

# AUDIO

## RULES & REGULATIONS





## PREFACE

Numeris' measurement results are of significant commercial interest to all Numeris subscribers. Important decisions are made by advertisers, content creators, broadcast and pure play publishers, government agencies, and many others using the information provided through audio audience and qualitative surveys.

Numeris commits to provide timely, accurate, unbiased data. These Rules and Regulations provide assurance to subscribers they can trust Numeris data.

## USE OF THIS HANDBOOK

This handbook has been prepared to assist Numeris subscribers, including their authorized affiliates as listed in the Numeris Subscription Order Form, in their use of audio audience and qualitative data by defining the rules and providing examples of activities that could cause rating distortion or bias. It also contains rules pertaining to the misuse of Numeris data and misrepresentation of measurement results.

*The actions and examples set out in the handbook are not exhaustive and may not include all actions and activities that may be determined to be a violation of the Rules and Regulations. All Rules and Regulations apply to all measurement activities undertaken by Numeris. For convenience, some activities are outlined with examples, but the Rules and Regulations apply to all Numeris audio services.*

Numeris strongly recommends use of the Numeris Pre-Review Service (see Page 10) before any activity is implemented by a Numeris subscriber. Numeris will provide prompt guidance at no cost to its subscribers to ensure data is presented accurately and sourced correctly by contacting a member of the Numeris Client Services team.

Throughout this handbook, reference is made to "Publishers". In this context, Publishers mean broadcast and pure play publishers of audio content.

## ALL NUMERIS SUBSCRIBERS HAVE A RESPONSIBILITY

**Employees' Actions.** Numeris subscribers are responsible for the activities of their employees and others retained by them, including agents and consultants as it relates to the Rules and Regulations. Each subscriber has accepted this responsibility by signing their Subscription Order Form. Actions by employees or others retained by a subscriber that result in a violation of these Rules and Regulations shall be considered a violation by the subscriber.

**Posting Rules and Regulations.** Subscribers categorized by Numeris as a Publisher, broadcast or pure play, in their Subscription Order Form(s) are required to: (i) post a copy of the Rules and Regulations, and any bulletins concerning the Rules and Regulations as Numeris may direct from time to time, in a prominent place in its places of business; and (ii) communicate with all appropriate personnel not less than every twelve months, informing them of the seriousness of a breach of the Rules and Regulations.

**Reporting Violations.** A Numeris subscriber who believes a violation of the Rules and Regulations may have occurred, whether in their organization or not, must report the matter to Numeris as outlined below.

## HOW TO REPORT INCIDENTS

Possible violations of the Rules and Regulations are to be reported in writing to a member of the Numeris Client Services team along with any necessary information to allow Numeris to deal with the report.



# THE AUDIO RULES AND REGULATIONS

## Rule 1: Rating Distortion

No Numeris subscriber shall undertake any activity, either directly or indirectly, which could result in rating distortion.

## Rule 2: Rating Bias

No Numeris subscriber shall undertake any activity either directly or indirectly which may alert, sensitize or in any way influence the behaviour of a respondent.

## Rule 3: Improper Use of Numeris Property

No Numeris subscriber shall reproduce and/or circulate any Numeris diaries, questionnaires, respondent documentation, reports and/or proprietary data or an imitation thereof, in whole or in part, without the written permission of Numeris. Furthermore, no Numeris subscriber shall misrepresent Numeris data.

## Rule 4: Derogatory Comments

No Numeris subscriber shall make derogatory public statements concerning Numeris or the Numeris Audio audience measurement system.

## Rule 5: References to Other Research

No Numeris subscriber shall present Audio audience data not produced by Numeris, or make public claims about a publisher's market position in terms of audience reach, time spent listening, share or ratings without substantiating its claims by identifying its research source.

## Rule 6: Cooperation

A Numeris subscriber shall cooperate with Numeris in its investigation of any alleged breach of a Numeris rule by the Numeris subscriber. Cooperation includes, without limitation, answering promptly and fully requests from Numeris for information.

