

**CONSUMER MAGAZINE RULES**  
**BPA Worldwide – December 2009**

**MEMBERSHIP**

**C1.0 Obligations of Membership**

**C1.1**

All members shall comply with the Bylaws and Rules of the Corporation.

**C1.2**

Should it be necessary for the Corporation to take any action, whether internal or by litigation, to enforce any Bylaw or Rule, or to collect any monies due it, the member or former member against whom such action is taken shall be responsible for and shall pay to the Corporation all costs and expenses incurred by the Corporation in connection with such action, including, by way of illustration and not limitation, the cost of auditor's and other staff time spent in connection with the enforcement procedure, postage, printing, supplies, reasonable attorney's fees, whether incurred in an internal enforcement procedure or in litigation in the courts or before an arbitration tribunal, and legal disbursements.

**C1.3**

Should it be necessary for the Corporation to participate in a legal proceeding as a witness, the member or former member for whom such action is taken shall be responsible for and shall pay to the Corporation all costs and expenses in connection with such action. This includes, by way of illustration and not limitation, the cost of auditor's and other staff time charged at a rate established by the Board of Directors, postage, reproduction, supplies, and reasonable attorney's fees. This is applicable whether incurred to respond to a subpoena, or appear for deposition, litigation in the courts, an arbitration tribunal, or any other legal proceeding.

**C1.4 Employment of BPA Worldwide Personnel**

Should any member, or vendor to a member providing information for the member's audit, employ BPA personnel within three months of having conducted that member's audit, or internal audit review, the Corporation shall conduct a review of the audit at the cost of the corporation. If such review presents issues requiring a re-audit, one shall be conducted. If the re-audit results in adjustments to the previously audited circulation, the member, or associate member, involved shall pay to the Corporation all costs and expenses (travel and otherwise) in connection with conducting such re-audit.

**C2.0 Eligibility**

**C2.1**

A magazine applying for membership shall qualify as stated in Section C2.0 of the Bylaws, and shall conform to the following requirements:

**C2.2**

It may be either a general interest consumer magazine or a consumer magazine-serving recipients who have a common bond or common interest within clearly defined limits, or a consumer magazine serving its market through targeted channels of distribution.

### **C2.3**

The magazine shall maintain continuity of style, format, subject or theme from issue to issue.

### **C2.4**

It shall publish for a minimum period of three months before being eligible for an initial audit, subject to the approval of the President.

### **C2.5**

It shall be a magazine which includes advertising.

#### **C2.6.1**

When a magazine has a supplement, as defined by local postal regulations, the President shall determine whether the magazine is a single qualified magazine or is, in effect, two or more separate magazines requiring separate memberships, circulation statements and audit reports for each magazine. In order to qualify as a single magazine, the host magazine and the supplement shall meet all of the following conditions:

#### **C2.6.2 FOR ALL MAGAZINES**

The supplement shall have the same recipient qualification and shall serve the same field within a business or service market as the host magazine.

The qualified recipients on the lists shall be in the same business, occupation, etc. The supplement's recipients may be a subset of the host magazine's qualified recipients.

The supplement shall be identified separately on advertising rate source material and in circulation promotion. In advertising rate source material, separate reference to each supplement's frequency, issuance and closing dates is required.

If the supplement does expand or increase the existing circulation base, it shall constitute non-continuous circulation and shall not be reported in the supplement circulation statement.

#### **C2.6.3**

Based on US Postal regulations, US based magazines shall also conform with the following:

A magazine supplement shall be one or more pages formed by one or more printed sheets that are not bound into the magazine. A supplement may be devoted to a single topic and may contain material different from that in the host magazine, but there shall be common editorial scope.

A loose supplement to a bound magazine shall contain at least 25% non-advertising matter and bear the endorsement "Supplement to" followed by the title of the magazine or the name of the publisher. A bound magazine with one or more supplements not bound into the magazine shall be enclosed in a wrapper. If a supplement to a bound magazine is formed of more than one sheet, all sheets making up the supplement shall be bound together.

A supplement to an unbound magazine shall be combined with and inserted within the magazine. If the supplement is included loose outside the unbound magazine, the magazine and its supplement shall be enclosed in a wrapper or envelope, and the supplement shall bear the endorsement "Supplement to" followed by the title of the magazine or the name of the publisher.

#### **C2.6.4**

Based on UK Presstream regulations, UK based magazines shall also conform with the following:

Supplements (excluding catalogues, directories, brochures, product cards and loose inserts) which do not constitute separate periodicals-either available for purchase or distributed in their own right-shall be related to a periodical and distributed to the same address list as the periodical itself.

The supplement shall carry on its front cover the date/month/season and title of the periodical to which it is a supplement. The supplement shall be published by the same publisher as the periodical.

#### **C2.6.5**

For all other magazines, local postal regulations and definitions of a "supplement" shall prevail.

#### **C2.7**

If, after consideration of the above conditions, the President determines that the magazine is, in effect, a single magazine, the publisher will be given the option to report the circulation and any special marketing data (i.e. Units, buying influence, etc.) of the supplement at the end of the regular circulation statement.

If the frequency of the supplement does not give cause to publish the supplement with the analyzed issue, and the publisher opts to report the supplement at the end of the regular circulation statement, an additional analysis and audit test will be required of the issue which includes the supplement.

The supplement shall have the same recipient qualification and shall serve the same field within a business or service market as the host magazine.

The qualified recipients on the lists shall be in the same business, occupation, etc. The supplement's recipients may be a subset of the host magazine's qualified recipients.

The supplement shall be identified separately on advertising rate source material and in circulation promotion. In advertising rate source material, separate reference to each supplement's frequency, issuance and closing dates is required.

If the supplement does expand or increase the existing circulation base, it shall constitute non-continuous circulation and shall not be reported in the supplement circulation statement.

If, after consideration of the above conditions, the President determines that the supplement may be reported within the host circulation report the publisher, shall be required to report as follows:

Separate tables shall be used to report the supplement in Paragraph 4. Paragraph 4 shall include a footnote disclosing the recipient selection criteria.

Reporting of supplements shall be required in Paragraph 2 by issue date. Additions and removals shall be reported by issue, not by supplement.

All supplements shall be reported in accordance with the above. If the frequency of the supplement does not give cause to publish the supplement with the analyzed issue, a reporting of the supplement shall still occur in Paragraph 4 by reporting the results of the supplement's circulation selection criteria against the analyzed issue's circulation file.

## **C2.8**

When the President determines that the magazine is, in effect, a single magazine, but the publisher wishes separate circulation statements and audit reports for each edition or supplement, separate memberships will be required. When editions or supplements are reported separately, additional audit fees shall be charged at a prorated hourly rate for all audit time spent over the allotted hours for the combined total distribution of all editions or supplements as set by the Board of Directors.

## **C2.9**

It may be a catalog independently operated and independently distributed, if otherwise qualified under the Bylaws and Rules.

## **C2.10**

It shall practice qualified circulation as defined in Section C7.24 of these Rules, and shall have done so for at least three months before being eligible for an initial audit, subject to the approval of the President.

## **C2.11**

Magazines or printed materials such as, but not limited to, the following are not acceptable for membership in Consumer Magazine Audit of BPA Worldwide:

*calendars*

*menus*

*card packs*

*circulars*

*free community shoppers*

## **C2.12**

When a magazine has extra issues such as directories, catalogs or buyer's guides, the President shall determine whether the magazine is a single qualified magazine or is, in effect, two or more separate magazines requiring separate memberships and separate circulation statements and audit reports for each issue on the basis of the following conditions:

The extra issue is distributed to all or a specifically designated portion of the circulation list of the regular magazine.

The extra issue is identified on its cover as a special issue of the primary magazine.

The masthead of each issue reflects the frequency which includes the extra issue.

## **C2.13**

If, after consideration of the above conditions, the President determines that the magazine is, in effect, a single magazine, the President shall require the magazine to report the extra issue (directories, catalogs or buyer's guides) in paragraph 2 of the circulation statement and audit report, but not in paragraph 1 if the extra issue is distributed to less than the identical circulation list as that of the regular magazine and a suitable explanation shall be made in paragraph 8 subject to audit.

## **C2.14**

When a magazine has separate Editions either print or digital, such as demographic or geographic, the President shall determine whether the magazine is a single, qualified magazine or is, in effect, two or more separate magazines requiring separate memberships, circulation statements and audit reports. To qualify as a single magazine, the separate Editions shall meet all of the following conditions:

Shall have the same recipient qualification stated in the Market Served statement.

The qualified recipients on the lists shall be in the same consumer demographic or business, occupation, etc.

Fifty percent of the editorial content shall be common in words, not layout, between/among all Editions. Geographic Editions require only common editorial scope. In both types of Editions, advertising need not be common between/among Editions.

The Editions shall be identified separately on advertising rate source material and in circulation promotion. In advertising rate source material, separate reference to each Edition's frequency, issuance and closing dates is required.

The separate Editions shall be subsets of an existing circulation that do not expand or increase the magazine's circulation base and frequency of issue.

If the separate Edition(s) does expand or increase the existing circulation base and frequency of issue, it shall constitute Non-Continuous circulation, and shall be reported in a separate analysis in Paragraphs 2, 4, 5, and 6.

## **C2.15**

If, after consideration of the above conditions, the President determines that the magazine is, in effect, a single magazine, the publisher will be given the option to report the circulations for each edition separately. If the publisher opts to report each edition separately, the publisher shall be required to report as follows:

To report such editions separately in paragraphs 2, 4, 6, and 8 of the circulation statement and audit report.

To report such editions separately in paragraph 5 of the circulation statement and audit report when variances in the data between the editions exist to the extent of 10% or more in any of the categories reported in paragraph 5. When variances of less than 10% exist, the publisher shall have the option of reporting these data separately.

## **C2.16**

When the President determines that the magazine is, in effect, a single magazine, but the publisher wishes separate circulation statements and audit reports for each edition, separate memberships will be required.

## **C3.0 Overseas or Out of Country Audits**

### **C3.1**

Overseas or Out of Country Audits shall mean any audit that shall be performed outside of the physical boundaries of the United States, Canada and United Kingdom (where BPA Worldwide has offices).

### **C3.2**

Whenever it is necessary for an auditor to perform an Overseas or Out of Country Audit, the publisher member shall pay the following fees and charges of such an audit:

The normal auditing and additional hourly charges for the magazine in accordance with Section C3.1.3 of the Bylaws.

An additional charge of 50% of the regular auditing charge to provide for the travel time and lost time to the auditor.

For multiple publishing companies whose audits are conducted at the same time, this 50% surcharge shall be levied against only the highest audit charge.

The "economy or coach" air travel costs of the auditor computed from the auditor's departure point to the actual location where the audit is made.

### **C3.3**

A member requesting an Overseas or Out of Country audit shall make an advance payment to BPA Worldwide of the estimated charge computed in accordance with the formula set forth in C3.2 of this Section.

### **C3.4**

BPA Worldwide may also require a publisher member requesting an Overseas or Out of Country audit to sign a contract for such audit, the form of which may be fixed by the Board of Directors from time to time, but in any event shall include the substantive provisions of this Section.

## **C4.0 Procedure**

### **C4.1**

An applicant eligible for Consumer Magazine Audit membership in BPA Worldwide shall, in addition to filing an application, proceed as follows:

Fill out and sign a three or six month circulation statement and file it with the Corporation. This statement shall be in conformance with Sections C8.0, C9.0 and C10.0 of these rules and shall be the basis for the initial audit report.

Provide, maintain and make available to the auditor, all requirements and records as stated in Section C10.0 of these Rules.

### **C4.2**

On receipt of the applicant's first circulation statement, the corporation shall, as soon as possible, make an examination of the magazine's records and complete an initial audit.

### **C4.3**

For auditing single copy sales, final settlement figures shall be available for at least half the issues in the period. The balance of issues may be projected based on a historical average of the settled issues.

#### **C4.3 (continued)**

Examples of three-month initial audit eligibility dates:

*Weeklies shall have seven issues settled;*

*For monthly magazines, one issue shall be settled;*

*Bimonthlies shall have one issue settled; and, Quarterly magazines shall settle one issue.*

*Semi-Annual and Annuals shall be settled.*

An established magazine may project single copy sales for any issue in the three-month initial audit period so long as a documented record of at least six prior months net sales is available.

#### **C4.4**

Upon acceptance and release of this report by a majority of the Board of Directors, the publisher shall be notified that they have been elected to membership.

#### **C4.5**

If it is found that the publisher's records are incomplete and the initial audit cannot be made, the publisher shall be required to install and maintain such auditable records as recommended by the Corporation. A magazine shall not become a member until an auditable statement is submitted and the records are audited in accordance with the instructions from the Corporation. (See Bylaws, Section C2.9.2.)

#### **C4.6**

If the President finds, after a sufficient time has elapsed, that the publisher applicant's records are incomplete and an acceptable initial audit cannot be made, BPA Worldwide may release a notice to its members officially notifying them that the application has been rejected. This notice may take the form of a posting on BPA's web site and/or a mailing to the membership and BPA's press list.

### **C5.0 PUBLICITY**

#### **C5.1**

The Corporation has rights in the Corporation's name, trademarks and figures appearing in the Corporation's released magazines, statements and reports (hereinafter referred to as "The Corporation's rights").

The Corporation owns the copyright in all statements, reports and magazines either filed with or published by the Corporation including, without restricting the generality of the foregoing, all Circulation Statements, Corrected Circulation Statements, Audit Reports and Bulletins. By executing the Application for Membership, each member thereby assigns and transfers to the Corporation any right, title or interest, whether in copyright or otherwise, that such member may have now or in the future in any data or information provided to the Corporation.

The proper and widest possible use of the Corporation's rights is highly desirable. The use by a member of the Corporation's rights implies that the Corporation has approved or authorized their use in the form as used. Members should, therefore, contact the Corporation if they wish to use the Corporation's rights in a manner other than as set out in these Rules and Regulations.

### **C5.1 (continued)**

As every member has an interest in protecting the Corporation's rights, the Corporation has set out the following guidelines relating to the use of the Corporation's rights. Although they are not designed or intended to restrict legitimate and proper use, they are set down to protect the integrity and reliability of the Corporation, the Corporation's rights and the audited circulation figures published by it.

### **C5.2**

The provision of the Bylaws and Rules relating to publicity shall apply equally to applicants for membership.

### **C5.3**

Any printed or digital document, advertisement, promotion material, or communication (including communications and documents designed for intra- or interoffice use) which is published or distributed in any manner outside of a publisher's own staff (including information disseminated via e-mail or the Internet/World Wide Web) is subject to the provisions of the Bylaws and Rules regarding publicity as of the time of its printing or digital distribution.

### **C5.4**

Any document, advertisement, promotional material or written/digital communications that is accurate at the time of printing or digital distribution shall not be considered in violation retroactively due to release of subsequent changes in circulation.

However, if such changes take place due to the filing of a subsequent circulation statement, it is the responsibility of a publisher to ensure that all new materials take into account such changes. The means by which these changes are noted are the option of the publisher.

If such changes take place due to audit, it is the responsibility of the publisher to note such changes in all material still in inventory or displayed as online promotion, within one week of receipt of the printed audit report from BPA Worldwide.

### **C5.5**

For standard (non-special marketing) circulation data, absent changes in circulation due to audit, the maximum time any printed document, advertisement, promotional material or written communication shall be considered in compliance is 15 months from the time of printing. The maximum time an digital communication shall be considered in compliance is 6 months. When changes occur subsequent to issuance of a new circulation statement, an digital promotion shall be updated immediately, but within no more than 30 days. (See Sections C5.33, C5.34, and C5.35 for restrictions on promoting special marketing audit data).

### **C5.6**

A member shall not make any false, fraudulent or misleading statements as to any aspect of circulation, distribution or coverage. If questions arise concerning whether a document, advertisement, promotional material or written/digital communication is misleading, a determination shall be made by the BPA Worldwide President or designated agent, based on all available information (see Section C5.48 regarding formal complaints and appeals).

A member shall not attribute BPA Worldwide authority, stated or implied, to ancillary products, unless such products are traceable to a BPA Worldwide circulation statement or audit report.

## **C5.7**

Rights in the logos or trademarks are owned only by the Corporation and the right to use the logos or trademarks is a privilege of membership. The use by a member of a logo or trademark carries the implication that the Corporation has approved the advertising or document in which the trademark appears. Unauthorized or improper use of the logos or trademarks may be harmful to the Corporation, the Corporation's rights and its members, and may result in the loss of the right of the Corporation to the use of the logos or trademarks.

A member shall make clear that the use of the logos or trademarks by the member is only as a member of the Corporation and there shall be no suggestion or implication that the member owns any rights in the logos or trademark. As it is not possible to set out the many different uses of logos or trademarks that could be proper or improper, a member who wishes to use the Corporation's logos or trademarks in a manner other than as set out in these Rules and Regulations or is in doubt as to proper use should contact the Corporation for advice.

## **C5.8**

Nothing contained in these rules shall relieve a member from responsibility for the accuracy of material published or electronically disseminated, and its compliance with the rules.

