

**Case law****Case Details**

**National ID:** Recommendation no 1/03-05-2008

**Member State:** Greece

**Common Name:** link

**Decision type:** Other

**Decision date:** 03/05/2008

**Court:** National Board of Radio and Television

**Subject:**

**Plaintiff:**

**Defendant:**

**Keywords:** advertisement, financial services, misleading advertising, misleading commercial practices

**Directive Articles**

Unfair Commercial Practices Directive, [Chapter 2, Article 5, 4](#). Unfair Commercial Practices Directive, [Chapter 2, Section 1, Article 6, 1](#).

**Headnote**

TV stations must refrain from broadcasting misleading advertisements, as would be the case when relevant pricing details are shown in a separate, rolling tape that is difficult to read.

**Facts**

The National Board of Radio and Television conducted on its own initiative checks regarding television advertisements for banking products, that were broadcasted in February 2008.

For most advertisements, it was found that the additional charges on the advertised banking products (which altered the final price of the initial offer) were presented separately from the main message, in a rolling tape at the lower part of the screen.

The size and the speed of the characters of these tapes made it almost impossible for the viewers to read the information. At the same time, the message misleadingly created the impression of an extremely profitable offer.

**Legal issue**

The National Board of Radio and Television considered that TV stations should take under consideration the legal commitments that exist with regards to the content and the way of transmission of advertisements, especially when these messages are addressed to the wide public and as such are able to materially influence the financial behavior of the viewers.

For this reason, it held that the TV stations are obliged to refrain from transmitting advertisements with content that may include misleading commercial practices.

**Decision**

Is it misleading for a television advertisement to show additional charges in a separate rolling tape that is difficult to read?

URL: [http://www.esr.gr/arxeion-xml/pages/esr/esrSite/list\\_docs?](http://www.esr.gr/arxeion-xml/pages/esr/esrSite/list_docs?section=2b28dc0ac0ab1e7683571826e98263e5&categ=dfbaadfc0861e7683571826e98263e5&last_clicked_id=link2)

[section=2b28dc0ac0ab1e7683571826e98263e5&categ=dfbaadfc0861e7683571826e98263e5&last\\_clicked\\_id=link2](http://www.esr.gr/arxeion-xml/pages/esr/esrSite/list_docs?section=2b28dc0ac0ab1e7683571826e98263e5&categ=dfbaadfc0861e7683571826e98263e5&last_clicked_id=link2)

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**Related Cases**

No results available

**Legal Literature**

No results available

**Result**

The National Board of Radiotelevision recommended to the TV stations (without imposing penalty) to comply with the UCP rules.