INTERPRETATION AND EXAMPLES FOLLOW. RULES AND REGULATIONS APPLY TO ALL MEASUREMENT ACTIVITIES UNDERTAKEN BY NUMERIS



## Rule 1: Rating Distortion

No Numeris subscriber shall undertake any activity, either directly or indirectly, which could result in rating distortion.

### Definition of Rating Distortion

1. Any activity which may cause respondents to inflate, falsify or otherwise misrepresent their actual listening in an audio survey.
2. Use of any equipment or software by a subscriber publisher not licensed or provided by Numeris that could cause audiences to be incorrectly reported by means such as:
  - altering Numeris licensed equipment; or
  - altering Numeris codes inserted in the meter system.

### "Distortion" vs. "Advertising" or "Promotion"

Rating distortion may be confused with activities such as advertising or promotion.

**Rating distortion** activities cause respondents to report more listening or different listening than actually occurred.

**Advertising and promotional** efforts may cause more actual listening or a respondent to listen to a particular content.

Rating distortion is a violation of Numeris' Rules and Regulations; advertising or promotion is not.

### Rating distortion examples

**Contact with a respondent:** Whether in the normal course of business for a Numeris subscriber, inadvertently, or as a result of subscriber actions, any contact with a Numeris respondent must be reported to Numeris within 24 hours.

- Numeris subscriber employees may encounter panelists who have a meter on their person or installed in their household and any attempt to engage that individual in any manner is considered a violation of this rule. Numeris must

be provided with full information to allow identification of the panelist and/or the household.

- Meter Panelists have a long term relationship with Numeris and this offers more opportunities for the identity of a panelist to be known to a publisher. Correct handling of such contact is very important to Numeris efforts to ensure the integrity of the published data.

If a respondent contacts a publisher through social media the publisher or its employees should not engage with the respondent by liking, replying etc., and must report the contact to Numeris within 24 hours.

**Failure to report any contact with a respondent promptly:** It is considered ratings distortion if a Numeris subscriber does not report contact with a respondent within 24 hours.

**Numeris subscriber insiders are participants in a Numeris survey:** All potential respondents are asked if they or a member of their family or household are employed by a publisher, advertising agency or employed in a management position with a media organization (print or outdoor media, distributors, call centres or content creators, producers or providers). Employees of a Numeris subscriber that fits the afore mentioned description, or consultants or contractors engaged by the subscriber, and members of the direct family of such persons may not become respondents. A Numeris subscriber must report any prohibited person to Numeris within 24 hours of becoming aware of such participation in a Numeris survey or panel. Numeris will verify if an individual is permitted to be a respondent and will take appropriate action.

**Identifying Numeris respondents:** No Numeris subscriber or its employees shall undertake any activity to identify participants in a Numeris panel or survey.



- A Numeris subscriber undertakes advertising or promotional activities calling upon respondents to identify themselves, or approaches an individual who they suspect is a respondent in an effort to confirm their suspicion.

**Possession of a diary or meter:** Any Numeris subscriber who gains possession of a diary or meter by any means, whether for compensation or not, is required to inform Numeris within 24 hours along with any information related to the household to which the diary or meter was sent.

**Appeals to meter panelists or diary respondents:** These may not directly appeal to respondents, but may reasonably be considered as likely to cause such respondents to misreport listening, falsify their listening behavior, or alter their use of their meter as a result of confusion or manipulation. Some examples of this type of distortion:

- Contests or promotions that ask for listening to be recorded, regardless of whether or not prizes are awarded based on amounts of listening.
- Contests that may look like a Numeris diary causing diary recipients to mistake the Numeris diary for a contest entry form.
- Contests that may prompt diary or meter respondents to call in, text, identify themselves and/or ask what they should do with a diary or meter, or discuss diary/meter usage or experience as a diary recipient or meter panelist.
- Public references that might prompt respondents to misreport or overstate their listening or cause their listening to be misreported or overstated.
- Promotions such as, "If you have a meter (or recorder device or similar reference) you could win a prize with CAAA, so listen to win with CAAA".