## **C5.9**

A circulation statement shall not be released until the audit report for the previous audit year has been completed and released by BPA Worldwide. A magazine may promote or publicize circulation data from an unreleased circulation statement provided such data is not being withheld subject to completion of the previous year's audit. Such circulation claims shall be clearly noted as "Publisher's Data, Subject to Audit, [month/ year]."

## **C5.10**

A publisher may promote projected circulation for a future issue or issues, provided such claim is clearly noted as "Publisher's Projection for [month/year] as of [month/ year]." Such projections shall also reference the appropriate figure from the most recent circulation statement or audit report. Projections may not be used as a basis for comparison with one or more audited magazines, unless the other magazine(s) has (have) released for the public record projections for the same time period.

## **C5.11**

A publisher may issue an interim "Publisher's Sworn Statement" as a promotion between circulation statements. Such statements shall be clearly and visibly identified as "Publisher's Sworn Statement [month/ year]" at the beginning and conclusion, and on all intervening pages. A magazine may not use the BPA Worldwide logo to denote its status as a member, nor may a "Publisher's Sworn Statement" make any other reference to membership in BPA Worldwide. A "Publisher's Sworn Statement" may not be printed on a paper stock resembling a BPA Worldwide report and should not use the typeface used by BPA Worldwide (Franklin Gothic).

A Publisher's Sworn Statement may use terminology and classifications as used in circulation statements and audit reports, but only for those terms and classifications as appear in the most recent circulation statement. A Publisher's Sworn Statement may not use the term "qualified" to refer to any group of subscribers that has not been audited.

#### **C5.12**

Any member of the Corporation in good standing may publicize the fact that it is a member. It may use the BPA Worldwide logo on member specific letterheads, advertising material, mastheads, or in any other place where:

The phrase "member of BPA Worldwide" might also be used.

The member would be entitled to use the BPA Worldwide logo.

The use of the BPA Worldwide logo is not detrimental to the Corporation.

A member that has indicated in writing to BPA Worldwide an intention to resign from membership must immediately cease and desist use of the BPA Worldwide name and/or logo effective six months from the cover date of the most recently released circulation statement (e.g., six months from a period ending June circulation statement is December 31). (See Bylaw 8.0, Membership Resignation.)

#### **C5.13**

Publisher members under suspension of service may publish claims of membership only if, in connection with each such claim, the words "under suspension of service" are added. Also, any circulation data reported in the circulation statement or audit report may not be included in any promotional material while the magazine is under suspension of service.

#### **C5.14**

Circulation promotions and comparisons may not promote or report only percentages of either respondents or total qualified. The qualified circulation count shall always be disclosed when reporting percentages, either as a total or for each individual number claimed. When reporting percentages of respondents, the base of respondents on which the percentage was calculated shall also be shown. (See C5.37)

#### **C5.15**

A publisher may not publicize the fact that they have contracted for any of the BPA Worldwide Special Marketing Services except to the limited extent specifically provided for hereafter:

A publisher member who has successfully completed a unit audit which has been released, may publicize new unit data reported on the interim and/or second six month circulation statement provided that the publisher member has contracted for a unit audit for the period covering the new unit data. New unit data reported in a circulation statement that is used in any promotion material shall be footnoted that it is subject to audit.

A publisher member who has successfully completed a supplementary audit which has been released, may publicize new supplementary data reported on the interim and/or second six-month circulation statement provided that the publisher member has contracted for a supplementary audit for the period covering the new supplementary data. New supplementary data reported in a circulation statement that is used in any promotion material shall be footnoted that it is subject to audit.

#### **C5.16**

A publisher applicant may publicize the fact that they have applied for membership, provided that the type proof of such announcement has first been submitted to and approved by the President. Such promotion is at the publisher's option. If a magazine chooses to publicize its applicant status, the only language permitted is as follows:

*"BPA Worldwide Consumer Magazine Audit Membership Applied For (insert month and year BPA Worldwide accepted application)"*

#### **C5.17**

If a magazine chooses to promote its applicant status, all circulation claims shall be clearly identified as "Publisher's Own Data." No reference may be made to the pending initial audit, even if it has been scheduled or is underway at the time the promotion is released.

#### **C5.18**

An applicant may compare its unaudited total circulation figures with competitors' audited data on the basis of an applicant's equivalent issue, versus a competitor's previous analyzed or audited issue, e.g., May or November. The comparison shall clearly note the difference between the two magazines' data, e.g., "publisher's own data" versus "audited" or "subject to audit". In such a comparison an applicant shall clearly note the month/year of application to BPA Worldwide.

#### **C5.19**

An applicant may also compare the unaudited future circulation of a "launch" issue with the most recent analyzed issue of a competitor. The circulation of the launch issue shall be clearly noted as a projection.

#### **C5.20**

Applicants may not use the BPA Worldwide Consumer Magazine Audit logo until they have successfully completed their initial audit and have been voted into membership by the Board of Directors. (See Sections C2.8.3 of the Bylaws and C5.7 of these Rules).

#### **C5.21**

A publisher whose membership in BPA Worldwide has been terminated for violation of Section C10.0 of the Bylaws and who reapplies for membership may not publicize the fact that they have reapplied for membership, and shall complete their initial audit within six months of the reapplication date.

#### **C5.22**

A publisher applicant whose application for membership has been rejected by the Corporation in accordance with Section C2.8 of the Bylaws and who reapplies for membership within one year of date of rejection, may not publicize the fact that they have reapplied for membership and shall complete their initial audit within six months of the reapplication date. If a publisher reapplies for membership after the one-year anniversary of the rejected application, the publisher shall use the term "re-applied for membership mm/yy," and will have the full twelve-month term to complete their initial audit. If a publisher applicant reapplies for membership three years after the application rejection date, no reference to reapplication is required

### **C5.23**

Any member may reprint, fax and/or publish (See Section C5.45 of these Rules) verbatim any paragraph, in whole or in part, from any magazine's latest circulation statement or audit report released by the Corporation except paragraph 8, Additional Data.

### **C5.24**

If portions of a paragraph are quoted, it shall be clearly stated that only portions are being used. If a single issue's circulation is quoted and that issue exceeds 10% variance from the average qualified circulation, then the average circulation for the period shall be footnoted.

### **C5.25**

The period covered by the statement or audit report from which the paragraph is quoted shall be stated.

### **C5.26**

Portions of Paragraph 8, Additional Data, may be quoted subject to prior written approval of the President.

### **C5.27**

A magazine member may not "overprint" promotional material on any circulation statements or audit reports.

### **C5.28**

A magazine member may not use the terms "reader" or "readership" in any promotion or other material in a manner that claims or implies BPA Worldwide authority in reference to any aspect of circulation, distribution or coverage. e.g., interchangeably with "subscriber," "recipient," or "circulation." However, a magazine may make general references to its readership, e.g., the way editorial content responds to readers' interests. If a publisher wishes to promote readership data, such information shall be clearly noted as to its source, e.g., "Publisher's Own Data" or "Readership Survey," with the appropriate month and year, so as to distinguish it from audited circulation or circulation subject to audit.

### **C5.29**

When comparisons between two or among more magazines, BPA Worldwide Consumer circulation statements or audit reports are made, only the most recently released statements or audit reports for the same time period and as of the same date may serve as the basis for comparison. A publisher may extend the comparison back in time, if comparable figures exist for all magazines.

Members reporting on the June/December cycle and members reporting on the January/July (medical) cycle may compare circulation for the period ending June with July, and for the period ending December with January, even though there is a one-month variance in the report date.

If statements from the current and same time period are not available for all magazines in the comparison, the basis should be the preceding six-month circulation cycle. The comparison shall include the current time period for those magazines whose circulation statements are available, with the notation "not available as of [month/year]" for appropriate magazines.

**C5.30**

A comparison shall be construed to include a comparative or absolute claim against unnamed competitors, e.g., "more circulation than any other magazine," or "most circulation of any magazine serving the market."

**C5.31**

Circulation data from an initial audit should be compared with audited circulation or circulation subject to audit from the same time period. The average circulation reported in a three-month mid-cycle initial audit may be compared with average circulation from a competitor's existing six-month circulation statement or audited data. All other comparisons shall be based on the next and same six-month circulation statements for both/all magazines, e.g. December or June.

**C5.32**

A member magazine may compare unaudited "Publisher's Own Data" with audited circulation or data reported in a circulation statement and subject to audit for another magazine, provided such "Publisher's Own Data" neither negates nor supersedes the most recent circulation statement. This includes comparisons incorporating "Publisher's Sworn Statements." Any comparisons including "Publisher's Own Data" and audited data subject to audit shall clearly distinguish between the two.

**C5.33**

When making comparisons between two magazines, continuous circulation shall be compared separately from non-continuous circulation.

**C5.34**

Special marketing audit data (e.g., Unit, Supplementary, Pass-Along, etc.) may be used for three years from the date of the analyzed issue included in the special marketing audit.

**C5.35**

When making circulation comparisons, print circulation shall be compared separate from digital circulation. Comparisons of total qualified circulation must include both print and digital circulation.

**C5.36**

When comparing special marketing data, only the most recently released data may be used, but not necessarily from the same time period. (See C12.12)

**C5.37**

Publishers wishing to compare circulation data to industry benchmark data may do so in a supplementary audit report. The industry benchmark data, e.g., U.S. Census, published rankings of corporations, etc. may be more than three years old but shall be the most recently released data at the time of the audit, but not necessarily for the same time period as the audit.

**C5.38**

A member may claim or imply BPA Worldwide Consumer Magazine Audit authority only for the actual figures, classifications, breakouts, or statements as they appear in BPA Worldwide statements and audit reports. Whenever a circulation claim is made which is comprised of both print and digital copies, such shall be disclosed in the promotion piece. Print Edition and Digital Magazine circulation figures may be reported separately, or may be combined, with a footnote disclosing print copies and digital copies. A publisher may, for the purpose of editorial brevity or clarity, use language similar but not for identical to that in a magazine's circulation statement or audit report, provided such editorial changes do not affect the type of circulation reported. Should questions arise as to whether such changes are permissible, a determination will be made by the BPA Worldwide President.

**C5.39**

A member may regroup BPA Worldwide figures, classifications, breakouts or statements without the literal reproduction of relevant circulation statement(s), provided the methodology is clearly noted.

**C5.40**

In any promotional piece, even when not using the BPA Worldwide logo, but reporting recognizable language and/or data traceable to a BPA Worldwide circulation statement or audit report - e.g., "qualified", or "direct request" - it can be implied or inferred that such language or data is BPA Worldwide audited.

**C5.41**

A magazine may use and promote unaudited circulation figures if clearly noted as "Publisher's Own Data". This includes proprietary but independent market research regarding readership and circulation information gathered by a publisher but not audited by BPA Worldwide. Such data shall have a factual basis and shall be available to BPA Worldwide on request. Such data may augment, but shall not supersede or negate audited circulation data or that subject to audit. If such data is used in the same promotion and intermingled with audited data, such differences shall be clearly distinguished and discernible.

**C5.42**

A magazine may use its own "Publisher's Own Data" as the basis of comparison with another magazine's audited data or data subject to audit. (See C5.31).

**C5.43**

Unless otherwise noted as "Publisher's Own Data" or the equivalent thereof, all circulation data and information is presumed to be traceable to and supported by a magazine's most recent circulation statement or audit report, irrespective of whether BPA Worldwide is mentioned by name as the source, or whether the BPA Worldwide logo is displayed.

**C5.44**

Absent any indication as to "Publisher's Own Data," or any source other than BPA Worldwide, any circulation claim that is not supported by a circulation statement or audit report shall be considered in violation of these rules.

#### **C5.45**

At all times, BPA Worldwide authority shall neither be claimed nor implied for any unaudited figures, data or statements.

#### **C5.46**

A magazine may not refer to nonqualified distribution or circulation as qualified circulation, nor may it imply so. If a magazine wishes to promote the sum of its nonqualified distribution and qualified circulation, such a figure shall be noted as comprising the two, with individual breakouts for the two components. A magazine may not imply or impute to nonqualified distribution or circulation the same demographic and geographic breakouts as exist in its qualified circulation, unless clearly noted as "Publisher's Own Data." Such a claim shall have a factual basis.

#### **C5.47**

A member shall not reproduce entire BPA Worldwide Consumer Magazine Audit statements or audit reports, or simulate the format and/or typeface used in BPA Worldwide Consumer Magazine Audit statements or audit reports, without permission of the BPA Worldwide President. Digital distribution, (including faxing, and email, posting to the Web,) of entire BPA Worldwide circulation statements or audit reports is permissible. Print-on-demand media kits incorporating an entire circulation statement or audit report are also permissible.

For all Printing-on-demand where the stock of paper used is not the designated color of the BPA report, the following comment must be included in the print-on-demand copy: "AN ORIGINAL OF THIS [TYPE OF STATEMENT] IS PRINTED ON [COLOR] STOCK. FOR AN ORIGINAL GO TO [www.bpaww.com](http://www.bpaww.com)."

#### **C5.48**

A member shall not reproduce correspondence with or literature of the Corporation, or excerpts therefrom, unless specific written permission to do so is obtained from the President. This includes correspondence between BPA Worldwide and the parties to a formal complaint.

#### **C5.49**

All formal publicity complaints are considered confidential between the parties involved and BPA Worldwide, unless and until such complaints are resolved in a manner that calls for public notice either by BPA Worldwide or the complaine. Members are enjoined not to reproduce any correspondence pertaining to a formal complaint without prior written permission of BPA Worldwide. It is the responsibility of a publisher to ensure that the publisher's staff does not publicize a complaint beyond the scope allowed by these rules

#### **C5.50**

To initiate a complaint, a complainant shall:

A complaint shall only be lodged concerning a promotion distributed within the 12 months preceding the date of the complaint.

Submit to the President a written statement of the facts upon which the complaint is based and the Section of the Bylaws and Rules claimed to have been violated.

#### **C5.50 (continued)**

This statement shall be limited to the actual facts and shall include copies of all documents upon which the complainant relies including copies of circulation statements or audit reports when pertinent.

The complaint shall be accompanied by a nonrefundable-filing fee of \$230.00 to help cover BPA Worldwide's processing costs. No complaint shall be considered or acted upon unless the fee is paid in advance.

An appeal from the President's decision provided for in Section C9.3 of the Bylaws shall be accompanied by a filing fee of \$865.00 to cover the additional costs of preparing the file for review by the Publicity Policies Subcommittee of the Board of Directors. No appeal shall be considered or acted upon unless the fee is paid in advance.

#### **C5.51**

Upon receipt of a complaint, the President shall deliver or send to the complainee a copy of the complaint and of all the documents upon which the complaint is based.

#### **C5.52**

To answer a complaint, the complainee shall submit to the President, within five business days of the receipt of the complaint, a statement of the facts upon which they rely to rebut or to mitigate the complaint. The answering statement shall be limited to the actual facts and shall include copies of all documents upon which the complainee relies, including copies of circulation statements or audit reports when pertinent.

#### **C5.53**

Upon receipt of the answering statement, the President shall deliver or send to the complainee a copy of the complaint and of all the documents upon which the complaint is based.

#### **C5.54**

Investigation and action on publicity violation complaints shall be accomplished expeditiously and in accordance with provisions of the Bylaws.

#### **C5.55**

Violation of any provision of the Bylaws, or of the Rules pertaining to publicity may be brought to the attention of the entire membership. To cover the cost to BPA Worldwide of processing and administering the complaint and of the printing and distribution of the correction bulletin, a magazine member found to be in violation of the publicity rules shall reimburse BPA Worldwide for its expenses.

#### **C5.56**

In lieu of the correction bulletin, the President may authorize the issuance (at the publisher's expense) of a letter by the publisher containing the substantive comments which would be included in a correction bulletin issued by BPA Worldwide. The text of the letter shall be approved by the President and may not contain any statements deemed promotional. It shall be mailed by BPA Worldwide to the magazine's entire promotion list, and/or to the recipients of the offending document, and/or to the entire BPA Worldwide membership.

#### **C5.57**

Complainants have the option of having BPA reprint a complainees letter of correction and distribute the letter to the complainant's advertiser/agency list. This shall be at the expense of the complainant. The reprint will carry an imprint informing recipients that the notice has been reprinted at the request of the complainant.

#### **C5.58**

When violations of a serious nature are found within promotional materials, wide distribution will be assumed unless the publisher can provide to BPA Worldwide, evidence to the contrary. When proper evidence cannot be provided, BPA Worldwide will require distribution of a letter of correction from the publisher to the publisher's entire advertiser and advertising agency sales and promotion list.

#### **C5.59**

If a publisher claims a promotion found to be in violation had limited distribution, but evidence later proves wider distribution in fact existed, a letter of correction shall be mailed by the publisher to the magazine's entire advertiser/agency promotion list. BPA Worldwide may, if instructed by the President, distribute a notice of violation to the BPA Worldwide membership.

#### **C5.60**

If an advertisement on behalf of a magazine is found to be in violation of these rules and warranting public correction, the appropriate remedy shall be a correction in the medium as the original ad, e.g., SRDS, BRAD, CARD, or the magazine itself. Insertion orders of the corrected advertisement shall be placed within 30 days of the staff decision.

