

## Press Release

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For immediate release 25 February 2011

### Consumer Panel says broadband adverts should stop using 'up to' speeds to prevent consumers being misled

The Communications Consumer Panel has told broadband providers (ISPs) to stop using the term 'up to' when they advertise broadband speeds, and advised them to use clear and simple descriptions instead that consumers can easily understand.

Responding to the Advertising Standards Authority's (ASA's) Committees of Advertising Practice (CAP/BCAP) consultation on proposals for guidance on the use of 'up to' broadband speeds in adverts, Panel Chair Anna Bradley said that "the current approach of advertising 'up to' broadband headline speeds is no longer credible or sustainable and is causing widespread scepticism amongst consumers".

The Panel is concerned that actual download speeds are often so significantly below the advertised or headlines speeds that 'up to' adverts are misleading consumers and potentially distorting the market, resulting in less choice for consumers. It has called on CAP/BCAP to come up with a clear and simple way of advertising speeds that consumers will understand.

"I would like to see 'up to' replaced by a typical speed description, such as "half of our customers receive at least xMb," Anna Bradley said.

#### Key recommendations

Adverts should:

- be short, simple with a minimum of information in small print
- use a single speed rather than a range
- indicate that speed achieved will not be the same for all consumers
- sales materials and adverts should include a prominent statement encouraging consumers to ask for the actual speed at point of sale.

"The onus should be on ISPs to substantiate speed claims by providing robust data," Panel Chair Anna Bradley added.

**Ends**

#### CONTACTS

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## NOTES TO EDITORS

The Communications Consumer Panel was established to advise Ofcom on the consumer interest in the markets it regulates. The Panel is independent and sets its own agenda. Visit [www.communicationsconsumerpanel.org.uk](http://www.communicationsconsumerpanel.org.uk) for more information.

The Panel's members appointed by Ofcom are:

- Anna Bradley (Chair)
- Fiona Ballantyne (member for Scotland)
- Colin Browne
- Roger Darlington (member for England)
- Maureen Edmondson (member for Northern Ireland)
- Bob Warner

Communications Consumer Panel response *CAP and BCAP consultation on proposals for guidance on the use of 'up to' speeds in broadband advertising* can be found on our website

<http://www.communicationsconsumerpanel.org.uk/cms.php?page=109>

The Advertising Standards Authority's Broadcast Committee of Advertising Practice (BCAP) and Committee of Advertising Practice (CAP) are consulting on proposals for guidance on the use of 'up to' speeds claims in broadband advertising. <http://www.cap.org.uk/CAP-and-BCAP-Consultations.aspx>