**Influence on diary respondents:** Any attempt to affect the way in which a diary survey is filled out is prohibited. An attempt may take the form of a public or private appeal for diary recipients to surrender their diaries or to misreport their actual behavior. Some examples of this type of distortion:

- A Numeris subscriber or its employee attempts to contact some or all persons/households selected to receive Numeris diaries for ANY reason.

- A Numeris subscriber or its employee publicly appeals to Numeris respondents to support his/her station or service when completing the diary.
- A Numeris subscriber or its employee suggests listeners record a specific amount of listening to their station, or encourages the listeners not to list specific stations or services in their diaries.
- A Numeris subscriber or its employee asks listeners to submit their diaries as contest entry forms, or use the diary as "proof" of listening.

**Activity that targets meter households or panelists:** Activities which target individual Numeris panel households or individual panel household members, directly or indirectly, with the specific intent of causing them to change their normal listening behavior, or interfere with the measurement and/or reporting of listening behavior. These activities may cause panel participants to register more listening or different listening than would have occurred in the absence of such activities. For clarity, this does not include advertising or promotion directed at the public. Some examples of this type of distortion:

- A Numeris subscriber or its employee offers to incentivize a panel member to modify his/her listening behavior or use of a meter or that of another household member.
- A Numeris subscriber or its employee makes a reference to Numeris or Numeris measurement in such a way that could cause a respondent to contact the station.

**Alteration of meter equipment or codes:**

- Alteration of licensed equipment in any manner is a violation.
- Installation of unlicensed equipment or software that could impact Numeris codes is a violation.





## Rule 2: Rating Bias

No Numeris subscriber shall undertake any activity either directly or indirectly which may alert, sensitize or in any way influence the behaviour of a respondent.

---

### Definition of Rating Bias

Rating bias includes any activity that threatens the objectivity of the overall survey process by causing participants to be differentially prompted to participate in the survey, or differentially sensitized to report their listening relative to other respondents.

### Examples of Rating Bias

#### Measurement Announcements

From time to time Numeris may place announcements with publishers, authorize the placement of such announcements or approve the content of announcements coordinated by an industry association.

Individual publishers making announcements or comments about measurement in progress or the existence of electronic measurement in a market can introduce rating bias. For that reason, such individual efforts are prohibited.

#### Individual publishers make announcements on Numeris

**measurement activity:** Any messages not authorized by Numeris or coordinated by an industry association that are broadcast by individual publishers and announce audio measurement is currently, or will soon be, in progress regardless of whether or not there is a specific reference to “Numeris”, “diary” or “meter”, are prohibited. The message may urge respondents to participate, and/or urge them to report their listening as accurately as possible. Some examples of announcements or activities which may be considered in breach of this rule:

- “Over the next few weeks audience measurement is being conducted in this area. If you or anyone you know is asked to participate, we urge you to report your actual listening as completely and accurately as possible.”

- “This is CAAA reminding you, if you are participating in a ratings survey, or someone asks you what radio station you listen to, be sure to tell them CAAA 109.9.”
- “In case you’re keeping track of what you’re listening to, this is Service ‘X’, your number one source for rock.”
- A Numeris subscriber’s employee publicly appeals to Numeris panelists to support a particular station, service or content, through their use of a meter.
- A respondent contacts a publisher for instructions on how to complete a Numeris survey, questionnaire or operate a meter, and an employee explains how to fill in the survey, questionnaire or operate a meter.  
  
The employee should not engage with the respondent but inform them any contact between Numeris subscribers and Numeris respondents (regardless of which party initiated the contact) is against Numeris rules. The publisher should refer them to the Our Contributors section of the Numeris website for information and inform Numeris within 24 hours of the contact.
- A station runs a public promotion that refers to diaries, meters, ballots, surveys, questionnaires, etc., other than announcements placed by Numeris, which may be interpreted as encouraging persons to participate in a Numeris survey.