#### **C5.61**

If a circulation promotion by a magazine on the Internet or a World Wide Web site is found to be in violation, the appropriate remedy shall be a correction on the Internet or same Web site for the greater of a period of thirty days or the same time period as the promotion was available.

#### **C5.62**

BPA Worldwide shall post all violations of Section C5.0 of these rules on its Web site, bpaww.com, for a period of one month following the deadline for appeal, or resolution by the Publicity Policies Subcommittee or Board of Directors. There shall be no further distribution of a downloaded and printed version of this notice without permission of BPA Worldwide. (See C5.54).

#### **C5.63**

Any bulletin regarding publicity violations released by the Corporation may be reprinted by the Corporation at the request of any member who shall be billed the charges incurred for the reprint. Reprints shall have a special imprint at the top of the notice to identify the member distributing it. The imprint shall read as follows:

*"This exact copy of an original Notice to Correct the Record which has been sent to the entire BPA Worldwide membership is now being distributed by . . . ."*

## **C5.64**

Any member may distribute the reprints described in Section C5.61 subject to the following conditions:

No covering letter or printed material may accompany the Notice to Correct the Record when distributed by a member of the Corporation.

No comment about the Notice shall be made by a member of the Corporation in any letter or literature that may be distributed separately from the Notice.

The reprint may not be distributed by any member after thirty days of the date of its issuance by BPA Worldwide.

## **C6.0 Appeals from Administrative Decisions**

### **C6.1**

All appeals from or requests for reconsideration of any decision by the Board of Directors, any committee, administrative officer or staff member shall be in writing. Such appeals shall be submitted to the President no later than fourteen days after such earlier decision was announced.

### **C6.2**

Such appeals shall present new facts and include such information or circumstances which justify reconsideration by the Board of Directors.

### **C6.3**

If the decision was the result of a complaint or request made by a member or members other than the member for or against whom the decision was made, a copy of the appeal or request for reconsideration shall be circulated to the member or members who initiated the complaint or request and to such other members as the President or the Board shall determine may be directly affected by any reversal or modification of the decision. Prior to the consideration and action by the Board of Directors, all such parties shall be given ten business days to respond.

### **C6.4**

The Board of Directors may, on its own initiative or on request from a member, reconsider a decision made by it after giving all parties, referred to in Section C6.3, notice and an opportunity to respond, in writing and, if the Board in its discretion so chooses, in person at a meeting at which the appeal will be considered. Upon such reconsideration the Board may affirm, modify, or reverse its prior decision.

### **C6.5**

Any member in good standing may request the further distribution of censure, probation or expulsion notices by the Corporation subject to the following conditions:

The release of the Notice shall be under the direct control of the Corporation.

Any member who requests further distribution of the Notice shall be billed the charges incurred for the reprinting and distribution of the Notice.

The reprint of the Notices of Censure, Probation, or Expulsion shall have a special imprint at the top of the notice to identify the member distributing it. The imprint shall read as follows:

## **C6.5 (continued)**

*"This exact copy of an original Notice of Censure, Probation or Expulsion which has been sent to the entire BPA Worldwide membership is now being distributed by. ..".*

No covering letter or printed material may accompany the Notice of Censure, Probation or Expulsion when mailed by the Corporation at the request of a member.

No comment about the Notice shall be made by a member of the Corporation in any letter or literature that may be distributed separately from the Notice, nor shall any employee of such member distribute the Notice independently.

The member magazine to which the Notice refers shall be notified in advance by BPA Inter-national of any additional distribution of the Notice.

The request of any member to distribute the reprint of the Notice shall be received in writing by the Corporation within thirty days from the date of its issuance by BPA Worldwide.

## **C7.0 DEFINITIONS AND REPORTING REQUIREMENTS**

### **C7.1 Advanced Renewals**

A subscription renewed prior to expiration date of previous subscription.

### **C7.2 Advertiser and Agency Copies**

Includes checking copies and prospective advertising copies and shall be reported as non-qualified distribution in paragraph 8.

### **C7.3 Arrears (Post-Expiration Copies Included In Qualified Paid Circulation)**

Subscriptions reported as paid that are retained on the circulation list after their expiration date, for up to 25% of the original term ordered, with a maximum of three months, six months for international circulation.

Post-expiration copies, if served, must be distributed prior to the distribution of the next regularly scheduled issue.

An average number of arrears copies for the period, expressed as a percentage, shall be reported in Paragraph 7 (Five Calendar-Year Analysis) as Post-Expire Copies Included in Total Qualified Circulation.

Multi-Copy Same Addressee and Public Place subscriptions cannot be reported as paid circulation after the expiration dates.

Magazines issued on a regular frequency but less often than monthly, and magazines that have a break in service (e.g., published seasonally), may serve arrears as paid circulation, subject to the approval of the President (See C7.23).

Magazines issued weekly may use a common monthly expire date. Following this common expiration date, service of arrears is permissible for the full three months.

If a common expire date by month is used by a weekly magazine, the following comment shall be included in Paragraph 8, referencing Paragraph 7:

### **C7.3 (continued)**

*“This magazine has a weekly frequency and uses a common expire date in each production month. Therefore, a subscriber may receive one to three additional copies beyond the three months of service permitted as ‘arrears’ after the subscription expired. These additional copies are not reported as arrears.”*

Gift subscriptions may be served copies in arrears as paid circulation for three months after the expiration date for domestic circulation, and six months after the expiration date for international circulation.

### **C7.4 Audit Report**

An annual report released by the corporation consolidating the interim and second six months circulation statements. (See C.4 and C8.5). The audit report attests to the accuracy and validity of the publisher's circulation claims in the circulation statements.

### **C7.5 Back Copies**

Any issue of the magazine dated prior to the current issue shall be considered a back copy whether served to a new or requalified/renewed recipient. The “current issue” is defined as the most recent issue distributed or placed on sale, whichever comes first.

Back copies may be counted as either qualified paid or non-paid circulation only for one issue immediately preceding the issue current at the time the recipient is distributed the back copy for magazines other than weeklies or for two issues for weekly magazines.

When the recipient has specifically requested back copies of a magazine such copies may be counted as qualified circulation up to three issues preceding the date of the subscription order for all magazines.

If a publisher wishes to back start a controlled publication beyond one issue, the publisher shall separately ask the recipient if he/she wishes to begin the subscription with the back copy, and the recipient shall respond affirmatively. This question shall be separate from the original “request” to receive the magazine, for example:

Do you wish to receive XYZ publication?

Yes\_\_\_ No\_\_\_

If yes, do you wish to begin your subscription with the (back copy) issue?

All subscribers to receive back copies shall have qualification sources dated within the three-year qualification period for the audit year of the issue served. (See C7.26)

Special issues such as Directories or Buyers Guides are not considered when determining the numbers of back copies sent to qualified recipients.

To illustrate, XYZ monthly magazine distribution analysis for the May issue (stated date of mailing the seventh of the previous month):

## C7.5 (continued)

<u>Issue</u>	<u>1<sup>st</sup> Copy Placed On-Sale</u>	<u>1<sup>st</sup> Copy Distributed</u>	<u>Subsequent Distribution Dates</u>
May	April 1	April 7	May 9*, June 11**, July 20**
June	May 11	May 12	NA
July	June 1	June 16	NA

\* late distribution (See Section C9.20 of these Rules)

\*\* late distribution and ineligible back copy distribution; back copies of the May issue distribution after the July issue was placed on-sale and are therefore non-qualified, regardless if copies are for paid or non-paid, new or renewed circulation.

## C7.6 Base Prices

*Subscription Sales* - The established prices for each subscription term as defined in the masthead of a magazine. Only one base price per country may be established for each subscription term.

*Single Copy Sales* - The suggested retail cover price shall be the base price.

## C7.7 Benefit-of-Membership Subscriptions

*Deductible Benefit-of-Membership subscriptions:* Individual subscriptions paid for out of membership dues, where recipients have the option of deducting the subscription price from their dues if they do not wish to receive the magazine.

*Non-deductible Benefit-of-Membership subscriptions:* Individual subscriptions paid for out of membership dues, where recipients do not have the option of deducting the subscription price from their dues, and automatically receive the magazine.

Non paid subscriptions can only be reported as benefit of membership if the board of directors of the association/membership passes a board resolution stating the publication is a benefit of membership. The association/society does not need to own the publication for it to be a benefit of membership.

Associations/memberships purchasing subscriptions for their members shall not be reported as benefit of membership, such subscriptions shall be reported as sponsored sales.

Deductible and non deductible membership benefit subscriptions need not be the "official" publication of the association/membership.

The non-deductible offer may be for a digital version of a magazine without receiving a specific request to receive the magazine electronically. (See section C10.19.14.) However, with each delivery of a digital copy (or its email alert) the member must be given the opportunity to opt out of receiving the copy in digital format. Those opting out shall be removed from the Qualified Circulation list within 90 days of receipt of the communication.

If you are reporting Paragraph 5 for source and age, deductible subscriptions are sourced as request circulation non-deductible are sourced as Benefit-of-Membership circulation.

### **C7.7 (continued)**

An annual membership communication (e.g. dues invoice, membership packet, promotional letter) shall clearly state the amount of dues allocated for payment of the subscription, and whether the subscription amount is deductible or non-deductible. If the magazine is to be sent in digital format, the communication must include this disclosure.

### **C7.8 Combined Sales (Including Partnership Sales)**

Subscriptions to multiple publications or publications and products or services sold together at a special rate, and charitable donations combined with non-deductible subscriptions. (See C9.25).

Comment shall be made in paragraph 8, cross-referenced to paragraph 3d, providing details of the number of copies of each magazine sold in combination with another magazine/product/service.

A publisher may disclose the price of each item of the combination sale or simply the value of the magazine subscription. If this option is chosen, the disclosed value of the magazine subscription shall be used in determining the "Average Annual Subscription Order Price for the Period Reported", which shall be stated on the front page of the circulation statement and audit report. The disclosed value cannot be in excess of the total price to be paid for the entire package offered.

In the absence of individual item or magazine price disclosures, the value of the subscription will be calculated as follows:

In order to determine the value of the subscription you shall first sum the recognized retail value (base value) of all the individual elements of the combination offer. The ratio of the bundled offer price to the sum of the individual elements determines the discount rate. This rate is applied to the base rate of the magazine to determine the "Average Annual Subscription Order Price for the Period Reported". The latter shall be stated on the front page of the circulation statement and audit report.

Example offer:

12 month subscription to XYZ (base rate \$20.00)  
1 widget (base value \$15.00)  
3 Months Risk Free access to a Web site (base value \$25.00)  
Combination Rate: \$25.00

Calculation:  $\$20.00 + \$15.00 + \$25.00 = \$60.00$   
Offer:  $\$25.00 / \$60.00 = 41.6\%$   
Discounted Magazine Price:  $.416 \times \$20.00 = \$8.33$

The value of \$8.33 would then be used in calculating the "Average Annual Subscription Order Price for the Period Reported". (See C9.22).

Magazine subscriptions sold in combination with other magazine subscriptions shall be reported within paragraph 3d, How Ordered, in accordance with how they were sold, e.g. to individuals or sponsors, or as a membership benefit, etc.

Magazine subscriptions sold in combination with other products or services shall be reported within paragraph 3d, How Ordered, as "Ordered with other product or service".

## **C7.9 Duplication**

The same individual appearing on the qualified circulation list more than once shall be considered Duplication. Two or more copies sent to the same company name only at the same address shall be considered duplication. All such copies may be reported as "Multi-Copy Single Addressee" (Rule C7.19) circulation, or the Duplicated copies shall be removed from the qualified circulation list.

## **C7.10 Digital Magazine**

Digital Magazine – A magazine (either with a companion print version or as a stand alone digital product) delivered periodically in a digital format with metered (i.e. linear) navigation, that is edited, designed, and contains date-stamped content that includes advertising (but not necessarily the same advertising as might appear in a print version). Though editing, design, and issue identification (i.e. date-stamped content) are significant differences, the primary distinction between a digital magazine and a website is the metering (this can be pagination or any other method of going through the issue from beginning to end).

A digital magazine may be dynamically created, have targeted content, or may exist in parallel with pre-existing media.

Dynamic – Editorial can be created and/or selected at point of delivery. With a dynamic digital magazine, each recipient can receive a copy with different content and that content can change at any time.

Targeted – Editorial is changed for specifically defined groups and/or platforms before point of delivery. With a targeted digital magazine, each group of recipients, whether they are segmented demographically or because of the platform they use to receive the digital product, receive a copy with different content specifically selected for that group. Apart from minor updates, the content cannot change once the issue is made available.

Enhanced – If a print brand existed first, "enhanced" is editorial that is retained from the original edition and is redesigned and/or supplemented. With an enhanced digital product, each issue's content is primarily taken (but not necessarily replicated in its entirety) from the original edition (whether in print or digital). Apart from minor updates, the content cannot change once the issue is made available.

Replica – If a print brand existed first, editorial and design are unchanged from the original print edition. With a replica digital product, each issue's content and design are identical to the original edition. Apart from minor updates, the content cannot change once the issue is made available.

Effective June 2010: Publishers shall disclose in circulation statements under a "Statement of Content Platform" the form or combination of forms of digital magazine used per the above definition/description.

Circulation for digital magazines shall be audited to ensure that the systems of the media owner and their vendor(s) are in compliance with BPA Worldwide rules and policies before such data can appear on a circulation statement. A special audit may be undertaken to verify the digital distribution. The printing and release of an audit shall be at the media owner's option.

In all audit reports and circulation statements, digital circulation shall be detailed separately throughout the report. Individuals receiving both the print and digital versions shall be included only once within Paragraphs 1, 2, 4, 5, 6 and 7.

## **C7.10 (continued)**

If an alert to a qualified subscriber (paid and non-paid) is undeliverable, the media owner shall have no more than 90 days to remove said subscriber from their circulation file, or ensure that the delivery details are corrected. (See C7.19, C9.9, C9.18, C9.19, C9.35, C9.39, C10.4.)

Digital magazines with a frequency less than daily may provide the subscriber with an opportunity to “opt-out” of receiving an email alert notification of availability. If a publisher offers an opt-out to receiving the email alert, the publisher shall separately offer an opt-out of receiving the digital magazine. Subscribers who opt-out of receiving the email alert but have not opted-out of receiving the digital publication, need not receive an alert to be reported as qualified distribution. All others must receive an alert for each issue.

Digital magazines with a daily frequency may provide the subscriber with the option to “opt-in” to receiving an email alert of availability. An email alert is not required for publications with a daily frequency.

Digital non-qualified advertiser and advertiser agency copies and non-qualified paid digital copies (excluding sponsored) may be reported on the BPA worldwide circulation statements, and audit report.

Only one copy of a digital magazine may be considered qualified circulation per single addressee. Digital magazine Site Licenses and Seats (individuals) served as part of the license shall not be reported as qualified circulation. A publisher may disclose the number of digital magazine site licenses and authorized seats, including paid and non-paid data, demographic data, license source and age data, and geographic data, using standard BPA Worldwide tables. Reporting the name of the company to which the content has been licensed shall be optional. Licenses may be reported for definitive amounts only, “global” or “companywide” license agreements may not be reported. Qualified circulation and site license seats may not be summed on the BPA reports.

## **C7.11 Expiration Date**

Terminating date of subscription. Magazines issued weekly may use a common monthly expire date (See C7.3).

## **C7.12 Extension**

Advancing the expiration date of a subscription because of a reduction in the frequency of issues or a reduction in the subscription price. (See C10.50 – C10.53).

## **C7.13 Final Settlement Date**

The date by which single copy sales accounts for an issue shall be closed after which copies may no longer be counted as paid.

The “*final settlement*” date may be no longer than twelve months from the on-sale date of the sub-sequent issue for domestic sales and eighteen months from the on-sale date of the subsequent issue for international single copy sales.

If returns are received following the final settlement date, they shall be reported as unsold copies.

Example of final settlement dates for domestic circulation of various frequencies are as follows:

*Weekly:* The first issue in January has a final settlement date of up to the second week in January of the following year, which is twelve months from the on-sale date of the second issue in January.

### **C7.13 (continued)**

*Monthly:* The January issue of a monthly magazine with an on-sale date of the week prior to issue date has a final settlement date of up to the last week in January of the following year, which is twelve months from the on-sale date of the February issue.

*Bi-monthly:* The January/February issue which goes on sale for the last week of the first month has a final settlement date of up to the last week in March of the following year, which is twelve months from the on-sale date of the March/April issue.

*Quarterly:* The Winter issue (January-March) of a quarterly magazine issued on the 1st of each quarter but placed on sale two weeks prior (mid-December), has a final settlement date of up to the third week of the following March, which is twelve months from the on-sale date of the Spring issue.

*Semi-Annual:* The Winter/Spring issue which goes on sale January 1 has a final settlement date of up to July of the following year which is twelve months from the on-sale date of the Summer/Fall issue.

