

BPI PARENTAL ADVISORY SCHEME GUIDELINES

Helping to inform parents about songs and music videos that might be unsuitable for children

PARENTAL
ADVISORY
EXPLICIT CONTENT



For more information, visit
www.parental-advisory.co.uk

BPI
The British Recorded Music Industry



BPI Parental Advisory Scheme

It is important to balance creative freedom with the need for consumers to be informed if a product contains material that they may find offensive or unsuitable for children. For this reason, BPI has operated a voluntary Parental Advisory Scheme for a number of years. The scheme has recently been updated for the online world and is being implemented by a number of digital music services.

This document is divided into four sections, namely:

An introduction to the new scheme

How to display the logo

A guide for record labels, retailers and digital service providers

Considering the Video Recordings Act 1984 and the Authority for Television on Demand

An Introduction to the New Scheme

What is the Parental Advisory Scheme?

The Parental Advisory Scheme is a voluntary initiative created by BPI for record labels, retailers, digital service providers (“DSPs”) and any service which hosts music or music videos online. It provides a framework for alerting consumers to potentially explicit or unsuitable content and comprises two elements: a Parental Advisory Logo and a set of guidelines for those using the logo.

What does the logo mean?

The logo is a notice to parents that a recording or music video contains lyrics, images or other content that may be considered offensive or unsuitable for children.

Who decides if a song or music video should receive the logo?

Using the guidelines, record companies will assess a song or music video and assign the logo where appropriate.

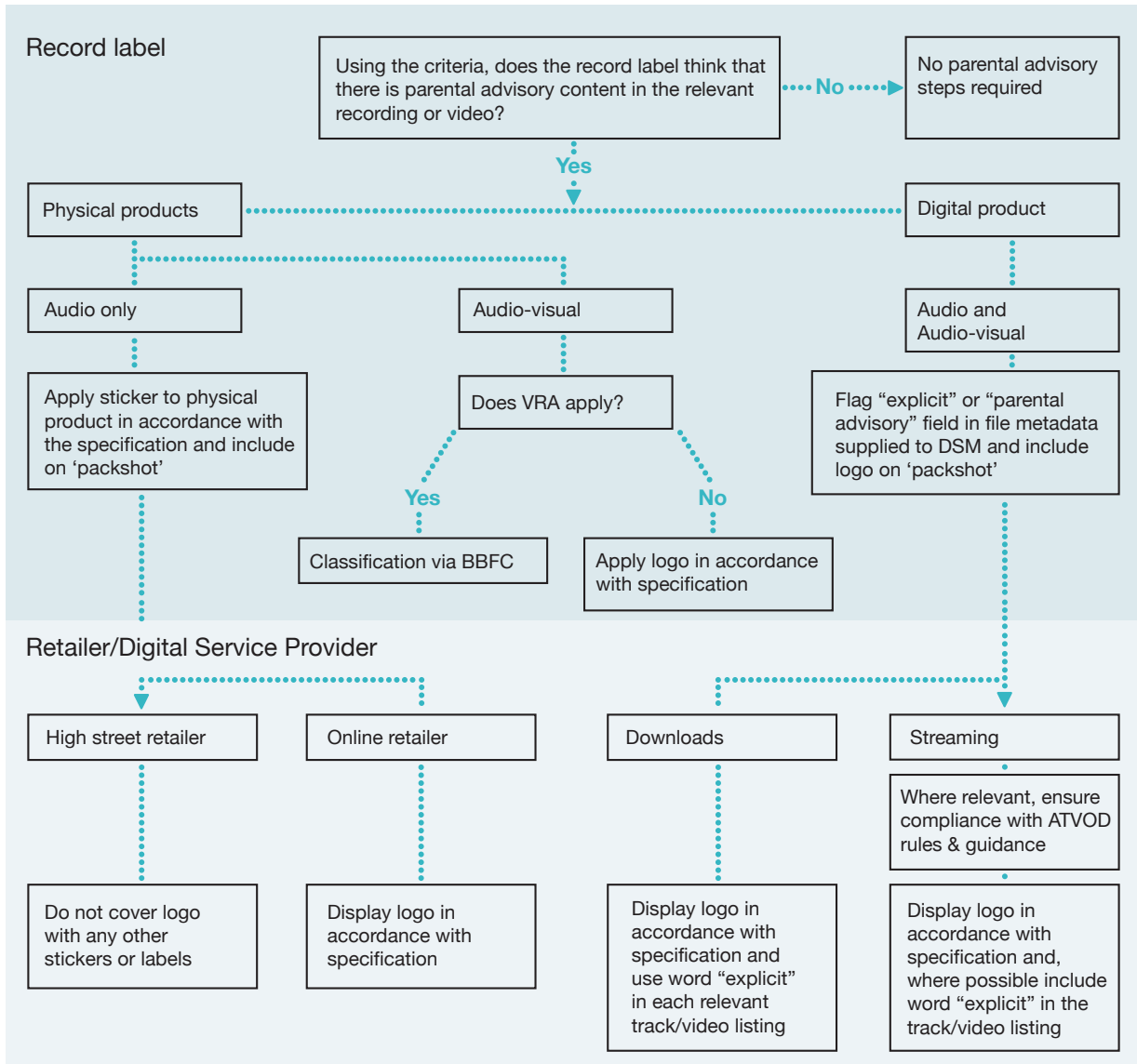
What should parents do if they hear a track or see a video which displays the Parental Advisory Logo?

