



2024 AVIA Regulating for Growth – Advertising Matrix for Pakistan

	Pay TV	OCC TV	Foreshadowed changes
GENERAL			
<p><i>Overview of Regulation</i></p>	<p>Advertising in Pakistan is governed by a framework of laws and regulations aimed at ensuring that content is appropriate and does not offend public morals or safety.</p> <p>The <u>Indecent Advertisements Prohibition Act, 1963</u> prohibits any form of indecent advertisements. It provides an outline as to what constitutes indecent content and restricts advertisers from promoting such material.</p> <p>Further, the <u>Electronic Media (Programmes and Advertisements) Code of Conduct, 2015</u> provides comprehensive guidelines for advertisements where it prohibits licensees of Pakistan Electronic Media Regulation Authority (PEMRA) from airing advertisements that are obscene, violent, harmful to health or property, or violate any laws of Pakistan. Additionally, the Code of Conduct emphasises the protection of children by restricting the broadcast of certain ads directly to them.</p> <p>The <u>PEMRA Rules 2009</u> regulates the duration of advertisements and ensuring that all licensees adhere to the Code of Conduct set forth by the PEMRA. These rules collectively ensure that advertising remains within the bounds of decency, legality, and public safety.</p> <p>Additionally, the <u>Prevention of Electronic Crimes Act (PECA), 2016</u> grants the Pakistan Telecommunication Authority (PTA) the power</p>	<p><u>OCC Television is currently unregulated.</u></p>	

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	to give directions for the removal or blocking of access to online content, including advertisements, through any information system in the interest of public order, decency, morality, and other critical national interests. Given that OCC TV can fall under the category of information systems, advertisements that violate these standards can also be governed and regulated under PECA.		
<i>Regulatory Bodies</i>	<p>Pakistan Electronic Media Regulatory Authority (PEMRA) for traditional delivery</p> <p>Pakistan has issued the <u>Removal and Blocking of Unlawful Online Content Rules, 2021</u>, which empowers the Pakistan Telecommunication Authority (PTA) to order any service provider (which may include a provider offering pay TV through the internet) to remove any online content if it considers necessary in the interest of glory of Islam, security of Pakistan, public order, decency and morality or integrity or defence of Pakistan.</p>	<p>Pakistan has issued the <u>Removal and Blocking of Unlawful Online Content Rules, 2021</u>, which empowers the Pakistan Telecommunication Authority (PTA) to order any service provider (which may include a provider offering OCC television) to remove any online content if it considers necessary in the interest of glory of Islam, security of Pakistan, public order, decency and morality or integrity or defence of Pakistan.</p>	<p>The existing electronic media regulator Pakistan Electronic Media Regulatory Authority (PEMRA) is working on a draft regulation that would license “Web TV” and “OTT TV”, which would apply to advertisements on pay television delivered through the internet and the OCC television.</p>
<i>Advertising per hour</i>	<p>Maximum 3-minute continuous advertisements during each 15 minutes of regular programming for traditional delivery</p> <p>N/A for pay TV delivered through internet</p>	N/A	<p>If the PEMRA regulation is passed, the requirement applicable to traditional delivery of the Pay TV will apply to Pay TV when delivered through the internet and to OCC TV.</p>
<i>Revenue Restrictions</i>	N/A	N/A	
<i>Product Placement</i>	No restrictions.	N/A	
<i>Foreign Commercials</i>	<p>For traditional delivery: Advertisements are permitted but limited to a maximum of 3 minutes of continuous advertisements for every 15 minutes of regular programming. There is no difference in the treatment of local and foreign ads, though ads featuring Indian actors may be prohibited.</p> <p>For Pay TV delivered through the internet: N/A</p>	N/A	<p>If the PEMRA regulation is passed, the requirement applicable to traditional delivery of the pay TV will apply to pay TV when delivered through the internet and to OCC TV.</p>
<i>Govt Levy</i>	Provincial sales tax on advertisement services is applicable.	Provincial sales tax on advertisement services is applicable.	
<i>PSAs</i>	N/A	N/A	

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PRODUCT-SPECIFIC			
<i>Alcohol</i>	For traditional delivery: Prohibited For pay TV delivered through the internet: No specific regulation, though its removal may be requested by PTA.	No specific regulation, though its removal may be requested by PTA.	If the PEMRA regulation is passed, the requirement applicable to traditional delivery of the Pay TV will apply to Pay TV when delivered through the internet and to OCC TV.
<i>Pharmaceutical</i>	For traditional delivery: Prior permission from the Federal or Provincial Government is required for any health-related advertisement. For pay TV: No specific regulation, though its removal may be requested by PTA if the advertisement is not approved by Federal or Provincial Government.	No specific regulation, though its removal may be requested by PTA particularly if the advertisement is aired without approval of Federal or Provincial Government.	If the PEMRA regulation is passed, the requirement applicable to traditional delivery of the Pay TV will apply to Pay TV when delivered through the internet and to OCC TV.
<i>Gambling</i>	For traditional delivery: Prohibited For pay TV delivered through the internet: No specific regulation, though its removal may be requested by PTA.	No specific regulation, though its removal may be requested by PTA.	If the PEMRA regulation is passed, the requirement applicable to traditional delivery of the pay TV will apply to pay TV when delivered through the internet and to OCC TV.
<i>Claims</i>	For traditional delivery: Misleading claims are prohibited. For pay TV delivered through the internet: No specific regulation, though its removal may be requested by PTA.	N/A	If the PEMRA regulation is passed, the requirement applicable to traditional delivery of the Pay TV will apply to Pay TV when delivered through the internet and to OCC TV.
<i>Food & Beverages – general</i>	N/A	N/A	
<i>Food & Beverages – sugar levels</i>	N/A	N/A	
<i>Personal hygiene/ Sanitary (including condoms)</i>	For traditional delivery: While there are no specific guidelines in relation to advertisements related to personal hygiene/ sanitary goods, regarding condoms, advertisements will not be permitted if they glorify adultery, lustful passions or contain indecent or vulgar themes or treatment. For pay TV delivered through the internet: Advertisements deemed by PTA to be vulgar may be subject to content removal requests.	N/A	If the PEMRA regulation is passed, the requirement applicable to traditional delivery of the pay TV will apply to pay TV when delivered through the internet and to OCC TV.
<i>Tobacco</i>	For traditional delivery: Prohibited	N/A	If the PEMRA regulation is passed, the requirement applicable to traditional delivery

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			of the pay TV will apply to pay TV when delivered through the internet and to OCC TV.
<i>Children</i>	For traditional delivery: Ads cannot directly ask children to buy products or ask their parents to do so.	N/A	If the PEMRA regulation is passed, the requirement applicable to traditional delivery of the pay TV will apply to pay TV when delivered through the internet and to OCC TV.
<i>Women</i>	N/A	N/A	
<i>Property</i>	N/A	N/A	
COUNTRY-SPECIFIC INFORMATION			
Useful Links			