



Video Rules & Regulations

October 2024

Purpose

These Rules and Regulations are provided to support Numeris clients and their authorized affiliates by providing guidance on the use of video audience and qualitative data, as specified in their Numeris Agreement. This document will define regulations and offer real-life examples of activities that may lead to data distortion or bias, as well as important guidelines regarding the proper use of Numeris data and the accurate representation of measurement results.

The actions and examples set out in the Rules and Regulations 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 video services.

Numeris strongly recommends use of the Numeris Pre-Review Service (see Page 11) before any activity is implemented by a Numeris client. Numeris offers clients guidance regarding data presentation and correct sourcing, at no charge. Contact the Numeris Client Solutions team directly for assistance.

Definitions: Throughout these Rules and Regulations, reference is made to:

- “Publishers” In this context, Publishers mean broadcast and pure play publishers of video content.
- “Meters” In this context, Meters mean electronic devices provided by Numeris to panelists (i.e. longitudinal survey respondents) for the purpose of audience measurement, such as PPMs, FocalMeters etc.
- “Respondents” In this context, respondents are individuals participating in a Numeris survey e.g. audio or video audience measurement, ad measurement, consumer behaviour etc.
- “Survey” In this context, surveys refer to the methodologies used by Numeris to collect data.

All Numeris Clients Have a Responsibility

Employees' Actions. Numeris clients 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 client has accepted this responsibility by signing their Numeris Agreement. Actions by employees or others retained by a client that result in a violation of these Rules and Regulations shall be considered a violation by the client.

Posting Rules and Regulations. Clients categorized by Numeris as a Publisher, broadcast or pure play, in their Numeris Agreement(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 client 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

Any potential breaches of the Rules and Regulations must be reported to the Numeris Client Solutions team in writing. Please provide any necessary details to assist us in addressing the matter promptly and effectively.

The Video Rules and Regulations

Rule 1: Data Distortion

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

Rule 2: Data Bias

No Numeris client 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 client shall reproduce and/or circulate any Numeris 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 client shall misrepresent Numeris data.

Rule 4: Derogatory Comments

No Numeris client shall make derogatory public statements concerning Numeris or the Numeris Video audience measurement system.

Rule 5: References to Other Research

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

Rule 6: Cooperation

A Numeris client shall cooperate with Numeris in its investigation of any alleged breach of a Numeris rule by the Numeris client. 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: Data Distortion

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

Definition of Data Distortion

1. Any activity which may cause respondents to inflate, falsify or otherwise misrepresent their actual viewing in a video survey.
2. Use of any non-Numeris approved equipment or software by a client publisher that could cause audiences to be incorrectly captured by means such as:
 - Altering Numeris approved equipment;
 - Altering Numeris watermarks or codes; or
 - Altering Numeris required tags to misrepresent content.

“Distortion” vs. “Advertising” or “Promotion”

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

Data distortion activities result in respondents providing more viewing or different viewing to Numeris than actually occurred.

Advertising and promotional efforts may cause more actual viewing or a respondent to watch a particular program.

Data distortion is a violation of Numeris’ Rules and Regulations; advertising or promotion is not.

Data Distortion Examples

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

- Numeris client employees may encounter panelists who have a meter on their person or installed in their household. 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 data distortion if a Numeris client does not report contact with a respondent within 24 hours.

Numeris client insiders are participants in a Numeris survey: All potential survey participants 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 client that fits the above mentioned description, or consultants or contractors engaged by the client, and members of the direct family of such persons may not participate in a Numeris survey or panel. A Numeris client 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 participate and will take appropriate action.

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

- A Numeris client 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 meter: Any Numeris client who gains possession of a 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 meter was sent.

Appeals to meter panelists: These may not directly appeal to respondents, but may reasonably be considered as likely to cause such respondents to misreport viewing, falsify their viewing 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 viewing to be recorded, regardless of whether or not prizes are awarded based on amounts of viewing.
- Contests that may prompt panelists to call in, text, identify themselves and/or ask what they should do with a meter, or discuss meter usage or experience as a meter panelist.
- Public references that might prompt respondents to cause their viewing 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 Service X, so watch to win with Service X".

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 viewing behavior, or interfere with the measurement and/or capturing of viewing behavior. These activities may cause panel participants to register more viewing or different viewing 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 client or its employee offers to incentivize a panel member to modify his/her viewing behavior or use of a meter or that of another household member.
- A Numeris client or its employee makes a reference to Numeris or Numeris measurement in such a way that could cause a panelist to contact the station.

Alteration of meter equipment or watermarks:

- Alteration of Numeris approved equipment in any manner is a violation.
- Installation of non-Numeris approved equipment or software that could impact Numeris watermarks, codes or required tags is a violation.

Rule 2: Data Bias

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

Definition of Data Bias

Data bias includes any activity that threatens the objectivity of the overall measurement process by causing participants to be differentially prompted to participate in the survey, or differentially influenced or sensitized to record or cause their viewing to be recorded relative to other respondents.

Examples of Data 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 data 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 or published by individual publishers and announce video measurement is currently, or will soon be, in progress regardless of whether or not there is a specific reference to “Numeris” or “meter”, are prohibited. The message may urge respondents to participate, and/or urge them to participate according to Numeris’ instructions so that their viewing is captured 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 cooperate and follow the instructions as accurately as possible.”
- A Numeris client’s employee publicly appeals to Numeris panelists to support a particular station, service or program 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 clients 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 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 viewer who happens to be participating in Numeris measurement, or who has been contacted to participate in the future and/or urge them to report their viewing as accurately as possible or to remember to carry their meter. Such messages may contain language or graphics suggestive of the measurement process, Numeris, meters, surveys, questionnaires, or the recording of viewing. 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 meter, questionnaire or portions thereof.
- Promotions that play on Numeris' name, materials, methodology or meter.
- Announcements like "Remember to take your meter when you leave home today".

