

21st April, 2006

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TO ALL PUBLISHER MEMBERS

NOTIFICATION NO. 763

CODE FOR PUBLICITY BY PUBLISHER MEMBERS

Enclosed please find a copy of the Code for Publicity to be followed by all Publisher Members of the Bureau. The code incorporates various recent amendments as notified earlier. The Bureau requests all Publisher Members to abide by the provisions of the Bureau's Code for Publicity.

Sd/-

Secretary General

Encl:

AUDIT BUREAU OF CIRCULATIONS
CODE FOR PUBLICITY BY PUBLISHER MEMBERS

1. PREAMBLE

Membership of the Bureau entitles a publisher-member to use the fact of his membership and circulation figures certified by it, for publicity and promotion of his publication/s, in conformity with the rules as set out in Sections 2,3 and 4 hereunder. These must be read in conjunction with each other and not in isolation.

The rules apply to publicity and promotion carried out by a publisher member himself as well as to publicity and promotion carried out on his behalf by any other person or organisation.

These rules are intended to ensure that all publicity and promotion related to circulation are carried out by publisher-members only on the basis of the circulation figures certified by the Bureau.

Membership of the Bureau require members to abide by these rules and not to use any figures or claims related to circulation in publicity and promotion that are not certified by the Bureau.

2. DEFINITIONS / SCOPE

a) CIRCULATION

- i) **'Circulation'** shall always mean the Average Net Paid Circulation of the entire audit period as certified by the Bureau for the last completed ABC Audit period.
- ii) Publisher-member may, if he so desires, use in his publicity and promotion, in addition to Average Net Paid Circulation, other average figures certified by the Bureau for the same audit period, such as free and complimentary copies, institutional sales (above prescribed limit), copies sold at trade terms (above prescribed limit) etc. Figures related to these headings must, however, be individually specified and **not added together** with Average Net Paid Circulation to arrive at a figure of 'total circulation'.

- iii) Publisher Members may if they so desire, publicise their average Weekday, average Sunday circulation figure provided the figure of average Net Paid Circulation is also shown in the publicity as prominently as (same font size) the average Weekday or average Sunday circulation figure.
- iv) Provided month-to-month circulation figures for the **entire** six-monthly audit period are quoted along with the Average Net Paid Circulation for the period, monthly average circulation figures shall not be used selectively for the purpose of publicity and promotion. If so desired, copies of ABC Certificates issued by the Bureau may be circulated or used for publicity without any alterations.
- v) Distribution data appearing in the Area Breakdown Statement of the same audit period, certified by the Bureau may be used for publicity and promotion.

b) PUBLICITY AND PROMOTION.

'Publicity and Promotion' shall always mean the providing of any information whatsoever relating to circulation, through the release of advertisements in any medium and in any other form, such as Ad rate cards, brochures, leaflets, circulars or handouts etc.

The term **'in any other form'** referred to above will also cover one-to-one communication addressed by publisher members to more than one person. Such one-to-one communication shall **not** contain information relating to or based on circulation figures, or any other figures not certified by the Bureau - for example, no reference will be allowed to print order figures or projections made on circulations whether certified by the Bureau or not.

3. RULES.

- a) Membership of a publisher with the Bureau can be publicised and used only after confirmation of membership and issue of first ABC Certificate and not while the application is under consideration.
- b) Publisher member may use the ABC insignia and the statement **"Member of Audit Bureau of Circulations"** for publicity and promotion of his publication/s as long as he is a member of the Bureau.

No reference shall be made either to the ABC or the circulation figures certified by it for any audit period for the purpose of publicity or promotion after he ceases to be a member. Violation of this requirement may disqualify the concerned publisher from seeking re-admission to Bureau membership. The Council shall, however, retain its discretion to re-admit a member if it so desires.

- c) When a publisher member uses circulation figures in publicity and promotion, he shall only use circulation figures as defined in para 2(a).

Publisher may also, if he so desires, use circulation figures of any previous period/s as certified by the Bureau along with the certified circulation figures of the last ABC Audit Period. The period/s to which they relate must be specified.

Where circulation figures for the last ABC audit period have not been certified by the Bureau for any reason, the publisher must indicate the same in his publicity and promotion.

