i) **The GLA Group** means the Greater London Authority, TfL, the London Development Agency, the Metropolitan Police Authority and the London Fire and Emergency Planning Authority.
- (j) **The Mayor** means the Mayor of London.
- (k) **TfL** means Transport for London.
- (l) **TfL's services or a TfL service** means those services and facilities operated by or on behalf of TfL on which TfL has a right to approve advertisements, including (but not limited to) –

- (i) London Underground;
- (ii) London Buses;
- (iii) Docklands Light Rail;
- (iv) London Overground;
- (v) Croydon Tramlink;
- (vi) London's roads for which TfL is responsible;
- (vii) Public Carriage Office;
- (viii) London River Services;
- (ix) Victoria Coach Station;
- (x) London Transport Museum;
- (xi) Any cycle hire schemes; and
- (xii) Dial-a-Ride.

### **3. Required standards**

3.1 Advertisements will not be approved for, or permitted to remain on TfL's services if, in TfL's reasonable opinion, the advertisement falls within any of the following categories.

- (a) The advertisement does not comply with the law or incites someone to break the law.
- (b) The advertisement does not comply with the British Code of Advertising, Sales Promotion and Direct Marketing.
- (c) The advertisement is inconsistent with the obligations in section 404 of the GLA Act.
- (d) The advertisement is likely to cause widespread or serious offence to members of the public on account of the nature of the product or service being advertised the wording or design of the advertisement or by way of inference.
- (e) The advertisement depicts men, women or children in a sexual manner or displays nude or semi-nude figures in an overtly sexual context.

For example, while the use of underdressed people in most underwear advertising may be seen as an appropriate context, gratuitous use of an overtly sexual nature will be unacceptable.

- (f) The advertisement depicts or refers to indecency or obscenity or uses obscene or distasteful language.
- (g) The advertisement relates to lap-dancing, 'gentlemen's clubs', escort agencies or massage parlours.
- (h) The advertisement depicts direct or immediate violence to anyone shown in the advertisement.
- (i) The advertisement condones or provokes anti-social behaviour.

- (j) The advertisement relates to films which have not been granted permission for public exhibition or which do not show the British Board of Film Classification certificate.
- (k) The advertisement contains images or messages which relate to matters of public controversy and sensitivity.
- (l) The advertisement refers to or portrays (or gives the impression of portraying) a living person unless the written consent of that person is obtained and is produced to TfL.

TfL require an indemnity against any action by that person, or on that person's behalf, before such references or portrayals will be accepted.

- (m) The advertisement contains negative references to TfL's services or those services provided or regulated by other members of the GLA group.
- (n) The advertisement is likely to be defaced due to the subject matter or due to the inclusion of a high proportion of blank space.
- (o) The advertisement may adversely affect in any way the interests of the site owner.
- (p) The advertisement relates to a political party or parties or a political cause.
- (q) The advertisement uses handwriting or illustrations that would suggest the advertisement has been damaged, defaced, fly posted or subject to graffiti, after it has been posted.
- (r) In the case of digital media, the advertisement must not pose a health and safety risk as a result of flickering or other visual imagery.

3.2 TfL roundels or other intellectual property owned by TfL may only be used in accordance with any further guidelines and/or licensing system which may be in place.

3.3 Individual TfL services may specify further requirements in relation to advertising on those services which must be adhered to.

#### **4. Approval or rejection of advertisements to appear on a single TfL service**

##### Decision to approve or reject advertising

4.1 A decision as to whether an advertisement complies with the standards required by this policy shall be the responsibility of the relevant

custodian nominated in relation to that TfL service as set out in paragraph 9.2 below.

- 4.2 Prior to deciding whether an advertisement complies with the standards required by this policy, the relevant custodian may consult CAP as to whether the advertisement complies with the British Code of Advertising, Sales Promotion and Direct Marketing. The relevant custodian may, at his discretion, take any response from CAP into account when determining whether an advertisement complies with the standards required by this policy.
- 4.3 The relevant custodian shall notify the applicant in writing as soon as is reasonably practicable following receipt of the advertisement by the custodian whether the advertisement is approved or is rejected .