Extemporaneous Comments

Public comments about Numeris in announcer materials: A publisher employee may make a comment with reference to Numeris, audiences, video surveys, 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 survey participants.

Rule 3: Improper Use of Numeris Property

No Numeris client shall reproduce and/or circulate any Numeris 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 client shall misrepresent Numeris data.

Examples of Improper Use of Numeris Property

Unauthorized use of Numeris data: A Numeris client provides Numeris audience data for reasons other than the client's normal course of business which may be restricted as outlined below.

- A Numeris client publishes Numeris audience data other than data provided by Numeris on its public website.
- A Numeris client 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 clients.
 - A publisher may not provide data to an agency that is not a Numeris client that will allow the agency to conduct business with other publishers.
 - An advertiser may not provide a consultant, that is not a Numeris client, with data to support reports provided to other clients of the consultant.

No credit or incorrect credit: A Numeris client 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 TV Diary Numeris TV Meter Numeris TV Meter-Preliminary Numeris VAM
Release / Date Range	Fall 2009 <i>or</i> Sept. 6 to Oct. 3, 2021
Publisher(s)	CAAA, Service X
Demographic	Adults 18+
Daypart	Mon-Sun, 7:00am-1:00pm
Geography	Anytown EM
Data Type	AQH, Reach, AMA, Total Time etc.

Misleading presentation of Numeris data: A Numeris client 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 clients 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 “You’re Watching Anytown’s Number One News Station” may not be sourced. However, in the event of a complaint, Numeris clients 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 client shall make derogatory public statements concerning Numeris or the Numeris Video 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 Video methodology or the Numeris measurement results. Numeris clients 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 client shall present Video audience data not produced by Numeris, or make public claims about a publisher’s market position in terms of audience, reach, time spent viewing, share, ratings etc. without substantiating its claims by identifying its research source.

References to other research: Numeris is the sole source of syndicated video 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 video audience measurement is based on Numeris surveys. A Numeris client who publishes data from another research source without identifying the source is potentially misleading clients of the data including other Numeris clients. 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 client shall cooperate with Numeris in its investigation of any alleged breach of a Numeris rule by the Numeris client. Cooperation includes, without limitation, answering promptly and fully requests from Numeris for information.

Cooperation: A Numeris client’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 client.

Pre-Review

Numeris will, at the Numeris client'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 client.

Numeris' pre-review is intended solely to assist Numeris clients 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 client is protected from being found in violation.

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

Complaints Procedure

Initiating a Complaint

To assist Numeris in maintaining the integrity of the measurement system, Numeris clients will initiate a complaint if they learn of a possible breach of the Rules and Regulations. Complaints should be submitted in writing to the Numeris Client Solutions team who will forward the complaint to the **Staff Rules Committee**. The complaint must be filed within ten working days of the Numeris client 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 client 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 client with a concern may ask Numeris to review a possible breach by another client and educate that client 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 client whose activities are under review wishes to present its case in person, it may request a meeting with the Committee.

Notification to the Numeris Client

A letter of inquiry is sent to the senior management of the Numeris client 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 client is expected to answer clearly and fully. The Numeris client 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 clients.

Committee Report

Once the Numeris client 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 regarding the Numeris client'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 client who, in its opinion, has breached one or more rules.
3. Recommend and implement remedial action to the Numeris client 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 clients, pending the completion of the review process.

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

- If the Numeris client is found not in breach of a rule(s), the Committee's decision is communicated in writing to the Numeris client in question, and the Numeris client who initiated the complaint.
- If the Numeris client is found in breach of a rule(s), the Committee's decision is communicated in writing to the Numeris client in question, with a copy to the Numeris client's senior executive or owner, and the Numeris client 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 client that initiated the complaint.

If the Numeris Client Disagrees with the Decision of the Staff Rules Committee

The Numeris client 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 client of the Staff Rules Committee's ruling.

The function of the Rules Committee, an adhoc three-member committee of Numeris clients with the appropriate knowledge and expertise applicable to the breach being appealed, is to review Staff Rules Committee decisions appealed by Numeris clients and recommend the next course of action. If the Numeris client 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 Client

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

Committee Report

Once the seven-day period for the Numeris client'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 client found in breach;
- a staff report based on the client'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 client 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 client 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 client 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 client is found not in breach of a rule(s), the Rules Committee's decision is communicated in writing to the Numeris client in question, and the Numeris client who initiated the complaint.
- If the Numeris client is found in breach of a rule(s), the Rules Committee's decision is communicated in writing to the Numeris client in question, and the Numeris client 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 client that initiated the complaint.

If the Numeris Client Disagrees with the Decision of the Rules Committee

The Numeris client 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 client of the Rules Committee's ruling.

The Board of Directors may, with agreement of the Rules Committee and the Numeris client, 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 client in question; or (ii) by the Board of Directors with the consensual agreement of the Numeris client 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 client with a copy to the Numeris client's senior executive or owner.
- An announcement of the breach to all Numeris clients 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 clients are advised of the fine and the rule violation that led to it being imposed.
- An assessment against the Numeris client 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 agreement 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 client in question had committed previous breaches.
- Whether the Numeris client cooperated with Numeris in the investigation.
- Steps the Numeris client took to remedy the breach.

Remedy vs. Punishment

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

1. To **remedy** an existing situation by warning Numeris clients of the data of potential biases or distortions.
2. To **prevent** the recurrence of these types of problems.
3. To **protect** all Numeris clients 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 Video Rules and Regulations. Video Rules and Regulations are included in all new Numeris client information packages. The Video Rules and Regulations are available to Numeris clients on the Numeris website.