- d) Publisher member must not use any figures which are not certified by the Bureau such as print order figures, for the purpose of publicity and promotion.
- e) Publisher member may use comparative circulation figures in respect of other member publications for the purpose of publicity and promotion, along with his own, provided circulation figures are such as have been certified by the Bureau for the last completed ABC audit period. (along with those for any previous period as certified by the Bureau, if so desired, shown separately.)

Publisher member may use circulation figures relating to his own publication/s based on the ABC certificates issued to him. In case of data of other member publications, such data will be sourced from the Preliminary Lists of Circulation, Serial Volumes, Bureau's website or any other publication released by the Bureau.

Comparisons must be made on the basis of circulation figures relating to the same audit period/s.

If for any reason, circulation figures for any publication/s are not certified, the fact as stated in the Preliminary Lists, Serial Volumes, Bureau's website e.g. 'Not a Member', 'Not Accepted', 'Under Consideration', 'Not Certified', 'Not Filed' etc. must be clearly specified.

In case of comparison with multi-centre publications, all respective editions of such member publication(s) enrolled with the Bureau alongwith the circulation figures as certified must be separately specified.

In case a mutli-centre / multi-edition publication desires to publicise all India certified circulation figures of average Net Paid Sales, then such publication will be required to mention in the publicity that the circulation figures quoted are the total average circulation figures of a publication published from various centres (all centres to be stated along with the respective circulation figures).

Further, in case of publicity of all India certified circulation figures by a publication / title in a specific geographic viz. any Town / District / State, it will be necessary to state the certified circulation figures of the relevant Town / District / State as per the Area Breakdown Statement for the relevant period.

Necessary details as above are to be provided even though no comparison is made with any other member publication.

Where circulation figures of any edition / printing centre of any publication are not certified, the same should be so indicated. However, totalling across circulation figures certified by the Bureau of remaining editions / printing centre of a title will then be permitted.

- f) Whenever a publisher wishes to make a statement or claim relating to his circulation in a specific region (e.g. State, Town, District, etc.), such statement or claim shall be made only on the basis of the Area Breakdown Statement of the corresponding audit period as certified by the Bureau.

Further such statement shall be made only on the basis of his circulation in the stated region and not on the basis of total circulation of the publication or edition emanating from the region.

- g) Publisher member shall not make any statement or claim relating to circulation of his publication or that relating to other member publication/s which cannot be substantiated by circulation figures certified by the Bureau.

Publisher member shall not make ambiguous claims relating to any member publication. Unless, claims such as 'leading' 'number one' etc. are otherwise qualified, these will be treated as circulation claims and will be subject to the rules set out in this Code.

- h) Whenever a publisher member publicises circulation figures, a copy of such publicity /promotional material shall be sent to the Bureau for information.

4. OTHER PUBLICITY

All Correspondence exchanged by members with the Bureau on any matter shall be deemed as **CONFIDENTIAL** and no copies thereof shall be published/circulated by them to any person whether ABC member or not, without prior approval of the Bureau.

5. CONTRAVENTION OF THE CODE.

Cases of contravention of Bureau's Code for Publicity will be considered by the Bureau's Disciplinary Committee formed specifically to deal with such cases where necessary. The matter may also be referred to the Bureau's Council of Management for its consideration, if required.

Following action would be considered by the Bureau's Disciplinary Committee/Bureau's Council of Management in cases of contravention of Bureau's Code for Publicity by Publisher Members.

- i) In case of contravention of the provisions of the Publicity Code for the first time, the concerned Publisher member will be called upon to publish a corrigendum advertisement as per the text provided by the Bureau in size 20 x 3 cc on page 3 of the publication within a period of 15 days from the date of intimation by the Secretariat.
- ii) In those cases where the concerned Publisher member does not publish the corrigendum advertisement within the stipulated time, as above, and / or in case of a second violation by a publication / group within a period of one year the Bureau would then in such cases, inform all members through a circular the factual position in relation to contravention of the Bureau's Code for Publicity and also issue a press release to this effect.

The erring Publisher member will however be required to publish the corrigendum advertisement despite the above actions by the Bureau.

In case of multiple instances of contravention of the provisions of the Bureau's Code for Publicity by a publication / group in a period of two years or Publisher's failure to comply with the Bureau's directives in (i) & (ii) above, then the Bureau's Council of Management may show cause the concerned Publisher member as to why their Bureau Membership should not be terminated under the provisions of Article 44(a) of the Bureau's Articles of Association.