If a track or video displays the logo, parents are advised to listen to or watch the content in its entirety to enable them to make an informed decision about whether they wish their children to listen to or watch it.

A Guide for Record Labels, Retailers and Digital Service Providers

The flow chart below sets out the steps recommended for record labels and retailers to take in terms of applying and displaying the logo in relation to products that they commercially release. A more detailed description of these steps is set out on the next page.

Parental Advisory Scheme Flow Chart



What criteria should record labels use for applying the logo?

It is important that consistent criteria are used when considering whether to apply the logo. It is therefore recommended that record labels apply the logo where the lyrics or content of a recording or music video that is commercially released contain:

- strong or coarse language;
- depictions of, or references to, violence or physical or mental abuse;
- references to or images of sexualised behaviour;
- racist, homophobic, misogynistic or other discriminatory language or behaviour; or
- dangerous or criminal behaviour (including references to or images of illegal drug use and/or the misuse of alcohol, tobacco and/or other substances) depicted in such a way that glamorises such behaviour or that may encourage imitation, and which may be considered by a significant number of consumers to be offensive or unsuitable for children (the "Criteria").

Record labels

If the record label considers the logo to apply, what steps should it take in relation to any recordings or videos distributed via physical or digital media?

For physical products containing audio content:



- It is recommended that the logo is applied to the packaging of any products containing that recording in accordance with the Specification.
- It is recommended that the logo is included on the 'packshot' for the product when the image is supplied to online retailers.

For physical products containing audio visual content:



- Labels must comply with the classification system under the Video Recordings Act 1984 (as amended) ("VRA"). Failure to do so may result in criminal penalties.
- In the event that the particular product is exempt under the VRA, it is recommended that labels still apply the logo to any products containing any audio or audio visual content that meet the Criteria.

For digital audio and/or audio visual products:



- In all cases, it is recommended that record labels indicate in the metadata that they supply to DSPs whether the product (audio or audio visual) contains 'explicit' content under the Criteria.
- It is also recommended that record labels include the logo on the 'packshot' for the product when supplying the image to Digital Service Providers (DSPs).

Retailers

When the logo is applied to a physical product or, in the case of digital products, has been flagged as "explicit" or "Parental Advisory" in its metadata, what steps should retailers take?

For physical products containing audio and/or audio visual content:



- Retailers ensure that the logo is not covered by any other stickers (such as price labels).
- For online retailers of physical products, retailers clearly display the logo in accordance with the Specification.

For digital downloads and the online streaming of audio and/or audio visual content:



- Digital Service Providers should display the logo and the word "explicit" in accordance with the Specification.

Please note that, where relevant, DSPs that provide on-demand programme services regulated by the Authority for Television on Demand ("ATVOD"), must comply with ATVOD's Rules and Guidance (and the relevant underlying legislation that these Rules and Guidance apply).

How to display the logo

How to display the logo on physical products

For physical products, BPI recommends that members apply the logo (either by sticker or incorporated into the original artwork) as set out below – it is important that a standardised sticker is used so parents can recognise it easily:



Parental Advisory Sticker Specification

- Wording:** Parental Advisory | Explicit Content
- Colour:** Black and white
- Placement:** Bottom right front on all products
- Size:** 1” x ½” on cassette and CD jewel boxes
1½” x 1” on vinyl albums and 12” singles