*Annual:* The current edition of an annual magazine issued on the 1st of each year but placed on sale six weeks prior (mid-November), has a final settlement date of up to the third week in May of the year following the subsequent edition, which is six months from the on-sale date of that subsequent issue.

### **C7.14 Gift Subscriptions**

Subscriptions Purchased for persons who are friends or family and not the purchaser's employees. (See Rule 7.37.).

"Gift Subscriptions" shall be reported as "Individual" in paragraph 1, only when the publisher has documentary evidence showing that the copies are individually addressed. If not, they shall be reported as "Multi-Copy Same Addressee".

Gifts from a single donor in excess of 50 copies must be noted in Paragraph 8. (See Rule C9.51).

If a donor has a financial interest in the magazine copies purchased, these may not be included in qualified circulation, unless it can be proven to the satisfaction of the President that the sale was made for the benefit of the donor and not for the benefit of the magazine.

Money collected from an agent for gift subscriptions need not be remitted to the publisher provided necessary records are in place to document the purchase and price paid by the original donor.

Gift subscriptions may be served copies in arrears as paid circulation for three months after the expiration date for domestic circulation and six months after the expiration date for international circulation. (See Section C7.3).

### **C7.15 Group Subscriptions**

Purchased in lots of 11 or more, paid for by an employer for their employees and mailed by the publisher to individual addresses furnished by the employer. These subscriptions shall be reported as "Sponsored Individually Addressed."

Copies purchased in lots of 10 or fewer, paid for by an employer for their employees and mailed by the publisher to individual addresses furnished by the employer shall be reported as "Individual."

### **C7.15 (continued)**

Copies purchased in lots of 11 or more, paid for by an employer for their employees and mailed by the publisher to the same addressee shall be reported as "Sponsored Multi-Copy Same Addressee."

Copies purchased in lots of 10 or fewer, paid for by an employer for their employees and mailed by the publisher to the same addressee shall be reported as "Multi-Copy Same Addressee."

### **C7.16 Initial Audit Report**

May be released for any consecutive three or six-month period. A magazine shall transfer to the standard six-month reporting periods ended June or December with its first circulation statement following the initial audit and include whatever issues were previously audited during the period reported. (See Sections C8.4 and C8.5 of these Rules).

### **C7.17 Interim Circulation Statement**

The circulation statement covering the circulation for the first six months of the audit year, which may end with either June or December. (See C8.5)

### **C7.18 Market Served Statement**

A statement by the publisher describing, in terms of qualification, one or more selected markets, population groupings or specialized interests with clearly defined limits, to whom the magazine is directed. Auditable documentary evidence shall be available to support the conformance to the terms of qualification.

### **C7.19 Multi-Copy Same Addressee Circulation**

#### **C7.19.1 Multi-Copy Same Addressee Circulation**

Two or more non-sponsored copies of the print version of the magazine (whether or not individually wrapped and addressed) sent to a single addressee. This circulation shall be reported separately in paragraphs 1, and 4 of the circulation statement. (See rule C7.10)

"Multi-Copy Same Addressee" circulation representing three or more copies sent to a single addressee shall be supported by a distribution agreement that is not more than three years old.

The agreement may be signed on hard copy and mailed, emailed (with personal identifying question) or tape-recorded telecommunication. The document shall indicate that the recipient agrees to accept the publication in bulk for redistribution. The document shall include the signatory's printed name in addition to the signature, the personal identifier or tape recording as appropriate. (See C9.9.)

Agreements from a centralized office or headquarters may be permitted. For locations where the corporation is not empowered to, or does not have the authority to request such copies, redistribution agreements from each location will be required. The document shall include the list of locations where the copies are to be sent, with full address, telephone number, the quantity per location, and the contact person at the location.

Multi-Copy Same Addressee circulation distributed in street racks is permitted, provided that permission is obtained to place racks in public. Such permission must be provided by the municipality governing the public space. If street racks in public spaces are not governed by a municipality or any authority, no permission is required. Rack location, issues and copies per rack, shall be provided to the auditor. This circulation shall be reported separately in paragraphs 4 and 5.

### **C7.19.1 (continued)**

Multi-Copy Same Addressee circulation shall be fully explained in the circulation statement, and in paragraphs 4 and 8 through notation. The explanation shall provide the details of the character and nature of multi-copy circulation, how it is distributed, price received, if any, and any other amplification necessary.

In those countries where it is documented that the normal required method of distribution is multi-copy, same addressee subscriptions for redistribution through an official government department or designated organization (e.g., the People's Republic of China, Cuba, Vietnam, etc.), the publisher shall submit an official written request or communication from the appropriate government department, which specifies the number of magazine copies distributed.

Qualified non-paid Multi-Copy Same Addressee Circulation may be reported as "Individual" copies in Paragraph 1 of the circulation statement when the publisher has documentary evidence showing that the copies are redistributed to qualified recipients.

Qualified paid Multi-Copy Same Addressee Circulation may be classified as "Individual" subscriptions in Paragraphs 1 and 4 of the circulation statement only when the publisher has documentary evidence showing that the copies are redistributed to qualified recipients.

Copies purchased in lots of 10 or fewer that promote the interests of the sponsor/donor and are sent to a single addressee, and otherwise conform to the definition of qualified paid circulation, shall be reported as "Multi-Copy Same Addressee." (See Rule C7.19.2.)

### **C7.19.2 Sponsored Multi-Copy Same Addressee Circulation**

Copies purchased in lots of 11 or more that promote the interests of the sponsor/donor and are sent to a single addressee, and which otherwise conform to the definition of qualified paid circulation, shall be reported as "Sponsored Multi-Copy Same Addressee."

Qualified paid Sponsored Multi-Copy Same Addressee Circulation may be classified as "Sponsored Individually Addressed" subscriptions in Paragraphs 1 and 4 of the circulation statement only when the publisher has documentary evidence showing that the copies are redistributed to qualified recipients.

Copies purchased in lots of 10 or fewer that promote the interests of the sponsor/donor and are sent to a single addressee, and which otherwise conform to the definition of qualified paid circulation, shall be reported as "Multi-Copy Same Addressee." (See Rule C.7.19)

Sponsored Multi-Copy Same Address barter circulation shall be reported separately in the Summary Section, page one, paragraph 1 (Average Qualified Circulation Breakout for Period), and paragraph 4 (Breakout of Qualified Circulation to Consumer Markets for Issue Analyzed).

### **C7.19.3 Pertaining to Both Multi-Copy Same Addressee and Sponsored Multi-Copy Same Addressee Circulation:**

Multi-Copy Same Addressee and Sponsored Multi-Copy Same Addressee subscriptions cannot be reported as paid circulation after the expiration date.

If the number of subscriptions involved in any one Multi-Copy Same Addressee or Sponsored Multi-Copy Same Addressee sale exceeds 5% of the total average paid subscription claim for the period in which the transaction takes place, the subscriptions involved in that sale shall be separately and fully explained in Paragraph 8.

### **C7.19.3** (continued)

If a purchaser of such copies has a financial interest in the magazine, these copies may not be included in qualified circulation, unless it can be proven to the satisfaction of the President that the sale was made for the benefit of the purchaser, not for the benefit of the magazine.

Money collected from an agent for multi-copy subscriptions to the same addressee need not be remitted to the publisher, provided necessary records are in place to document the purchase and price paid by the original subscribers or sponsor. However, each sponsorship sale transaction must be without monetary recourse to the purchaser (sponsor). (See Rule C10.8.)

“Multi-Copy Same Addressee” circulation representing three or more copies sent to a single addressee shall be supported by a distribution agreement that is not more than three years old.

The agreement may be signed on hard copy and mailed, emailed (with personal identifying question) or tape-recorded telecommunication. The document shall indicate that the recipient agrees to accept the publication in bulk for redistribution. The document shall include the signatory’s printed name in addition to the signature, the personal identifier or tape recording as appropriate. (See C9.9.)

Agreements from a centralized office or headquarters may be permitted. For locations where the corporation is not empowered to, or does not have the authority to request such copies, redistribution agreements from each location will be required. The document shall include the list of locations where the copies are to be sent, with full address, telephone number, the quantity per location, and the contact person at the location.

When an agent is awarded the right to be the sole distributor of multiple copies to selected franchisee or corporately-owned retail locations, the agent may authorize the distribution agreement. The agreement shall include the list of locations where the copies are to be sent, with full address, telephone number, the quantity per location, and the contact person for each location. Distribution contracts between the agent and each retailer (franchisor or corporate head office) shall be provided to the auditor.

### **C7.20 Non-Deductible Subscriptions**

Individual subscription paid for as part of a reservation fee for conferences, meetings, seminars, etc., where the recipient does not have the option of deducting the subscription price and automatically receives the magazine. The offer shall clearly state the amount of money allocated for payment of the subscription.

Such offers shall qualify as paid circulation, (see C7.25 ) and shall be reported as written communication from recipient or recipient’s firm in paragraph 5 (when reported) of the circulation statement and shall have a footnote reading “See Paragraph 8.” Paragraph 8 shall include a comment describing the offer and the number of copies so reported.

### **C7.21 Non-Qualified Circulation**

That circulation which fails to conform to the terms of the Market Served statement on the front page of the circulation statement and the audit report.

This distribution is reported on the back page of the circulation statement as “Average Non-Qualified Circulation” and includes the following:

Advertiser and Agency Copies, Rotated or Occasional Copies, Copies for Conventions and Trade

Shows (unless claimed as Qualified Circulation), and All Other copies printed, with the exception of Single-Copy Sales returns.

Non-Qualified Circulation shall be reported as an aggregate figure, or, at the option of the publisher, these categories may be reported separately.

#### **C7.21 (continued)**

Non-qualified copies distributed by the publisher's salespeople to prospects are reported within Paragraph 8 of the circulation statement as Advertiser and Agency Copies.

Non-qualified copies distributed at trade shows or conventions may be reported as Allocated for Trade Shows and Conventions if adequate distribution documentation is available for audit. Otherwise, these copies are reported as All Other.

Digital magazine circulation that meets the qualification criteria stated in the Market Served, but has not been requested (personal or company) or served as a benefit of membership shall be reported as non-qualified circulation as "Digital Magazines". Evidence of conformance to the Market Served shall be reported in the Additional Data table at the end of the BPA report. Without the reporting of the conformance, the copies may not be claimed as circulation.

Digital non-qualified advertiser and advertiser agency copies and non-qualified paid digital copies (excluding sponsored) may be reported on the BPA worldwide circulation statements, and audit reports.

#### **C7.22 Post Expiration Copies Included in Paid Circulation Up To Three Months - See: Arrears, Section C7.3.**

#### **C7.23 Promotional Incentive**

Any inducement offered to a subscriber for free with their own subscription.

When subscriptions are sold with a promotional incentive, the value of the incentive cannot exceed 50% of the total offer price of the subscription(s).

The value of the premium is considered to be the actual cost to the publisher, or the recognized retail value, or the represented value, whichever is highest.

If a back copy is included in a subscription offer, it will be considered a promotional incentive unless the subscription is put on a retroactive basis.

Details regarding offers with promotional incentives shall be reported in paragraph 8 of the circulation statement.

If paragraphs 3a-3d of the circulation statement are reported, please see Sections C9.21 – 9.25 of these rules.

For Single Copy Sales, a promotional incentive (cover mount) is any inducement offered by the last agent in the chain of distribution (point-of-purchase).

Any inducement attached to, or polybagged with, a single copy at the point-of-purchase is considered a promotional incentive (cover mount).

When single copies are sold with a promotional incentive, the value of the incentive cannot exceed 50% of the cover price. The value of the promotional incentive is considered to be the actual cost to the publisher, or the recognized retail value or represented value, whichever is highest.

Single copies sold in Europe with a promotional incentive (cover mount), shall report copies sold as "qualified paid," regardless of the value of the promotional incentive offered.

### **C7.23** (continued)

During a temporary study period single copies and subscriptions sold in the Middle East with a promotional incentive shall report the subscription as "qualified paid," regardless of the value of the promotional incentive.

Details regarding promotional incentive offers and the number of Single Copy Sales sold to consumers with a promotional incentive, shall be reported in paragraph 8 of the circulation statement. (See C9.61).

Free promotional incentives, the contents of which have been published either in print or digital medium, are reported as "sold with editorial promotional incentive (including reprints)."

Editorial promotional incentives include:

- reprints of magazine sections,
- books,
- other printed reference matter (paid annual periodicals excluded),
- pamphlets,
- disks containing items such as compilations of magazine editorials, software demonstrations, clip art, fonts, etc.

For additional rules regarding services or products sold in combination with a magazine, see rules regarding Combined Sales, Section C7.8.

### **C7.24 Public Place**

Paid and non-paid copies provided, typically in small quantities per location, by the publisher which are intended to be viewed in waiting rooms, hotels, and other locations, and are not intended to be taken away by consumers. Such copies may be individually addressed or shipped as multi-copies to the same addressee.

Public Place subscriptions may not be reported as paid circulation after the expiration date.

If the number of subscriptions involved in any one Public Place subscription sale exceeds 5% of the total average paid subscription claim for the period in which the transaction takes place, the subscriptions involved in that sale shall be separately and fully explained in Paragraph 8.

If the copies are purchased and the purchaser has a financial interest in the magazine, these copies may not be included in Qualified Circulation, unless it can be proven to the satisfaction of the President that the sale was made for the Benefit of the purchaser and not for the Benefit of the magazine.

Money collected from an agent for Public Place sales need not be remitted to the publisher, provided necessary records are in place to document the purchase and price paid by the original subscribers or sponsor. However, each sponsorship sales transaction must be without monetary recourse to the purchaser (sponsor). (See C10.8.)

All Public Place circulation (Sponsored or otherwise) shall be fully explained in the Market Served statement, in Paragraphs 4, and in the Method of Distribution statement in Paragraph 8, through notation. The explanation shall provide the details of the character and nature of the Public Place circulation, how it is distributed, price received, if any, and any other amplification necessary.

### **C7.25 Qualified Circulation**

That circulation for which the mailing address, conformance to the Market Served, and correct classification in Paragraph 4 are verified by auditable documentary evidence, dated as shown in Paragraph 5 of the circulation statement. (Reporting in Paragraph 5 is required for non-paid circulation and optional for paid circulation.)

For circulation to be identified as qualified "Continuous" circulation, publications shall serve recipients at least three months of continuous service of the publication, subject to normal removals and additions. Up to 5% of total qualified circulation may be served less than three months without further disclosure; over 5% must be reported as non continuous circulation (see C7.32 Rotated Distribution)

Normal addition and removal activity includes removing subscribers that indicate they no longer wish to receive the publication and non deliverable addresses.

Individuals receiving copies of an digital version may only be considered as Qualified Circulation if such copies are elicited either through personal, or company request, or as a non-deductible Benefit-of-Membership subscription. (See C7.7.) Publishers may convert "requested" print edition subscriptions to digital magazine subscriptions provided the subscriber who requested the magazines receives advance notice of the conversion and is given the option to refuse the conversion. The notice of conversion must give the publisher enough time to stop the conversion if the subscriber refuses to convert to a digital subscription. Evidence of the original request and the notice of the conversion shall be available at the time of audit.

### **C7.26 Qualified Non-Paid Circulation**

That circulation which meets the requirements of the above definition and which is distributed free of charge to the recipient.

### **C7.27 Qualified Paid Subscription Circulation**

Circulation that is not for resale, meets the above definition for qualification and the requirements listed below.

Subscription payment orders shall conform to the following conditions:

It may be paid for at any price, and shall not be free of charge.

Payment shall not be delinquent for more than six months after the beginning of the subscription service.

A subscription of any category reported as "paid" in Paragraph 1, which is not paid for at the time of ordering, is considered a credit subscription. A credit subscription shall be counted as paid circulation up to six months from the date of the first issue served. If payment for such subscriptions has not been received within six months from the date of the first issue served, such copies shall be deducted from the total qualified paid copies served during this period.

## **C7.27** (continued)

A subscription sold on a “renew until forbid” basis may be reported as paid circulation until the subscriber cancels. All copies served from the moment the consumer cancels the subscription until the publisher receives notification of the cancellation, shall be reported as paid circulation as long as the publisher receives payment for the issues served (either from the consumer or agent). If the publisher is debited for unpaid copies served, then only the copies served which meets the arrears criteria may be reported in paid circulation. (See Arrears, Section C7.3).

No promotional incentive or other inducement may be offered which has an advertised value, or cost to the publisher, of more than 50% of the subscription offer price.

Subscriptions sold with an advertising contract shall be paid in addition to the regular advertising contract; and shall give the advertiser the option of deducting the subscription price from the contract if they do not wish to receive the magazine.

Subscriptions sold with a portion of the proceeds going towards a charitable contribution shall exclude the charitable contribution from the subscription order amount.

Subscriptions sold via the redemption of affinity program points, e.g. frequent flyer miles, loyalty program points, etc., shall adhere to the following...

- Participants shall elect to participate in the program;

The earning of miles, points, etc., shall be transaction based or activity based. For example, points earned for credit card purchase/borrowing activity and purchase of air travel, hotel stays, or car rentals, etc. qualify; points for activity, such as completing surveys, participating in focus group, etc. also qualify.