### Indirect Appeals

#### Activity or action that resembles

**Numeris measurement activity:** These generally make no specific reference to a survey, measurement or Numeris. They may, however, have some effect on a listener who happens to be participating in a Numeris survey, or who has been contacted to participate in the future and/or urge them to report their listening as accurately as possible or to remember to carry their meter. Such messages may contain language or graphics



suggestive of the measurement process, Numeris diaries, meters, surveys, questionnaires, or the recording of listening. Some examples of this type of bias-generating activity:

- Direct mail pieces, print ads, social media posts or visual aids which resemble in any way a Numeris diary, meter, questionnaire or portions thereof.
- Promotions that play on Numeris' name, materials, methodology, diary or meter.
- Announcements like "Remember to take your meter when you leave home today", or "write it down", or "remember, you listened to Service 'X' at work today."

## Extemporaneous Comments

### **Public comments about Numeris in**

**announcer materials:** A publisher employee may make a comment with reference to Numeris, ratings, audio surveys, diaries, questionnaires, meters, etc., which may be spontaneous, or an attempt at humour. Such references, however brief, in whatever context, could bias participants and may therefore be considered a breach of the Rules and Regulations.

The foregoing does not, however, prevent a publisher from doing or creating a normal news story that discusses the process of advertising and audience measurement, providing there is no involvement with Numeris respondents.



## Rule 3: Improper Use of Numeris Property

No Numeris subscriber shall reproduce and/or circulate any Numeris diaries, questionnaires, respondent documentation, reports and/or proprietary data or an imitation thereof, in whole or in part, without the written permission of Numeris. Furthermore, no Numeris subscriber shall misrepresent Numeris data.

### Examples of Improper Use of Numeris Property

#### Unauthorized use of Numeris data: A

Numeris subscriber provides Numeris audience data for reasons other than the subscriber's normal course of business which may be restricted as outlined below.

- A Numeris subscriber publishes Numeris audience data other than data provided by Numeris on its public website.
- A Numeris subscriber provides Numeris audience data to an organization not entitled to receive Numeris data for its direct use. For example:
  - A publisher representative may not use Numeris data for publishers that are not Numeris subscribers.
  - A publisher may not provide data to an agency that is not a Numeris subscriber that will allow the agency to conduct business with other publishers.
  - An advertiser may not provide a consultant, that is not a Numeris subscriber, with data to support reports provided to other clients of the consultant.

**No credit or incorrect credit:** A Numeris subscriber misrepresents Numeris audience data in a newspaper ad, social media post, website or other promotional material by not completely and/or accurately identifying the data.

Note: There is no breach if Numeris data is accompanied by the following correct "source" information:

Info Type	Example
Source	Numeris Radio Diary Numeris Radio Meter Numeris Radio Meter- Preliminary
Release / Date Range	Fall 2009 or Sept. 6 to Oct. 3, 2021
Publisher(s)	CAAA
Demographic	Adults 18+
Daypart	Mon-Sun, 7:00am-1:00pm
Geography	Anytown CTRL
Data Type	AQH, Reach, AMA, etc.

#### Misleading presentation of Numeris

**data:** A Numeris subscriber misrepresents Numeris data in a newspaper ad, social media post, website or other promotional material by:

- Quoting inaccurate audience data.
- Using misleading graphs/charts (e.g. not to scale).
- Sourcing altered audience claims to Numeris.

Note: There is no breach if the definition of a custom demographic or data type is included in the source to allow other subscribers to replicate the audience claim.

#### Promotional claims not supported by

**data:** Public promotional claims, such as on air references, billboards etc., without specific Numeris audience claims such as "Anytown's Most Listened to Station" may not be sourced. However, in the event of a complaint, Numeris subscribers are required to provide Numeris data to support claims made in such references. Numeris will not provide pre-review for such references.





## Rule 4: Derogatory Comments

No Numeris subscriber shall make derogatory public statements concerning Numeris or the Numeris Audio audience measurement system.