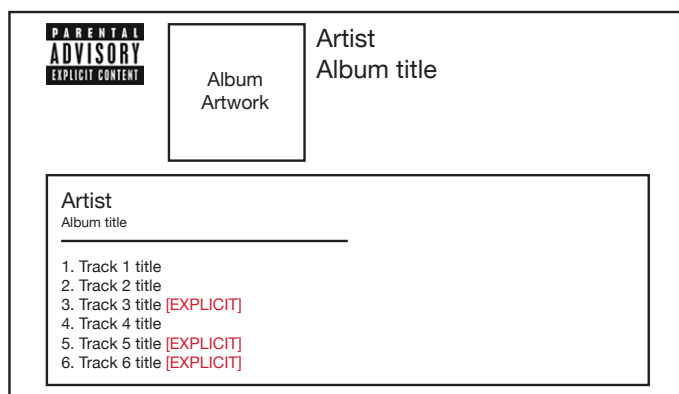
How to display the logo online

For the online distribution of physical and digital products, BPI recommends that retailers and DSPs display the logo in a clear, conspicuous and legible manner at least once on the page relating to the particular product. For example, the logo could be displayed on or alongside the artwork (or ‘pack shot’) in the case of an audio product or next to the video player in the case of a streamed music video. Two examples are provided below.

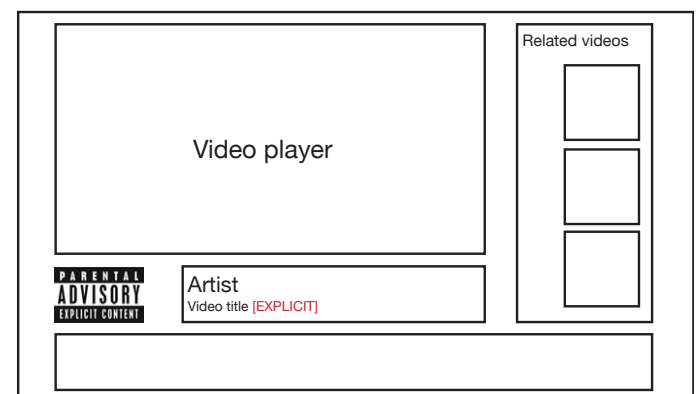
It is also recommended that the word “EXPLICIT” is used next to any track or video titles that are flagged as containing Parental Advisory content. The word “EXPLICIT” should be displayed on a track-by-track basis.

It is recommended that such notifications appear in all stages of the purchasing/listening process, including in the search results for any music or music video title.

Example 1 – download/streaming service



Example 2 – video streaming



Considering the Video Recordings Act 1984 and the Authority for Television on Demand

Video Recordings Act 1984 (“VRA”)

Music videos are exempt from classification as being, taken as a whole, “concerned with sport, religion or music”.

Such exemption does not apply if, to any significant extent, it depicts:

- (a) human sexual activity or acts of force or restraint associated with such activity;
- (b) mutilation or torture of, or other acts of gross violence towards, humans or animals;
- (c) human genital organs or human urinary or excretory functions; or
- (d) techniques likely to be useful in the commission of offences,

or is likely to any significant extent to stimulate or encourage anything falling within paragraph (a) or, in the case of anything falling within paragraph (b), is likely to any extent to do so.

It is also the case that a video work is not an exempted work if, to any significant extent, it depicts criminal activity which is likely to any significant extent to stimulate or encourage the commission of offences.

Failure to classify audio-visual content that is not exempt can result in criminal penalties. Therefore, if there is any doubt about whether content falls outside the exemption, it is recommended that the content is notified to British Board of Film Classification (BBFC).

For detailed information and for copies of the forms needed to apply for classification and for the fee payable, please see the BBFC website at www.bbfc.co.uk/customers/video/how-to-submit

The Authority for Television On-Demand (“ATVOD”)

ATVOD is the independent co-regulator for the editorial content of UK video on-demand services that fall within the statutory definition of on-demand programme services. A service is considered to be an “on-demand programme service” if:

- (a) its principal purpose is the provision of programmes the form and content of which are comparable to the form and content of programmes normally included in television programme services;
- (b) access to it is on-demand;
- (c) there is a person who has editorial responsibility for it;
- (d) it is made available by that person for use by members of the public; and
- (e) that person is under the jurisdiction of the United Kingdom for the purposes of the Audiovisual Media Services Directive.

On-demand programme service providers who are subject to regulation by ATVOD must ensure that content provided on their service:

- does not contain any material likely to incite hatred based on race, sex, religion or nationality; and/or
- does not contain content which might seriously impair the physical, mental, or moral development of persons under the age of eighteen unless such content is only made available in a manner which secures that such persons will not normally see or hear it.

For more information and for ATVOD’s Rules and Guidance, please visit www.atvod.co.uk