- Points shall be accruable towards future redemption's;
- Points awarded upon enrollment shall be less than 50% of the lowest valued product/service offered in the program;
- All affinity point programs shall offer non-magazine products/services. Magazines may not represent more than 75% of each program.
- The value of all products and services shall be disclosed, in both monetary values and points.
- The value of non-magazine products/ services shall be equal to or greater than the lowest valued magazine.
- The redeemable units of measure, e.g. miles, shall have a recognizable and accepted monetary value.
- Adequate documentation of the transfer or redemption of the units of measure, e.g. frequent flyer miles, shall be made available to the audit staff.
- The President shall have final approval of all affinity programs prior to acceptance for use in obtaining qualified paid circulation.

### **C7.27 (continued)'**

Copies exchanged for goods or services, or sold without using money (barter) may be claimed as qualified paid (barter) circulation providing:

- The requirements relating to qualified paid circulation have been met.
- The goods and services exchanged must have been sold in the public domain over the last twelve months and have a clearly identifiable and established market value.
- The publisher is in possession of a written agreement with the purchaser, supported by invoiced transactions showing the quantities of copies/goods and services bartered and their value.
- The publisher has provided proof that the barter transactions have been recorded in the publishing company's accounting system and subsequent financial statements.
- The value of the copies sold is not subsequently redeemed by free advertising.
- The goods or services provided in exchange for the publication are not related to the supply of the publication (e.g. costs for distribution or marketing of the publication).

### **C7.28 Qualification Period**

The age of documents used to qualify circulation in paragraph 5 of the circulation statement. The maximum qualification period for non-paid subscribers is three years ended with any day of the month of the issue analyzed. In other words, the qualification period would be three years (or two years, or one year) ended May 31st or November 30th or any other day in May or November. Once the cutoff date has been selected by the publisher, it may not be changed without approval of the President. The auditor shall not accept any qualification source dated outside the qualification period. (See Back Copies).

### **C7.29 Qualified Recipients**

Recipients who meet the circulation terms of recipient qualification within the Market Served statement. (See C9.9).

### **C7.30 Renewal**

A subscription, which has been renewed within six months of its expiration date and paid for within six months following receipt of the renewal order.

### **C7.31 Renewal Rate**

The number and percentage of expiring subscriptions, which have been renewed within six months of their expiration, date and paid for within six months following receipt of the renewal order. (See C9.58)

### **C7.32 Rotated Distribution**

Copies distributed on an occasional basis.

Non-continuous circulation which meets the circulation terms of recipient qualification within the market served may be reported as qualified circulation and reported separately from qualified continuous circulation in paragraphs 2, 4, 5, and 6 in a circulation statement or audit report. (See C7.24).

### **C7.32 (continued)**

Non-continuous circulation which does not meet the definition of recipient qualification within the market served shall be reported as "Average Non-Qualified Circulation" on the last page of the circulation statement. If reported separately, it shall be reported as "Rotated or Occasional".

When making comparisons between two magazines, continuous circulation shall be compared separately from non-continuous circulation (See Publicity Rules, Section 5.0).

If a separate edition(s) expands or increases the existing circulation base and frequency of issue, it shall constitute non-continuous circulation and shall be reported in a separate analysis in paragraphs 2, 4, 5, and 6 (See C2.12).

### **C7.33 Samples**

Non-qualified copies distributed by the publisher's salespeople to prospects. They are reported within paragraph 8 of the circulation statement.

Any unsold or returned copies intended for single copy sale are not to be included in average non-qualified circulation. (See C7.21).

### **C7.34 Second Circulation Statement**

The circulation statement which covers the circulation of the second six-month half of the audit year which may end with either June or December. (See C8.5)

### **C7.35 Single-Copy Sales**

Those copies of a magazine sold through newsstands and other retail outlets and reported as Qualified Circulation throughout a BPA Worldwide consumer magazine audit circulation statements or audit reports. These sales shall be reported separately in Paragraphs 1, 2, 4, 5 (if reported) and 6 and, when required, in Paragraph 8. (See C9.55, C9.56, C9.57.)

For auditing Single-Copy Sales, final settlement figures shall be available for at least half of the issues in the period. The balance of issues may be projected based on an historical average of the settled issues.

Examples of three-month initial audit eligibility dates:

Weeklies shall have seven issues settled;

Monthlies shall have one issue settled;

Bimonthlies shall have one issue settled;

Quarterlies shall have one issue settled;

Semi-annuals and annuals shall be settled.

An established magazine may project Single-Copy Sales for any issue in the three-month initial audit period, so long as a documented record of at least six prior months' net sales is available.

### **C7.35 (continued)**

Single-Copy Sales shall conform to the following conditions:

Copies shall be paid for by the last agent in the chain of distribution (point-of-purchase) at any price, and payment shall be remitted to the publisher by the final settlement date. (See C7.12.)

Single-Copy Sales - Non-Returnable: The publisher shall provide signed affidavits from the last agent of sale, supporting the number of copies sold to consumers.

If a publisher does not wish to collect non-returnable single-copy sale affidavits, they may use the following formula:

The total possible sale (draw) shall be reduced by a prorated amount calculated on the basis of whatever discounted price is actually remitted by the agent at point-of-purchase. The total amount paid to the publisher from the vendor shall be divided by the cover price to yield copies "sold". (For example, a publisher allows a 50% discount off cover price for vendors on a non-returnable system. If the vendor draws 100 copies at 50% of the \$2.00 cover price, \$100.00 would be paid to the publisher. Dividing this by the \$2.00 cover price yields 50 copies that may be claimed as Single-Copy Sales.

The above method of calculating sales applies to magazines; it does not apply to comic books. Publishers of comic books shall report non-returnable distribution as the whole number of copies sold to retailers, not distributors, and shall be reported as Non-Returnable Distribution in Paragraph 1, identified separately in Paragraph 4, and reported by region within Paragraph 6, if advertising is sold on a regional basis.

Publishers of comic books who report Non-Returnable Distribution shall state within the Method of Distribution (Paragraph 8): "Non-Returnable Distribution are copies placed for sale on a non-returnable basis and are audited to the point of distribution. BPA Worldwide has verified the number of copies ordered, the number of copies shipped and that these were paid for by the retailer. The actual number of copies sold by the retailer is not verified during the audit process."

No promotional incentive or other inducement may be offered which has a recognized retail value or represented value, or cost to the publisher, of more than 50% of the magazine's suggested retail cover price. (See C7.22.)

Magazine members reporting single copy sales in China must include the following footnote on all circulation statements and audit reports if single copy sales copies equal 10% or more of average total qualified circulation for the period: "BPA Worldwide has verified the number of copies printed, the number of copies shipped to the first point of the distribution channel, and that copies were paid for by the distributor at the first point of the sale chain. The actual number of copies sold by the retailer to the end consumer can not be verified, due to the current retail system."

### **C7.36 Single Copy Sales (Non-Returnable)**

Copies provided to wholesalers/retailers for resale for which returns will not be accepted, shall be reported as Single Copy Sales in paragraph 1, identified separately in paragraph 4 and shown on an issue-by-issue basis in paragraph 8.

Publishers of Comic Books shall report all such circulation as "Non-Returnable Distribution".

### **C7.37 Site License**

A contract or agreement between a publisher member and a company/association to provide multiple individuals access to a digital edition of the magazine hosted on the subscribing organization's intranet. The contract/agreement shall require the subscriber/administrator of the site license notify all the individual seats (individuals) of the availability of each issue. Licenses may be reported for definitive amount of seats only, "global" or "companywide" license agreements may not be reported.

Paid site licenses shall adhere to rule B7.31, paid circulation.

Non-paid site licenses shall adhere to "Request from Recipient's Company," rules C10.22, C10.23, and C10.26.

The publisher may disclose throughout the BPA Worldwide reports the number of authorized Digital Magazine Site Licenses and Seats (individuals) served as part of the license. Digital Magazine Site licenses and Seats shall not be reported as qualified circulation. A publisher may disclose the number of digital magazine site licenses and authorized seats, including paid and non-paid data, demographic data, license source and age data, and geographic data, using standard BPA Worldwide tables.

Reporting the name of the company to which the content has been licensed shall be optional. Licenses may be reported for definitive amounts only, "global" or "companywide" license agreements may not be reported. Qualified circulation and site license seats may not be summed on the BPA reports.

### **C7.38 Sponsored Individually Addressed Circulation**

Individually Addressed Subscriptions purchased in lots of 11 or more that promote the interests of the sponsor/donor and that otherwise conform to the definition of Qualified Paid Circulation shall be reported as "Sponsored Individually Addressed" circulation. This includes sponsored and group subscriptions that are not Sponsored Multi-Copy Same Addressee.

Sponsored Individually Addressed barter circulation shall be reported separately in the Summary Section, page one, paragraph 1 (Average Qualified Circulation Breakout for Period), and paragraph 4 (Breakout of Qualified Circulation to Consumer Markets for Issue Analyzed).

If the purchaser has a financial interest in the magazine, these purchased copies may not be included in qualified circulation, unless it can be proven to the satisfaction of the President that the sale was made for the benefit of the purchaser and not for the benefit of the magazine.

Money collected from an agent for Sponsored Individually Addressed subscriptions need not be remitted to the publisher, provided necessary records are in place to document the purchase and price paid by the original donor. However, each sponsorship sale transaction must be without monetary recourse to the purchaser (sponsor). (See Rule C10.8.)

### **C7.39 Sponsored Single-Copy Sales**

Copies of an issue purchased in quantities of two or more that promote the interest of the purchaser and otherwise conform to the definition of Qualified Paid Circulation, shall be reported as "Sponsored Single-Copy Sales" in Paragraph 1, identified separately in Paragraph 4 and shown on an issue-by-issue basis in Paragraph 8.

Money collected by an agent need not be remitted to the publisher, provided necessary records are in place to document the purchase and price paid by the original subscriber. However, each sponsorship sale transaction must be without monetary recourse to the purchaser (sponsor). (See Rule C10.8.)

### **C7.39 (continued)**

Sponsored Single Copy barter circulation shall be reported separately in the Summary Section, page one, paragraph 1 (Average Qualified Circulation Breakout for Period), and paragraph 4 (Breakout of Qualified Circulation to Consumer Markets for Issue Analyzed).

### **C7.40 Subscriptions**

Contractual agreement by an individual or a firm to purchase one or more copies of a magazine for a given period at a price.

### **C7.41 Supplementary Question**

A supplementary question is defined as a question eliciting any data regarding respondents' purchasing authority and/or multiple response categories, or any data which relates to purchasing authority of only a specific portion of the qualified subscriber file.

Any question which contains purchasing authorization but is a qualifying question for the entire qualified list (e.g. to be qualified you shall respond affirmatively) shall not be considered a supplemental question.

### **C7.42 Sweepstakes, Prize Draws or Contests**

Any subscription offer in which a prize is offered by lottery shall be considered as sold using a sweepstakes, prize draw or contest.

Details regarding these offers shall be reported in paragraph 8 of the circulation statement, regardless of whether or not paragraph 5 is reported. (See C10.19.17).

### **C7.43 Term of Subscription**

Length of time a publisher contracts with a subscriber to send issues of the magazine, usually one, two or three years.

### **C7.44 Third-Party Agents**

Subscriptions sold through agencies. The agency shall be a recognized business concern. It shall be the publisher's responsibility to provide proof of qualification for such recipients.

Money collected by an agency need not be remitted to the publisher, provided that necessary records are in place to document the purchase and price paid by the original subscriber.

Agents shall not be sponsors of subscriptions or single copies. Having a "doing business as" (DBA) name is not sufficient to establish an agent's DBA operation as a sponsor.

## **C8.0 CIRCULATION STATEMENT – GENERAL**

### **C8.1**

Publisher members shall report their circulation on forms supplied by the Corporation.

The filing of the publisher's circulation data shall operate as an automatic grant to the Corporation of a perpetual and irrevocable right and license to use, publish, distribute and market, solely or in conjunction with others, circulation data and other data, in any form and manner authorized by the Board of Directors.

## **C8.2**

In the interests of uniformity in the appearance and typographical setup of the BPA Worldwide Consumer Magazine circulation statements and audit reports, BPA Worldwide will process all paragraphs which require special typesetting, ruling and extra pages. Where additional costs are incurred in setting up special paragraphs the magazine member shall be billed those costs.

## **C8.3**

Time required to process a circulation statement or audit report shall be charged for at a uniform flat rate to be set from time to time by the Board of Directors.

## **C8.4**

*Publisher Applicant* - An applicant shall file a three or six month circulation statement as the basis for his initial audit for the consecutive three or six month period specified by the President during which qualified circulation has been practiced. Upon completion of the audit and approval by a majority of the Board of Directors, the publisher will be admitted to membership and the statement shall be released as an initial audit report to Standard Rate and Data Service (SRDS) or Canadian Rates and Data (CARD), and/ or

British Rates and Data (BRAD) or other similar services and BPA Worldwide members.

## **C8.5**

*Publisher Members* - With the exception of magazines issued annually and semi-annually, BPA Worldwide Consumer Magazine Audit Members will release two circulation statements each year for the six months ended June and for the six months ended December. These two six months circulation statements will be covered by one twelve-month annual audit report. For magazines on a calendar year basis, the procedure is as follows:

An interim circulation statement for the six-month period January - June inclusive.

A second circulation statement for the six-month period July - December inclusive.

A twelve-month circulation statement for the period January - December inclusive, which is the basis for the annual audit report.

For magazines on a fiscal year basis, the procedure is as follows:

An interim circulation statement for the six-month period July - December inclusive.

A second circulation statement for the six-month period January - June inclusive.

A twelve-month circulation statement for the period July - June inclusive, which is the basis for the annual audit report.

The six-month statements will be checked and released as circulation statements (pink stock) upon receipt and completion of processing. The twelve-month circulation statement forms the basis for the annual audit report (salmon stock). The audit will be completed after the auditor's examination of the publisher's records. The audit period covered shall be no more than twelve months subsequent to the previous audit report.

## **C8.5 (continued)**

A magazine issued annually or semi-annually shall file one twelve month circulation statement, which will be checked upon receipt and, at the option of the publisher, printed (pink stock) and released by BPA Worldwide upon completion of processing. It shall be the basis for the twelve-month audit report (salmon stock). The audit will be completed after the auditor's examination of the circulation records.

The audit will be made in the publisher's office and/or wherever the records can be properly checked.

A magazine applicant, which has chosen a period ended with a month other than June or December for its initial audit report, shall transfer to the standard June or December schedule with its first circulation statement following the initial audit report and include whatever previously audited issues are necessary to complete the six month period.

## **C8.6**

Statements as outlined in the preceding sections shall be filed with the Corporation within fifteen days after the period which they cover. Magazine members reporting 50% or more average qualified paid circulation in paragraph 1 shall be granted a 15-day extension to this date.

No member shall be granted an extension of time to file except with the consent of the President of the Corporation, who shall not grant an extension greater than thirty days for magazines reporting less than 50% average qualified paid circulation in paragraph 1 or forty-five days for magazines reporting 50% or more average qualified paid circulation in paragraph 1 without a showing that the filing delay is a result of extenuating circumstances clearly beyond the magazine member's control. Failure to file a statement on or before the due date or the end date of an authorized extension, shall result in a suspension of services to the magazine member and will subject the magazine member to disciplinary action as outlined in Section C10.0 of the Bylaws.

At any time after the end date of an authorized extension, if the required circulation statement has not been filed, BPA Worldwide shall post an advisory to the BPA Worldwide website notifying the membership of the magazine's failure to file. All costs incurred in creating and posting an advisory, if any, shall be paid for by the subject magazine member.

No later than sixty days after the close of each reporting period, the web site, [www.bpaww.com](http://www.bpaww.com), will display the status of producing each circulation statement that has not been posted to the web site. For example, status reports for statements with the period ended June will be posted September 1<sup>st</sup>. These status reports will only include standard terminology approved by the Board of Directors.

The previous period's statement would be moved to "history" at this time.

When a statement is received by BPA Worldwide 1 – 14 days after the stated due date and a proof copy created, the publisher shall advise BPA of the acceptance of the proof copy within ten business days after the proof copy has been issued. Statements received 15+ days after the stated due date shall have five business days to accept the proof. However, for publishers filing statements prior to the stated due date and receiving a proof copy before the stated due date, the counting of business days for the acceptance process shall commence with the filing due date and not from the date the proof copy was created. For all others, final approval shall be received within twenty business days of receipt of the first proof. The President of the Corporation shall not grant an extension without a showing that the delay in approving the proof copy is a result of extenuating circumstances clearly beyond the publication member's control.

## **C8.6 (continued)**

Failure to advise BPA of the acceptance of the proof copy by this date shall result in suspension of services to the magazine member and will subject the magazine member to disciplinary action as outlined in Section C10.0 of the Bylaws. BPA Worldwide shall post an advisory on its website, notifying the membership of the magazine's failure to approve the proof copy. All costs incurred in creating and posting an advisory to the website, if any, shall be paid for by the subject magazine member.