---

**Derogatory comments:** “Derogatory” in this instance refers to public comments that are non-factual or misleading, or which could discredit Numeris, its Audio methodology or the Numeris measurement results. Numeris subscribers collectively have a significant investment in Numeris

and its audience measurement services. Regardless of intent, uninformed comments critical of Numeris or its services can undermine the value of the information to the industry. They may also discourage public participation in the measurement process which in turn can impact quality and/or costs.

## Rule 5: References to Other Research

No Numeris subscriber shall present Audio audience data not produced by Numeris, or make public claims about a publisher’s market position in terms of audience reach, time spent listening, share or ratings without substantiating its claims by identifying its research source.

---

**References to other research:** Numeris is the main source of syndicated audio audience measurement information in Canada. There is a strong likelihood therefore, the industry and the public at large will assume any published data pertaining to audio audience measurement is based on Numeris surveys. A Numeris subscriber who

publishes data from another research source without identifying the source is potentially misleading subscribers of the data including other Numeris subscribers. Data potentially at variance with data produced by Numeris can lead to marketplace confusion and ultimately undermines the value of the Numeris service.

## Rule 6: Cooperation

A Numeris subscriber shall cooperate with Numeris in its investigation of any alleged breach of a Numeris rule by the Numeris subscriber. Cooperation includes, without limitation, answering promptly and fully requests from Numeris for information.

---

**Cooperation:** A Numeris subscriber’s refusal to cooperate, in addition to itself being a breach of this

rule, may be taken into account in determining the remedy for a breach of another rule by the subscriber.



## Pre-Review

---

Numeris will, at the Numeris subscriber's request, review proposed activities, newspaper ads, social media posts or other promotional materials, in advance to identify potential breaches of the Rules and Regulations. These pre-reviews are handled in confidence, and are completed within three working days of receiving materials from the Numeris subscriber.

Numeris' pre-review is intended solely to assist Numeris subscribers to ensure statements related to audience data are factual and sourced correctly. Numeris accepts no responsibility for ensuring the material in question is in compliance with other laws, regulations or guidelines.

Use of the pre-review service is disclosed in any proceeding as a result of a complaint under these Rules, but does not in itself ensure a complaint will not be made to Numeris about an activity or the Numeris subscriber is protected from being found in violation.

Materials in electronic and/or hard copy form can be sent to Numeris' Vice President, Client Services. The pre-review service is available to Numeris subscribers at no charge.

## Complaints Procedure

---

### Initiating a Complaint

To assist Numeris in maintaining the integrity of the measurement system, Numeris subscribers will initiate a complaint if they learn of a possible breach of the Rules and Regulations. Complaints should be submitted in writing to a member of the Numeris Client Services team who will forward the complaint to the **Staff Rules Committee**. The complaint must be filed within ten working days of the Numeris subscriber becoming aware of the alleged infraction.

The complaint should include a complete description of the activity in question, including the dates and times it occurred. Supporting evidence in the form of airchecks, audience analysis, promotional material, etc., should accompany a complaint whenever possible. Complainants must identify themselves.

Numeris may initiate an investigation on its own without a Numeris subscriber complaint if it suspects a violation of the Rules and Regulations may have occurred.

**Education Alternative:** Instead of launching a formal complaint associated with Rule 3 – Improper Use of Numeris Property, a subscriber with a concern may ask Numeris to review a possible breach by another subscriber and educate that subscriber to improve their documents or processes and avoid future complaints.

### Review Procedures

#### Staff Rules Committee

All complaints are reviewed by the Staff Rules Committee, a three-person committee of senior Numeris staff with background applicable to the complaint being investigated. The function of the Staff Rules Committee is to investigate complaints regarding breaches of Numeris' Audio and Video Rules and Regulations and recommend the next course of action to be taken. If the Numeris subscriber whose activities are under review wishes to present its case in person, it may request a meeting with the Committee.