#### Proposed rejection of advertising

- 4.4 If the custodian considers that the advertisement does not comply with the standards required by this policy and should be rejected, the custodian:
- (a) may propose or invite from the applicant reasonable variations to the advertisement to achieve compliance with the standards required by this policy; and/or
  - (b) may, if considered necessary, consult the Director of Group Marketing and/or the Managing Director, Marketing and Communications on the proposed rejection of the advertisement.

#### Rejection of advertisements

- 4.5 If the advertisement is rejected, the notification referred to in paragraph 4.3 shall include details of the reasons why the custodian considered that the advertisement did not comply with the standards contained in this policy.
- 4.6 The custodian will notify all other custodians, the Director of Group Marketing and the TfL Press Office that the advertisement has been rejected and specify the reasons why the advertisement did not comply with the standards contained in this policy.

### **5. Decisions by the Director of Group Marketing**

- 5.1 The Director of Group Marketing shall be responsible for the following decisions -
- (a) Where an advertisement is submitted to appear on more than one TfL service and the relevant custodians cannot agree whether the advertisement complies with the standards required by this policy.

- (b) Where -
  - (i) an advertisement has been submitted to appear on one TfL service and has been rejected by the responsible custodian for that TfL service; and
  - (ii) the same or comparable advertisement is subsequently submitted to appear on a different TfL service and the custodian of the second TfL service considers that the advertisement does comply with the standards required by this policy.

5.2 If the Director of Group Marketing decides that an advertisement referred to in paragraph 5.1 does not comply with the standards required by this policy, the process contained in paragraphs 4.3 to 4.6 of this policy shall apply except the reference in paragraph 4.4(b) to the Director of Group Marketing shall be deleted.

## **6. Approval and amendment of policy**

- 6.1 This policy was approved by the Commissioner.
- 6.2 This policy will be subject to review within 12 months or otherwise as considered necessary by the Director of Group Marketing.

## **7. Legal Framework**

7.1 TfL has issued this policy pursuant to paragraph 1(3) of Schedule 10 to the GLA Act which provides -

*'It shall be within the capacity of Transport for London to do such things and enter into such transactions as are calculated to facilitate, or are conducive or incidental to, the discharge of any of its functions.'*

7.2 Section 404 of the GLA Act provides that when exercising its functions, the Authority, including the Mayor, have a duty to have regard to the need –

- (a) *'to promote equality of opportunity for all persons irrespective of their race, sex, disability, age, sexual orientation or religion;*
- (b) *to eliminate unlawful discrimination; and*
- (c) *to promote good relations between persons of different racial groups, religious beliefs and sexual orientation.'*

7.3 The Mayor has directed TfL under sections 154 -155 of the GLA Act that TfL shall comply with the requirement contained in section 404 of the GLA Act in exercising its functions.

## **8. Policy Owner**

8.1 This policy is owned by the Director of Group Marketing

## **9. Custodian**

9.1 Each TfL service will nominate one person to act as a custodian on behalf of the Director of Group Marketing in respect of this policy on that TfL service.

9.2 Custodians on behalf of the Director of Group Marketing are listed below.

<b>TfL service</b>	<b>Custodian</b>
London Underground	Ann Cumming
London Buses	Paul Amlani-Hatcher
Docklands Light Rail	Simon Dobson
London Overground	Julie Dixon
Croydon Tramlink	Julie Dixon
London's roads	Paul Amlani-Hatcher
Public Carriage Office	Paul Amlani-Hatcher
London River Services	Paul Amlani-Hatcher
Victoria Coach Station	Paul Amlani-Hatcher
London Transport Museum	Sam Mullins
Dial-a-ride	Paul Amlani-Hatcher

## **10. Publication**

10.1 This policy shall be published on TfL's website and shall be provided to persons proposing to submit advertising for appearance on TfL's services.

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Approved by the Commissioner  
Peter Hendy

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Date