All signatures on circulation statements submitted to the Corporation shall be over the individual's typewritten name and title.

## **C8.7**

The publisher has the option of submitting the special SRDS or CARD or BRAD or similar form supplied by BPA Worldwide and an additional copy of their six-month circulation statement. When the statement has been processed, typeset and approved for printing by the publisher, the SRDS or CARD and/or BRAD or similar form will be forwarded by BPA Worldwide to Standard Rate and Data Service or Canadian Rates and Data and/or British Rates and Data or similar company for inclusion in its next issue. The additional circulation statement which has been approved by BPA Worldwide will be returned to the publisher in advance of their printed copies for their use in preparing promotional material.

## **C8.8**

Printed copies of circulation statements and audit reports may be purchased by a member of the Corporation at a price established by the Board of Directors.

## **C8.9**

All language and terminology shall be factual and auditable.

## **C8.10**

No facts, figures or statements shall appear in the circulation statement other than those expressly authorized in these Rules.

## **C8.11**

In the event of a disagreement with a decision of the President, a publisher member may request a hearing before an appropriate committee of the Board of Directors.

## **C9.0 CIRCULATION STATEMENT – CONTENTS**

### **C9.1**

All language and terminology shall be factual and auditable. A member may not claim or imply that BPA Worldwide audits:

readership or intent to read;

recipient's buying authority or influence. (See C9.10).

No facts, figures or statements shall appear in the circulation statement other than those expressly authorized in these Rules. In the event of a disagreement with a decision of the President, a publisher member may request a hearing before an appropriate committee of the Board of Directors.

## **C9.2**

All magazine members are required to report their average qualified non-paid circulation and average qualified paid circulation separately in paragraph 1 of their circulation statement and audit report.

## **C9.3**

All magazine members shall report their total qualified circulation in paragraphs 2, 4, and 6 and their qualified non-paid circulation in paragraph 5 of the circulation statement. The reporting of qualified paid in paragraph 5 is optional.

Magazine members with 50% or more average qualified paid circulation in paragraph 1 shall report their qualified paid and non-paid circulation separately in paragraphs 2 through 7; however, reporting paid circulation in paragraph 5 of the circulation statement is optional.

Magazines with less than 50% average qualified paid circulation in paragraph 1, who choose to report paid and non-paid circulation separately, have the following conditional options for reporting qualified paid and non-paid separately:

- Shall be reported in paragraphs 2, 4, and 6.
- Shall be reported in paragraphs 3a-d and 5.
- Shall be reported in paragraph 7.
- Reporting renewal rate is optional.

Magazines with 50,000 or less average total qualified circulation and less than 5% average qualified paid circulation in paragraph 1, which choose to report paid and non-paid and qualified paid separately:

- Shall be reported in paragraphs 2, 4 and 6.
- May be reported in paragraphs 3a-3d and 5.

Shall report paragraph 7, excluding average price and post expire copies. (See section C9.14 of these rules.)

Magazines with more than 50,000 average qualified circulation in paragraph 1, have the same reporting requirements as above when the average qualified paid circulation is less than 2%. (See C9.49)

A newly admitted publisher member may elect to defer reporting paragraphs 3a through 3d until the second audit. If they so elect, paragraphs 3a through 3d of the initial audit report and the subsequent circulation statements shall contain the following statement:

*"Since this is an initial audit report, figures for these paragraphs are not required. They will be provided with the subsequent audit."*

## **C9.4**

The first page of the statement shall contain the name of the magazine; publishing company; principal telephone number; fax number; email address; Web site URL; address of publishing company; whether or not an official benefit of membership magazine; and the year of magazine's establishment.

## **C9.5**

A publisher member shall notify BPA Worldwide of any change in the name of their magazine. At this time the publisher shall declare whether or not they wish to change the date the magazine was established.

Any change in the date of establishment should be consistent with the volume number appearing in the masthead of the magazine. If the date of establishment and volume numbers are changed, the magazine will be considered a new magazine and subject to the rules requiring application for membership.

## **C9.6**

Whenever two or more magazines are merged, the following comment shall appear in the upper left hand corner of two consecutive circulation statements and one audit report: *Merged Magazine -See Paragraph 8.* Paragraph 8 shall report the date of merger and other applicable information.

## **C9.7**

Market Served shall contain a factual statement by the publisher of the Market Served. The statement shall describe in auditable terms the standards or qualifications employed by the publisher in determining who will receive the magazine. Whatever the qualification standards may be, they shall be reported in classification breakouts in paragraph 4 of the statement. Only recipients who conform to these standards shall be included in the qualified circulation.

## **C9.8**

A regional magazine shall include a description of the geographical area in the Market Served, if this information is not apparent in the title of the magazine.

## **C9.9 METHOD OF DISTRIBUTION**

Method of Distribution shall contain one of the following statements concerning the distribution of a magazines reporting digital magazines, qualified Continuous and Non-Continuous circulation, or multi-copy same addressee circulation equal to 10% or more, but less than 25%, of average qualified circulation:

If digital version circulation exists, the Method of Distribution shall be disclosed as follows: (See C7.10)

### Digital Magazine

“Print copies are distributed via postal services or other carriers. Recipients who request the digital version are notified via [disclose method: email, RSS, instant message, other] when the Version is available.”

If Non-Continuous circulation exists, the nature of the Non-Continuous circulation shall be fully disclosed as follows:

### Continuous and Non-Continuous Circulation

“Copies are distributed on a Continuous basis (at least three consecutive months) and non Continuous basis (up to three month’s service). Continuous and Non-Continuous circulation are reported separately throughout this report.”

If 10% or more, but less than 25%, of average qualified circulation is multi-copy same addressee, the following comment shall be included in the Method of Distribution.

## **C9.9 (continued)**

### Multi-Copy Same Addressee”

Multi-copy same addressee circulation is audited only to the point of distribution. An agreement not more than three years old has been obtained indicating that the recipient at the point of distribution agrees to accept the magazine for redistribution.”

These comments may contain additional explanations regarding the character and nature of the distribution, and any other amplification necessary.

If trade show, consumer show, and convention distribution are reported as Qualified Circulation, the following comment shall be included as part of the Method of Distribution:

“Distribution to trade shows, consumer shows, and conventions are audited only to the event and not to the end recipients. An agreement from the event management has been obtained indicating that the event will accept a specified number of copies for redistribution. When the publisher exhibits and distributes copies at a show the following shall be stated: The publisher has provided a paid contract for exhibit space. Distribution to the event is supported by delivery receipts from a third party, or confirmed by show management.”

(See C9.33, C10.17 and C10.24.1.)

## **C9.10**

Market Served and Method of Distribution may NOT contain any reference to:

Requests to receive the magazine

Recipient's reading or intent to read the magazine

Recipient's buying authority or influence, unless 100% of the recipients have this authority or influence and such is supported by auditable documentary evidence. Questionnaire forms used to elicit buying authority or influence shall be submitted to BPA Worldwide for approval.

Any claim that all people of a certain category receive the magazine

Function, unless supported by auditable documentary evidence

A classification that is not reported in Paragraph 4 of the statement

## **C9.11**

A member may not claim or imply that BPA Worldwide audits readership or intent to read. (See C5.27 and C9.1).

## **C9.12 Summary Section, Page One**

A Summary Section shall be provided on the front of the circulation statement and audit report.

It shall include summary tables of:

Average Qualified Circulation

**C9.12 (continued)**

Price and Frequency and charts of:

Five-Year Average Qualified Circulation Trend

Five Year Average Annualized Subscription Price

**C9.13 (Effective June 2010)**

The Average Qualified Circulation summary table shall list:

- Average Total Qualified (based on # of issues during period),
- Average Rate Base,
- Variance figure expressed as copies above or below the average rate base and as a percent,
- Qualified circulation separated by Qualified Paid and Qualified Non-Paid, and the former further separating Subscriptions, Sponsored, Bartered and Single Copy Sales.

**C9.14 (Effective June 2010)**

The Price and Frequency summary table shall list the:

“Average Annual Subscription Order Price for the Period Reported (Excluding Sponsored Subscriptions)”.

If sponsored orders represent 10% or more of all orders for the period as reported in paragraph 3a Prices, the “Average Annual Sponsored Order Price for the Period” shall also be reported separately in the Price and Frequency table (see Rule 9.23).

If sponsored orders represent 5% or more, but less than 10% of all orders for the period as reported in paragraph 3a Prices, the “Average Annual Sponsored Order Price for the Period” shall be reported in paragraph 8, Additional Data.

Magazines with 50,000 or less average total qualified circulation and less than 5% average qualified paid circulation in paragraph 1, are not required to report average subscription order price. Magazines with more than 50,000 average qualified circulation in paragraph 1, have the same reporting option when the average qualified paid circulation is less than 2%.

**C9.15**

The Five Year Average Qualified Circulation Trend bar chart shall include:

- Qualified Paid Single Copy Sales
- Qualified Paid Subscriptions
- Qualified Non-Paid Subscriptions, and
- Rate Base line

**C9.16**

The Five Year Average Annualized Subscription Price line chart shall report average annual price over five years.

### **C9.17 Rate Base**

If the magazine has a published rate base, it shall be so stated following the average Total Qualified circulation claim for the period covered by the report.

Separate indication shall be made to show rate base separately for paid and non-paid circulation if the rate bases are published separately.

Any changes to the published rate base during the period covered by the report shall be included under Paragraph 8, Additional Data.

If the magazine does not have a published rate base, "None Claimed" shall be stated following the average "Total Qualified" circulation claim for the period covered by the report (See C9.49). In those countries where advertising space is not sold using rate base, no reference to "rate base" shall be required in the BPA report.

### **C9.18 Paragraph 1 (Average Qualified Circulation Break-Out for Period)**

All copies listed in this section must be directed to subscribers or recipients as stated in the Market Served. This paragraph will report: Individual; Benefit-of-Membership; Multi-Copy Same Addressee; Sponsored Individually Addressed; Sponsored Multi-Copy Same Addressee; a sub-total for Subscriptions and Single-Copy Sales; Sponsored Single-Copy Sales; Non-Continuous (if applicable); and a total that is the sum of the numbers shown for all of the break-out lines (not including the Subscriptions/Single-Copy sub-total line).

Separate columns will list Qualified Paid, Qualified Non-Paid, and Total Qualified Circulation.

For magazines reporting digital versions, separate Paragraph 1's shall be included for individuals subscribing to the print Version only; for individuals subscribing to the digital version only; and for individuals who have requested or paid for both the print and digital versions (if applicable). (See C7.10.)

### **C9.19 Paragraph 2 (Qualified Circulation by Issues for period)**

Shall report the Total Qualified Circulation, and separately report Qualified Paid and Qualified Non-Paid for each issue. The paid shall be further reported as Single-Copy Sales and Subscriptions. If Non-Continuous circulation is reported, it shall be reported separately for each issue.

Shall report qualified print and digital version circulation separately for each issue. Individuals receiving both the print and digital versions shall be counted only once, and a separate count of such subscribers shall be included for each issue.

### **C9.20 Paragraph 2a, Website Activity By Month**

Publishers reporting audited website traffic on-line through "BPA Interactive powered by Nielsen Online" shall report the monthly audited website traffic data on their circulation statements and audit reports. The following metrics shall be reported: Page Impressions, User Sessions, Unique Browsers, Unique Browser Frequency, Page Duration, and User Session Duration. The average figures reported are calculated by summing the web traffic for each month and dividing the total by the number of months reported.

## **C9.21**

Total copies distributed (print and digital) must be equal to, or exceed the sum of total qualified circulation, advertiser/agency circulation, non qualified paid/request circulation, and rotated/occasional circulation, each issue.

If 15% or more of the total copies distributed for an issue reported in Paragraph 2 are distributed on or after the stated distribution date or placed on sale date, which ever comes first, of the next issue, the completion date of distribution for that issue shall be reported in Paragraph 8.

In the absence of a stated distribution date for a magazine on either its rate card or in Standard Rate & Data Service, British Rates and Data, or Canadian Rates and Data, or similar magazine, the cover date shall be used to determine if copies of the magazine are distributed late, e.g.,

*Monthlies* Copies would be late if distributed on or after the first day of the next issue month (a January issue would be late if mailed on or after February 1st).

*Bimonthly* Copies would be late if distributed on or after the first day of the next issue (a January/February issue would be late if mailed on or after March 1<sup>st</sup>).

*Semi-Monthly* Copies would be late if distributed on or after the first day of the next issue (a January 1st issue would be late if mailed on or after January 15th).

*Weeklies* Copies would be late if distributed on or after the first day of the next issue (a January 1st issue would be late if mailed on or after January 8<sup>th</sup>).

Paragraph 8 shall report the percentage and number of copies which are distributed late.

When magazines report separate editions in paragraph 2, this rule shall be applied separately to each edition.

If the magazine serves special issues (See C2.10), the special issue reported in paragraph 2 shall distribute before the stated distribution date of the next regular issue. In the absence of a stated date of distribution, the special issue shall distribute prior to the actual distribution date of the next regular issue.

## **C9.22 Paragraphs 3a and 3b (Total New and Renewed Qualified Paid Subscriptions Ordered/Sold For The Period)**

Shall report the gross total number and percentages of new and renewed qualified paid subscriptions ordered/sold during the period covered; this includes gross subscription sales/orders with unpaid invoices pending. Gross subscription sales as reported in these paragraphs shall be based on only the continuous circulation.

## **C9.23 Paragraph 3a Prices (Effective June 2010)**

Shall report the "Average Annual Order Price" excluding sponsored orders.

Average price shall be calculated by totaling the gross dollar value of all orders received during the reporting period (inclusive of promotional incentives but exclusive of all sponsorship orders, whether Individual, Multi-Copy or Public Place), and dividing this total by the gross total number of copies ordered (exclusive of all Sponsorship orders, whether Individual, Multi-Copy or Public Place). The resulting average unit price is then multiplied by the basic annual term, to yield the average subscription price for the period.

**C9.23** (continued)

If sponsored orders represent 10% or more of all orders for the period, the average annual order price for the period for sponsored copies shall be reported separately as “Sponsored Average Annual Order Price: \$##.”

If sponsored orders represent 5% or more, but less than 10% of all orders for the period, the “Sponsored Average Annual Order Price” shall be reported in paragraph 8, Additional Data.

Average sponsored order price shall be calculated by totaling the gross dollar value of all sponsored orders received during the reporting period (inclusive of Multi-Copy or Public Place), and dividing this total by the gross total number of sponsored copies ordered. The resulting average unit price is then multiplied by the basic annual term, to yield the average sponsored order price for the period.

When multiple currencies are collected, the publisher shall convert the multiple currencies into one home currency of choice in order to compute Average Annual Order Price.

(For determining average annual price for Combination Sales, see C7.8.)

Paragraph 3a shall separately report the gross number of Qualified Paid subscriptions sold during the period by prices and terms, in sequence of descending percentage of orders sold that are yielded from offers representing 5% or more of subscription sales for the period (except for “All Others,” which shall always be reported last). Sponsored orders are not required to be itemized by price and term. Rather, the total Sponsored orders received during the period (including Multi-Copy and paid Public Place) shall be reported as a one-line figure which, when added to the reporting of all other orders, shall yield the grand total orders received for the period.

If paid copies under “All Others” represent 20% or more of the orders for the period, the average price of “All Other” orders shall also be reported.

Subscriptions sold on a renew until forbid basis with no fixed term, which are billed periodically throughout the year, without any renewal notification, shall be reported separately as “Perpetual subscribers (see note).” The publisher shall disclose the rate and terms of the perpetual subscriptions.

Subscriptions sold on the basis of acceptance of redemption of affinity program points (e.g., frequent flyer miles, loyalty points, etc.) as payment, shall disclose the details of the offer, including the subscription price, redemption value of a point, and points redeemed, in Paragraph 8. These shall also be cross-referenced to Paragraph 3a.

**C9.24 Paragraph 3b (Use of Free Promotional Incentives)**

Shall report the number of gross new and renewed qualified paid subscriptions ordered/sold with promotional incentives during the period covered. (See C7.22). The nature of the promotional incentive and provisions of the offer shall be described in paragraph 8.

The following categories of Promotional Incentives shall be listed in paragraph 3b:

- Sold without promotional incentive.....
- Sold with editorial promotional incentive.....
- Sold with other promotional incentives.....

**C9.25 Paragraph 4 (Breakout of Qualified Circulation to Consumer Markets for Issue Analyzed)**

Shall contain a breakout of a specific issue by one or more following types of classifications either as separate totals or in a cross-tabulation:

Markets

Population Groupings

Specialized interest of recipients

Magazine members electing to analyze their circulation by the recipient's job functions shall obtain approval of the President to ensure that acceptable qualification proof is available for a functional analysis.

Whatever the qualification standards may be, they shall be reported in classification breakouts in paragraph 4 of the statement. Only recipients who conform to these standards shall be included in the qualified circulation.