## Notification to the Numeris Subscriber

A letter of inquiry is sent to the senior management of the Numeris subscriber in question to gather and verify complete details before the Staff Rules Committee undertakes its review. The letter of inquiry will include a description of the complaint and a summary of any supporting material in Numeris' possession. It may seek answers to specific questions, which the Numeris subscriber is expected to answer clearly and fully. The Numeris subscriber will normally be given seven days to respond in writing.

However, when reporting is an issue, the seven-day period may be shortened to minimize disruption/inconvenience to all Numeris subscribers.

## Committee Report

Once the Numeris subscriber has submitted its response, or the seven-day period has elapsed, Numeris will prepare a report for review by the Staff Rules Committee. This report will include:

- a description of the activity in question and identification of the rule(s) alleged to have been breached;
- a description of how Numeris became aware of the activity;
- a copy of all supporting materials;
- a statement re: the Numeris subscriber's cooperation with Numeris staff in its investigation;
- a copy of expert and/or legal opinion if applicable; and
- if necessary, a recommendation for interim action e.g. cessation of the activity in question pending Committee review, delaying a release, etc.

## Staff Rules Committee Options

Based on its review, the Staff Rules Committee has three primary options in terms of actions that may be taken:

1. Determine no further proceedings are warranted. Such a decision is final and binding and is not subject to further appeal or judicial review.
2. Issue a written warning to the Numeris subscriber who, in its opinion, has breached one or more rules.

3. Recommend and implement remedial action to the Numeris subscriber who, in its opinion, has breached one or more rules.

Where appropriate, the Staff Rules Committee can implement interim measures it may deem necessary to protect the interests of all Numeris subscribers, pending the completion of the review process.

The decision of the Staff Rules Committee is communicated as follows:

- If the Numeris subscriber is found not in breach of a rule(s), the Committee's decision is communicated in writing to the Numeris subscriber in question, and the Numeris subscriber who initiated the complaint.
- If the Numeris subscriber is found in breach of a rule(s), the Committee's decision is communicated in writing to the Numeris subscriber in question, with a copy to the Numeris subscriber's senior executive or owner, and the Numeris subscriber who initiated the complaint, outlining the details of the complaint, the decision of the Staff Rules Committee, the warning or remedy for breach of a rule(s) and the identity of the Numeris subscriber that initiated the complaint.

## If the Numeris Subscriber Disagrees with the Decision of the Staff Rules Committee

The Numeris subscriber judged by the Staff Rules Committee to be in breach of a rule(s) has the right to appeal to the **Rules Committee** to overturn a warning or remedy issued by the Staff Rules Committee. The request to overturn a warning or remedy issued by the Staff Rules Committee must be received by Numeris within ten working days after receipt by the Numeris subscriber of the Staff Rules Committee's ruling.

The function of the Rules Committee, an adhoc three-member committee of Numeris subscribers with the appropriate knowledge and expertise applicable to the breach being appealed, is to review Staff Rules Committee decisions appealed by Numeris subscribers and recommend the next course of action. If the Numeris subscriber whose activities are under review wishes to present its case in person, it may request a meeting with the Rules Committee.



## Notification to the Numeris Subscriber

A letter of inquiry is sent to the senior management of the Numeris subscriber in question to gather the subscriber's grounds for appeal before the Rules Committee undertakes its review. The Numeris subscriber will normally be given seven days to respond in writing.

## Committee Report

Once the seven-day period for the Numeris subscriber's response has elapsed, Numeris will prepare a report for review by the Rules Committee. This report will include:

- a copy of the report provided to the Staff Rules Committee;
- a copy of the Staff Rules Committee decision communicated to the Numeris subscriber found in breach;
- a staff report based on the subscriber's grounds for appeal.

## Rules Committee Options

Based on its review, the Rules Committee has three primary options in terms of actions that may be taken:

1. Determine the Numeris subscriber in question is in breach of the Numeris Rules and Regulations as determined by the Staff Rules Committee and uphold the warning or remedy issued by the Staff Rules Committee.
2. Determine the Numeris subscriber in question is in breach of the Numeris Rules and Regulations as determined by the Staff Rules Committee and overturn the warning or remedy issued by the Staff Rules Committee and issue a modified warning or remedy.
3. Determine the Numeris subscriber in question is not in breach of the Numeris Rules and Regulations and overturn the decision of the Staff Rules Committee.

The decision of the Rules Committee is communicated as follows:

- If the Numeris subscriber is found not in breach of a rule(s), the Rules Committee's decision is communicated in writing to the Numeris subscriber in question, and the Numeris subscriber who initiated the complaint.
- If the Numeris subscriber is found in breach of a rule(s), the Rules Committee's decision is communicated in writing to the Numeris subscriber in question, and the Numeris subscriber who initiated the complaint, outlining the details of the complaint, the decision of the Rules Committee, the warning or remedy for breach of a rule(s) and the identity of the Numeris subscriber that initiated the complaint.

## If the Numeris Subscriber Disagrees with the Decision of the Rules Committee

The Numeris subscriber judged by the Rules Committee to be in breach of a rule(s) has the right to appeal to the Board of Directors to overturn a warning or remedy issued by the Rules Committee. The request in order to overturn a warning or remedy issued by the Rules Committee must be received by Numeris within ten working days after receipt by the Numeris subscriber of the Rules Committee's ruling.

The Board of Directors may, with agreement of the Rules Committee and the Numeris subscriber, attempt to mediate a consensus on remedy, or it may appoint an independent third party to investigate and recommend to the Board an appropriate course of action.

In each of the above cases, the decision of the Board of Directors is final and binding, and is not subject to further appeal or judicial review.

## Numeris Remedies

Actions taken (i) by the Staff Rules Committee or the Rules Committee by consensual agreement with the Numeris subscriber in question; or (ii) by the Board of Directors with the consensual agreement of the Numeris subscriber in question, to remedy a breach of the Rules and Regulations may include, but are not limited to, those set out below:



- A warning note to the Numeris subscriber with a copy to the Numeris subscriber's senior executive or owner.
- An announcement of the breach to all Numeris subscribers by bulletin and/or by a notice accompanying the published results.
- "Flagging" the audience data for the publisher in question with a notice accompanying the published results describing the breach.
- De-listing the publisher in question from published results for the measurement period(s) in which the violation occurred, accompanied by a notice describing the violation. The publisher in question is granted an opportunity to include a written statement (not to exceed 200 words) outlining its views on the issue. This statement, subject to Numeris' approval, is published along with the aforementioned notice.
- With the prior approval of the Numeris Board of Directors, a fine of up to \$25,000. Proceeds from the fine are donated in Numeris' name to a registered charity of Numeris' choice. All Numeris subscribers are advised of the fine and the rule violation that led to it being imposed.
- An assessment against the Numeris subscriber to cover the costs of Numeris' investigation, legal costs, independent third party costs, and/or the costs associated with redoing a survey.
- Cancellation of Numeris subscription and, if applicable, expulsion from Numeris membership.

A number of factors may be considered in assessing the appropriate remedy for a breach of the Rules and Regulations, including:

- The severity of the breach.
- Whether the breach appeared to be willful or inadvertent.
- Whether the Numeris subscriber in question had committed previous breaches.
- Whether the Numeris subscriber cooperated with Numeris in the investigation.
- Steps the Numeris subscriber took to remedy the breach.

## Remedy vs. Punishment

Numeris' remedies are not designed to "punish" Numeris subscribers for activities that might bias or distort measurement results. Numeris' primary objectives are:

1. To **remedy** an existing situation by warning Numeris subscribers of the data of potential biases or distortions.
2. To **prevent** the recurrence of these types of problems.
3. To **protect** all Numeris subscribers from any financial hardship should a breach of the rules necessitate significant expenditures by Numeris.

Numeris will ensure that enforcement of the rules is fully supported by regular and consistent communication of the Audio Rules and Regulations. Audio Rules and Regulations are included in all new Numeris subscriber information packages. The Audio Rules and Regulations are available to Numeris subscribers on the Numeris website.