**C9.26**

The analysis shall be of the May/November issues. A statement for the six-month period ended June would analyze the May issue while a statement for the six-month period ended December would analyze the November issue. Magazines having more than one issue per month shall analyze any issue in May and November. In an initial audit, the issue analyzed shall be one that has been published within the last two months of the audit period.

**C9.27**

Classifications which are reported with subtotals will be arranged in paragraph 4 with the total reported beneath the subtotal in such a way that no confusion can occur about the exact number of copies being reported. The BPA Worldwide staff shall arrange this breakout in accordance with this instruction.

**C9.28**

A magazine member may elect to cross-tabulate paragraph 4 by any paragraph reported on the BPA circulation statement providing the data reported for such paragraphs are based on actual counts of the analyzed issue.

**C9.29**

Magazines serving essentially the same market should endeavor to agree upon a mutually acceptable and reasonably uniform schedule of classifications to be employed in paragraph 4. However, no publisher member shall be required, as a condition of membership, to accept a particular method or schedule of classifications employed by other magazines for the same market served.

**C9.30**

Magazine members reporting qualified non-continuous circulation shall report each type of non-continuous circulation separately.

### **C9.31**

Continuous and non-continuous circulation for the issue analyzed shall be compared separately with the average of the other issues reported in the statement to reveal how typical the issue is, as compared with all the others. Whenever the issue analyzed is 10% or more above or below the average of the other issues reported for continuous or non-continuous circulation, an appropriate comment shall be made in paragraph 8.

### **C9.32**

Magazine members reporting Barter, Sponsored Individually Addressed, Sponsored Multi-Copy Same Addressee, and Sponsored Single-Copy Sales circulation in Paragraph 1 of circulation statements and audit reports shall report each type of circulation separately in Paragraph 4 of these statements and reports.

Magazine members shall state, in auditable terms, the type of business or market category of the sponsor/purchaser and the specific nature/characteristics of the recipients of these Sponsored magazine copies (e.g., "Sponsored Individually Addressed: A manufacturer of sporting goods Sponsored copies for physical educators and sports coaches").

Agents shall not be sponsors of subscriptions or single copies. (See C7.42.)

Magazine members may aggregate sponsors/purchasers that are of the same type of business or market category (e.g., "Sponsored Individually Addressed: Five manufacturers of sporting goods Sponsored copies for physical educators and sports coaches").

If copies are requested by the end recipient, the magazine member may disclose this (e.g., "Sponsored Individually Addressed: Copies requested by online catalog shoppers, Sponsored by an online catalog retailer").

Reporting of the actual name of the sponsor/purchaser is optional.

Auditable documentary evidence shall be available to support the conformance to the magazine member claim. The terms of qualification of the recipient shall also be stated in Market Served.

### **C9.33**

The reporting of Multi-Copy Same Addressee and Sponsored Multi-Copy Same Addressee subscriptions shall include an accompanying explanatory footnote. (See Rules C7.19 and C9.9.)

Qualified copies distributed to trade shows, consumer shows and conventions shall be identified separately within Paragraph 4, with a cross-reference to Paragraph 8 that includes the following data: Name of each show, date of each show, location of each show, and number of copies distributed at each show.

### **C9.34**

Magazine members reporting print and digital versions shall report such circulation in the following columns:

Total qualified Circulation  
% of Total Qualified Circulation  
Print Version Only  
Digital Version Only

### **C9.34** (continued)

Both Print and Digital Versions (if applicable)

If applicable, the column "Both Print and Digital Versions" shall include each subscriber only once. The classifications for such subscribers shall be based upon the most recent qualification source for each piece of demographic information used to qualify subscribers of the print and digital versions. (See C7.10.)

### **C9.35**

Single-Copy Sales shall be reported separately and further broken down into:

- Single
- Sponsored
- Non-Returnable
- Digital Version

Reporting Multi-Copy Retail Sales shall have an accompanying explanatory footnote.

An analysis of single copy sales by type of outlet, such as newsstand or retail outlets, may be provided at the publisher's option. If this option is exercised, the same analysis on an issue-by-issue basis may be provided in paragraph 8.

The quantity of Single Copy Sales sold to consumers with a promotional incentive (cover mount) shall be reported in paragraph 8. (See C7.22 and C9.59).

### **C9.36 Paragraph 5 (Qualified Source Breakout)**

Shall contain an analysis (count and percentage) of the qualified non-paid circulation (and at the option of the publisher may contain an analysis of all qualified paid circulation) by sources using one, two, and three-year columns. If, at the option of the publisher, paid circulation is reported and subscriptions sold for greater than three years have aged beyond three years, that circulation may be reported in a "three+ years" column. Only paid circulation for greater than a three year term may be reported in excess of three years.

An explanatory paragraph shall be included in Paragraph 8, Additional Data stating the number of paid circulation aged beyond three years.

Non-paid circulation may not be aged beyond three years.

The issue analyzed shall be the same one as analyzed in paragraphs 4 and 6 except for the interim circulation statement where the qualification figures for continuous circulation may be obtained by representing the percentages for continuous circulation from the latest audit report.

In reporting qualification, figures submitted by the publisher covering the number of recipients qualified from each source shall be determined by an actual count of the entire list for the issue analyzed. This count may be obtained from either a master card file or from a label printout.

For those publishers exercising their option not to report qualified paid circulation by source using one, two, and three-year columns, the following paragraph 8 footnote shall be included:

### **C9.36** (continued)

*"Paragraph 5 includes (xxx) qualified non-paid circulation. Qualified paid circulation of (xxx) combined with the qualified non-paid circulation equals (xxx) total qualified circulation for the analyzed issue."*

Also, whenever qualified paid circulation is deleted, the heading for paragraph 5 shall indicate that only qualified non-paid circulation is reported and the percentages reported shall be of only the non-paid circulation.

### **C9.37**

A newly admitted publisher member may elect to defer reporting the number of recipients qualified from each source until the second audit. If they so elect, paragraph 5 of the initial audit report shall contain a statement describing the source of names on the qualified list and provisions made for keeping the list current. The number of names obtained from each source shall not be reported. This statement shall be preceded by the following:

*"Since this is an initial audit report, figures for this paragraph are not required. In lieu thereof, the publisher makes the following statement concerning the source of names on their qualified circulation list."*

### **C9.38**

The initial reporting of Qualified Circulation figures for Paragraph 5 shall be in an audit report. Thereafter, new figures for Paragraph 5 are required at least annually, concurrent with the end of the magazine's audit year.

The new data for Paragraph 5 shall appear in the second circulation statement and in the twelve-month audit report. On the interim circulation statement, qualification figures for paragraph 5 for Continuous circulation may be obtained by repeating the percentages for Continuous circulation from the latest audit report and applying them to the Qualified Circulation for the issue analyzed for the interim statement, to arrive at the total Continuous copies for each source.

This option is available only when the total Qualified Continuous circulation for the issue analyzed in the interim circulation statement is less than 10% above the total Qualified Continuous circulation for the issue analyzed in the latest audit report. If the total qualified circulation for the issue analyzed in the interim circulation statement has increased by 10% or more due to a merger of magazines during the reporting period, the publisher may elect to report actual figures for the interim circulation statement or omit the paragraph for the interim circulation statement. If the publisher chooses to omit the paragraph the following footnote is required, "Due to a merging of magazines during the reporting period paragraph 5 cannot be projected and has not been reported. Paragraph 5 will be reported in the subsequent circulation statement."

If a publication conducts a special six-month audit to change the audit year-end period (cycle), interim circulation data may only be projected from a printed/posted audit report.

A publisher may report new figures in Paragraph 5 in the interim circulation statement if new figures are obtained from a label printout count, which shall be subject to audit.

**C9.38** (continued)

Magazines reporting Qualified Continuous and Qualified Non-Continuous circulation shall require separate Paragraph 5 analyses. At the publisher's option, a combined summary table may be provided. The percentages in each table should add to 100%.

Magazines reporting print and digital versions shall report such circulation in the following columns:

- Print Version Only
- Digital Version Only
- Both Print and Digital Versions (if applicable)

If applicable, the column "Both Print and Digital Versions" shall include each subscriber only once. The classifications for such subscribers shall be chosen by the publisher, as long as the print source is Direct Request or Request from Recipient's Company.

If the print sources something other than Direct Request or Request from Recipient's Company, the electronic source shall be used. (See C7.10.)

**C9.39**

The following schedule of sources of qualification shall be listed in Paragraph 5:

- I. Direct Request .....
- II. Request From Recipient's Company .....
- III. Membership benefit.....
- IV. Communication From Recipient or Redistributors (other than request).. .....
- V. Total Sources other than above (listed alphabetically)
  - Rosters and directories.....
  - Manufacturer, distributor and wholesaler lists.....
  - Other source.....

Publishers may report written, telecommunication, and electronic request at their option.

**C9.40**

When reporting qualification sources II and IV, the publisher may factually state, in paragraph 8, in auditable terms who actually requested the magazine or from whom a communication was received.

**C9.41**

The publisher shall insert opposite each source the number of recipients for which qualification is claimed.

**C9.42**

The source material shall be identified in a footnote whenever 10% or more of the circulation is qualified through any one of the following:

**C9.42** (continued)

a single business directory;  
a single association roster or directory;  
other sources.

**C9.43**

Mailing house lists which have been approved by BPA Worldwide may be reported as other sources, and shall carry an identifying footnote. (See 10.29.3).

**C9.44**

Magazine members may elect to report a breakout of their qualified United States and international circulation by source and qualification time period in paragraph 5.

**C9.45 Paragraph 6 (Geographical Break-Out of Qualified Circulation for Issue Analyzed)**

**C9.45.1**

Paragraph 6 shall contain an analysis (counts and percentages) of the Qualified Circulation by state, Zip Code, and three-digit Zip Code prefixes, county, province, and nation or other accepted geographical area. ***Digital magazine subscribers who do not provide a land address shall be reported as "email address only."***

Non-Continuous Circulation, including Single-Copy Sales and Subscriptions, shall be analyzed separately. Multi-Copy Same Addressee subscriptions, if any, shall be included in the appropriate state or other geographic area. The issue analyzed shall be the same one as analyzed in Paragraph 4.

**C9.45.2**

The analysis provided by magazine members reporting Qualified Continuous and Qualified Non-Continuous circulation shall contain Non-Continuous classification headings for Paid and Non-Paid.

**C9.45.3**

Magazine members reporting Sponsored Individually Addressed; Sponsored Multi-Copy Same Addressee; Public Place; or Sponsored Single-Copy Sales circulation in Paragraph 1 of circulation statements and audit reports may, at their option, break out such circulation by geographical area served.

**C9.45.4**

For circulation in the United States, paragraph 6 will report the following regional breakout which is consistent with that of the U.S. Bureau of Census:

New England	East South Central
Middle Atlantic	West South Central
East North	Central Mountain
West North	Central Pacific
South Atlantic	

In addition, U.S. Territories, Canada, Mexico, other International, APO and/or FPO addressed copies shall be reported.

**C9.45.5**

An optional breakout of the U.S. population may be provided with an index reporting the quotient of the percentage of circulation divided by the percentage of population for that geographic area. The source of the U.S. population data shall be footnoted.

**C9.45.6**

For circulation in the United Kingdom, Paragraph 6 will report the following regional breakout:

Northern	Greater London
Yorkshire & Humberside	South East
North West	South West
East Midlands	Wales
West Midlands	Scotland
East Anglia	Northern Ireland

**C9.45.7**

Magazine members reporting circulation within the United Kingdom may elect to do so by county within region, using the BPA Worldwide standardized breakout (available on BPA 's website).

**C9.45.8**

Circulation for China, paragraph 6, will report the following regional breakout which is consistent with the People's Republic of China Administrative Standard Regions:

Northeast	East China
North China	Central South
Northwest	Southwest
Other	

**C.45.9**

Publication members reporting circulation within the People's Republic of China must report by province/city using the BPA Worldwide standardized breakout (available on BPA's website).

**C9.45.10**

Magazine members reporting international circulation by region and/or country may elect to do so using the BPA Worldwide standardized international geographic breakout (available on BPA's website).

**C9.45.11**

International circulation will report the following regional breakout:

Asia	Caribbean
MENA (Middle East North Africa)	Central America
Europe	South America
Africa	Asia Pacific
North America	

#### **C9.45.11 (continued)**

Regions representing 0-4.9% circulation may report circulation by continent. Regions with 5.0% - 24.9% circulation shall report circulation by country. Standard country breakouts are available for each region. Countries with 25%+ circulation shall report circulation by state/province or other agreed upon market geographic breakdown within any one country, using standard BPA Worldwide tables (Canada, China, United Arab Emirates, United Kingdom, and the United States, available on BPA's website). Where BPA Worldwide has not published a standard table and a publication has over 25% of its circulation to any one country, and the market would benefit from a standard table, BPA Worldwide will work with the publishers in the market to establish a standard table.

#### **C9.46**

Magazine members reporting U.S. circulation and electing to add to paragraph 6 of their circulation statements a further breakout by Standard Metropolitan Statistical Areas (SMSA) shall abide by the following special rule:

Only wording appearing in the current SMSA government manuals and reports may be used for area codes and area titles. Publisher members reporting by SMSA shall use the most recent government manuals and supplements. Copies of the SMSA manuals can be purchased from the Geography Division, Bureau of Census, Social and Economic Statistics Administration, U.S. Department of Commerce, Washington, D.C. 20233.

All qualified circulation which is applicable shall be reported by Standard Metropolitan Statistical Areas (SMSA). Copies not included in the SMSA analysis shall be reported separately and shall be included in the total qualified circulation for the issue analyzed.

#### **C9.47**

Magazine members may display, in either paragraphs 6 or 8, an analysis of U.S. qualified circulation by ABCD county size.

#### **C9.48**

Magazine members who distribute to a specific geographically defined area may have the option of including a map to graphically display their circulation distribution.

Shall report the total audited average qualified circulation for a six month circulation intervals for the previous two years and the current unaudited circulation statement(s).

The data shall include a reporting of the Total Audited Average Qualified circulation, Qualified Paid circulation, Total Qualified Non-Paid circulation. Qualified Digital version and Qualified Print Version circulation shall be reported if applicable.

#### **C9.49**

The average percent of post expiration copies for the issues shown in paragraph 2, and average annualized subscription price (inclusive of premium value) shall also be reported.

Magazines with 50,000 or less average total qualified circulation and less than 5% average qualified paid circulation in paragraph 1, are not required to report post expire copies, or average order price.

Magazines with more than 50,000 average qualified circulation in paragraph 1, have the same reporting option when the average qualified paid circulation is less than 2%.

**C9.49** (continued)

Also reported shall be the stated rate base, if any, a comparison between the audited average qualified circulation and the rate base. If no rate base is stated, "None Claimed" shall be used in lieu of the rate base.

Calculations for percentage of post expiration copies (arrears) shall be made based on the average number of copies served in arrears during the period divided by the average total qualified circulation for the same period as reported in paragraph 1.

The first mandatory reporting of this data shall be with the initial audit. With each successive year, new data will be added until five years of data is displayed.

**C9.50 Paragraph 8 (Additional Data)**

Shall contain any additional explanatory information necessary to supplement facts reported elsewhere in the statement. Only data approved by the President shall be shown in this paragraph.

**C9.51**

Magazines electing to report qualified non-paid and qualified paid circulation separately in paragraphs 2 through 7 and reporting gift subscriptions in excess of 50 subscriptions purchased by one donor as "Individual" circulation in paragraph 1 of the circulation statement, shall report an analysis of that circulation in paragraph 8 as follows:

*"Whenever more than 50 subscriptions are sold as gifts purchased by one donor and reported as "individual" in paragraph 1, it is required to disclose the range of subscriptions sold in this manner. Accordingly, ### gift subscriptions were sold ranging from 51 copies to a high of ### per order at the following subscription prices:....*

*The copies are individually addressed to recipients who are (explain the relationship between the donor and the recipient) e.g. friends or family of the donor."*

The publisher may add explanatory information to these notes to better define the relationship of the donor.

**C9.52**

Magazines electing to report qualified non-paid and qualified paid circulation separately in paragraphs 2 through 6 and reporting "benefit of membership" circulation in paragraphs 1 and 4 of the circulation statement shall report an analysis of that circulation in paragraph 8 as follows:

*When applicable, shall state, "..... is the official magazine of ..... "*

In addition, the following shall be stated:

*Qualified paid Benefit of Membership subscriptions averaging ..... copies were sold to qualified recipients at the following subscription prices:*

*Members yearly subscription price is included in the dues and is ...(deductible/non-deductible)... there from."*

The publisher may add explanatory information to these notes to better define the membership organization.

**C9.53**

A Benefit of Membership magazine which is dependent on local chapters for collection of payment for such subscriptions may have the following statement appear in paragraph 8 if it elects to only complete the paid circulation columns in paragraphs 1 and 4 of its circulation statement:

*"Since Benefit of Membership dues for this magazine are collected through local chapters, qualified paid circulation data are only required to be reported in paragraphs 1 and 4 of this statement."*

**C9.54**

Magazines electing to report qualified non-paid and qualified paid circulation separately in paragraphs 2 through 6 and reporting multi-copy same addressee circulation in paragraph 1 of the circulation statement shall report an analysis of that multi-copy same addressee circulation in paragraph 8 as follows:

*"Qualified paid multi-copy same addressee subscriptions averaging ..... copies were sold, in quantities of ..... to ....., to qualified recipients at the following subscription prices:"*

**C9.55**

Magazines reporting Single Copy Sales in paragraph 1 and include Single Copy Sales that are multi-copy sales and/or Non-Returnable Sales in that figure, shall break down in paragraph 8 Single Copy Sales, Multi-Copy Sales and Non-Returnable Sales on an issue-by-issue basis.

**C9.56**

At the option of the publisher a breakout of Single Copy Sales by type of outlet, (for example, newsstand, retail store, etc.) and/or by domestic and international circulation can be provided in paragraph 8.

**C9.57**

Magazines reporting Single Copy Sales in paragraph 1 and including Non-Returnable in that figure, shall note in paragraph 8 the methodology used to determine net sales. (See Section C7.33).

**C9.58**

Renewal Percentage of Qualified Circulation: Publishers may, at their option, report the renewal rate for the qualified paid circulation in paragraph 8. The initial reporting of the renewal rate shall be in an audit report. If a magazine opts not to report this data, a renewal percentage table will not be displayed.

If reported, this paragraph shall state the number of qualified paid subscriptions expiring during the twelve months ended eight months prior to the end of the period covered by the report, the number of these expirations which were renewed, and the renewal percentage. A subscription shall be considered a renewal if it has been renewed within six months of its expiration date and paid for within six months following receipt of the renewal order.

The renewal rate, if reported, shall be shown separately for Benefit of Membership subscriptions.

**C9.59**

Average Non-Qualified Circulation

This distribution shall be reported as a total figure and includes the distribution for the period of the following:

**C9.59** (continued)

Advertiser and Agency Copies;

Digital Magazines;

Non-Qualified Paid;

Rotated or Occasional Copies;

Copies for Conventions and Trade Shows, (if NOT reported as qualified);

and all other copies printed with the exception of single copy sales returns.

At the option of the publisher, these categories may be reported separately.

If single copy sales are reported, the following comment must be included, "Average non-qualified circulation excludes single copy sale returns."

Digital non-qualified advertiser and advertiser agency copies and non-qualified paid digital copies (excluding sponsored) may be reported on the BPA worldwide circulation statements, and audit reports; all other non-qualified non-requested digital magazine copies shall not be reported on BPA Worldwide circulation statements and audit reports.

**C9.60**

Magazine members reporting print and digital versions may report at their option whether subscribers to the digital version have automatically received the digital version or manually download; retrieved; received the digital version.

If download; retrieved; received data is reported, such data shall be reported in paragraphs 1, 2, 4, 5, 6 and 7.

**C9.61**

A download; retrieved; received issue may be counted within the table as long as the issue was download; retrieved; received within 60 days of the alert. At the time of circulation statement filing, any issues for which final download; retrieved; received counts are not available may be estimated based on a historical average. At the time of audit the estimation will be compared to actual data. If the variance is material, an audit report will be issued to adjust the circulation accordingly.

**C9.62**

Magazines reporting the required net qualified circulation for digital versions may include a table detailing the gross number of qualified electronic subscribers and qualified print copies existed for each issue. Those recipients receiving both the print and digital versions, shall be a gross count. This data shall appear in paragraph 8, Additional Data.

**C9.63**

Magazines reporting any Single Copy Sales sold with a promotional incentive (cover mount) shall show in paragraph 8 an issue-by-issue analysis of the number of single copies sold with a promotional incentive. The nature of the promotional incentive (cover mount) and provisions of the offer shall also be described.

## **C9.64**

Publications may report non-qualified digital magazine copies that meet the qualification criteria stated in the Market Served, but have not been requested (personal or company) or served as a benefit of membership, in paragraph 9, Additional Data. Proof of production, distribution and demographic data shall be provided at the time of audit. (See C7.25)

## **C9.65 Publisher's Affidavit**

A circulation statement shall carry the publisher's affidavit containing two signatures. At least one of the two signatures shall be that of an officer of the publishing company or its authorized representative.

The names and titles of the persons signing the circulation statement shall be typewritten below their signatures. If you file electronically, the signed affidavit shall be faxed or mailed to BPA Worldwide.

This requirement shall not apply to a corrected circulation statement issued by BPA Worldwide as provided in Section C11.6 of these Rules.

## **C9.66 Date Received**

All circulation statements will contain the date received by BPA Worldwide.

## **C10.0 REQUIREMENTS AND RECORDS NECESSARY FOR AN AUDIT**

### **C10.1 General**

The BPA Worldwide Consumer Magazine Audit methodology is based upon a perpetual inventory record by issue of the names on a circulation list. It is a publisher member's responsibility to insure the accurate maintenance of their circulation list and records in accordance with these Rules. The BPA Worldwide Consumer Magazine Audit is designed to verify and authenticate the publisher's circulation claims.

### **C10.2 Special Three or Six Month Audit**

A magazine may request the President to provide a special three or six month audit ending with a month other than June or December, if in the President's judgment, circumstances warrant the audit and the magazine meets the following conditions:

The magazine's request for the special three or six month audit shall be in writing explaining the reason for the audit.

The magazine shall pay a regular auditing charge for the special audit.

A magazine, which has chosen a period ending with a month other than June or December for its special three or six month audit report, shall transfer back to the standard June or December schedule with its first circulation statement following the special three or six month audit report, and include whatever previously audited issues are necessary to complete the six month period.

The magazine may continue to audit on its original audit cycle, or, with approval of the President, the audit cycle may be changed.

A publisher may only project interim paragraph 5 circulation data from a printed and posted report.

### **C10.3 Circulation List**

A printout proof or electronic file of all names on the qualified circulation list for the issue analyzed shall be provided for the auditor. A physical count of the circulation list shall be made by geographical distribution, and by the classifications shown in paragraph 4 of the circulation statements, (including the date the demographic data was obtained). The classification count (by types of classifications) shall be compiled by state or other geographical area unless otherwise provided for by the President. Suitable forms for the tabulation of these counts will be supplied by the Corporation.

A publisher reporting new qualification figures in paragraph 5 in their interim circulation statement shall provide the auditor with a physical count of the circulation list.

### **C10.4 Records**

Publisher members shall provide for the auditor's examination proof of mailing of every issue of the magazine for the period being audited. This proof shall be in the form of receipts from the Post Office, or other courier if the Post Office is not used.

These receipts may be in different forms due to postal regulation. Where multi-copy same addressee, or other international circulation is claimed, suitable proof of its mailing shall be available.

In addition, receipts for monies deposited with the Post Office shall be retained for the auditor's examination.

For Digital versions summary reports of alerts and distribution/downloads shall be provided to the auditor with corresponding logs. (See C7.10)

### **C10.5**

A copy of each issue, cancelled checks, printer's bills, and paper consumption reports shall be available. The auditor may request access to any ledger accounts relative to circulation and such inspection shall be made with a representative of the magazine present.

### **C10.6**

Proof of classification as reported in paragraph 3a shall be available for all recipients on the qualified circulation mailing list. This proof may be no older than three years from the date of the issue analyzed. If the classification in Paragraph 3a contains data that cannot change – such as year of medical school graduation – the proof may be older than three years from the date of the issue analyzed.

Whenever a questionnaire is used to elicit information from a recipient, the questionnaire and attendant material shall not improperly lead the recipient to give the desired qualification data in order to receive the magazine.

Whenever a questionnaire is used to elicit specific information about a recipient's business, a question approximating one of the following shall be asked on the form:

"What is your primary business? (Check one only.)"

"The primary business of my firm at this location is ..... (Check one only.)"

"Please check the one item which best describes your firm's primary business activity. (Check one only.)"

**C10.6** (continued)

Insert "Please indicate the primary end product (or service performed at your business Letter location) by writing the corresponding letter of the alphabet in the box at the left."

Whenever a questionnaire is used to elicit specific information about a recipient's title, a question approximating one of the following shall be asked on the form:

"What is your title? (Check one only.)"

"What is your title? (Please be specific.)"

Whenever a questionnaire is used to elicit specific information about a recipient's job function, a question approximating one of the following shall be asked on the form:

"What is your primary job function? (Check one only.)"

"Please check the one category that best describes your primary job function. (Check one only.)"

"Job function (Please rank in order of importance 1, 2, 3, etc.)"

Insert  
Letter

"Please indicate your primary job function by writing the corresponding letter of the alphabet in the box at the left."

**C10.7**

Original orders, dues invoices, membership application forms and proof of payment for all qualified paid subscriptions shall be available to the auditor as to price, term, expiration date, how ordered and use of promotional incentive, if any.

**C10.8**

Publishers shall maintain on file, for use of the auditor, copies of all subscription offers and copies of all contracts/agreements made with solicitors, subscription agencies or any other parties through whom subscriptions are obtained for their magazines, as well as for handlers (national distributors and/or wholesalers and/or retailers) of single-copy sales. The auditor may request access to any ledger accounts relative to circulation, and such inspection shall be made with a representative of the magazine present.

**C10.9**

Magazines shall code to denote on computer records and display on a resulting printout, price paid, demographic classification (if any), source and date of qualification, length for each subscription, how ordered, use of promotional incentive and subscription expiration date.

**C10.10**

For magazines reporting their qualified paid circulation throughout their circulation statement, the publisher shall run tabulations separating counts of the qualified paid circulation and qualified non-paid circulation respectively. For magazines reporting qualified non-paid non-continuous circulation, the publisher shall make available separate lists of the qualified non-paid non-continuous circulation for each issue.

**C10.11**

Magazines reporting their qualified paid circulation throughout their circulation statement are required to maintain a daily, weekly, or monthly subscription register (the journal of original entry) or a system in lieu thereof which records the following information concerning each and every subscription received: (a) price paid, (b) date of payment, (c) length of subscription, (d) how ordered, (e) promotional incentives, if any, (f) multi-copy same addressee subscriptions, (g) membership benefit subscriptions.

**C10.12**

Magazines reporting Single Copy Sales in paragraph 1 shall maintain records to substantiate the claim.

A shipping manifest indicating destinations for breakout shipments and bulk shipping receipts for distribution of copies from the printer to the first point(s) of redistribution, either the distributor, wholesaler/breakup agent, or outlet dealing directly with the publisher shall be maintained.

Publishers shall maintain accounts specific to each magazine title for any national distributor, wholesale vendor with whom they conduct single copy sales transactions.

All account entries shall be documented including invoices for the draw, covers or affidavits for returns, and adequate evidence of payments received and credits issued.

**C10.13**

Magazines reporting non-continuous non-paid circulation shall maintain records to substantiate the qualification of the recipients and the mailing of the copies.

**C10.14**

All documents used in verifying the qualified circulation mailing list as the issue analyzed shall be available to the auditor.

**C10.15**

Qualification evidence submitted by the publisher shall support all the mailing data on the label or printout. However, evidence supporting the street address or box number may be omitted whenever the postal service notifies the publisher of an address change.

Nothing in these rules shall be construed as requiring a publisher to include the name of a person or any other specific element on the labels or print-out, but whatever mailing data is present shall be supported by evidence, subject to the claim that the recipient is within the Market Served as described on the first page of the circulation statement or audit report, and has been correctly classified in Paragraph 4.

## **C10.16**

In the event that the address and the qualification of a single recipient is supported by evidence from more than one source, the publisher may choose any one, but not more than one of those sources under which to classify the recipient in reporting in paragraph 5 of the circulation statement. However, when copies of a magazine are directed to specific individuals by name, the publisher shall report the sources from which the recipient's name was obtained.

## **C10.17**

The following types of records shall NOT be acceptable as evidence of qualification:

Official Post Office change of address notification forms shall not constitute acceptable qualification proof unless they also provide proper qualifying information.

Any reports originating within the magazine's own organization or from the publisher's staff with the exception of telephone interviews which have been approved by BPA Worldwide and paid contracts for exhibit space for trade show copies. (See C10.20, C10.22 and C10.25)

## **C10.18 Qualification Records - Details**

Several types of records shall be acceptable as evidence of qualification:

### **C10.19 Direct Request: Written**

#### **C10.19.1**

Letters from individually qualified recipients requesting the magazine may be reported as request circulation.

#### **C10.19.2**

For those publishers electing to use a standardized questionnaire to develop request circulation, including those transmitted electronically a question approximating the following shall be asked on the form: "Do you wish to receive (continue to receive) this magazine? Yes ... No ... ." Non-paid questionnaires shall be restricted to a specific time period only if the actual or specific period of time is indicated as part of the question: "Do you wish to receive (continue to receive) this magazine for 10 months? Yes ... No ... ."

#### **C10.19.3**

Publishers may utilize, as an option, an alternate question approximating the following: "Please sign here if you wish to receive (continue to receive) this magazine." Forms utilizing this alternate shall be signed to be reported as personal written request circulation.

#### **C10.19.4**

Multiple magazine written request circulation forms or letters are acceptable and may be counted as written request circulation provided the following requirements are met:

The magazines offered shall be homogeneous in that they have similar terms of qualification and serve markets, special interest groups, businesses, industries, trades, occupations or professions with clearly defined limits.

**C10.19.4** (continued)

A separate signature or initial (publisher's option) from the subscriber is necessary to establish a request for each magazine.

The questionnaire must be signed.

The text of the solicitation shall disclose that multiple magazines are being offered.

A description of the editorial content which differentiates the magazines offered shall be included on the qualification card. The offer form shall display the different magazine logos to increase differentiation amongst titles.

A question approximating the following shall be asked on the form:

A question approximating the following shall be asked on the form:

SIGN OR INITIAL HERE IF YOU WISH TO RECEIVE  
MAGAZINE XXX

SIGN OR INITIAL HERE IF YOU WISH TO RECEIVE  
MAGAZINE YYY

SIGN OR INITIAL HERE IF YOU WISH TO RECEIVE  
MAGAZINE ZZZ

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**C10.19.5**

BPA Worldwide's approval will be given to any questionnaire that is consistent with the Market Served and the classifications reported in Paragraph 4 of the circulation statement.

**C10.19.6**

Whenever a questionnaire is used, recipients who indicate they do not wish to receive the magazine shall be removed from the qualified circulation list within 90 days of receipt of the communication.

**C10.19.7**

Qualification forms that are entitled or indicated as "new subscription forms" shall be counted as request circulation. These forms need not contain the question asking the recipient if they wish to receive the magazine.

**C10.19.8**

Reader service cards may be counted as request circulation if the recipient has signed the card and answered the question "Yes, I wish to receive (continue to receive) this magazine." (See C10.24.2)

**C10.19.9**

An address change may be reported as request circulation for a single magazine provided such change has been initiated by the recipient.

**C10.19.10**

Questionnaires shall contain a provision for the recipient's signature and provision for the date.

**C10.19.11**

For those publishers wishing to accept requests via electronic medium (e.g., bulletin board, email, diskette, etc.), a copy of a transcript (screen-by-screen panels) shall be submitted to BPA Worldwide for approval prior to use. BPA Worldwide's approval will be given to any electronic transcript that contains (see C10.60):

Adequate instruction (menu and screen panels) to the recipient end user

A provision for the name, title, and company address of the recipient

An acceptable request question with a personalized data question to confirm the request (as defined in C10.20.2) and a provision for the date

Documentation of the respondent's conformance to the Market Served shall be available either through the electronic medium or a secondary source.

**C10.19.12**

Prior testing of electronic scripts, systems and procedures for soliciting this form of request may be required to determine auditability.

**C10.19.13**

The following types of qualified paid circulation shall be considered as a written request circulation (provision for signature is not required on paid subscription forms):

Individually paid subscriptions direct to the publisher.

Individually paid subscriptions received through third party agents.

Deductible membership benefit subscriptions.

#### **C10.19.14**

The following types of paid circulation are NOT to be reported as request circulation:

Subscriptions sold in quantities of two or more

Subscriptions ordered by sponsors

Non-deductible subscriptions, except those cases where the publisher has obtained a specific request to receive the magazine from the member. However, this does not apply when a non-deductible offer elicits a request to receive an electronic version of the magazine.

Multi-Copy Same Addressee

Company-name-only-addressed subscriptions

#### **C10.19.15**

Whenever a promotional incentive is offered to individual recipients as an inducement to obtain either qualified non-paid or qualified paid request circulation, the publisher shall identify the premium and the quantity used in a footnote in paragraph 5.

#### **C10.19.16**

Whenever two or more magazines are merged, request circulation shall be footnoted in paragraph 5 indicating the percentage of request circulation from each of the merged magazines.

#### **C10.19.17**

Whenever a sweepstakes, prize draw, or contest is offered to individual recipients as an inducement to obtain qualified paid request circulation, the publisher shall appropriately footnote the number of subscriptions sold through the use of these offers in paragraph 5 and provide an explanation of such offers in paragraph 8 as follows:

*". . . recipients reported as request circulation in paragraph 5 were obtained through the use of sweepstakes offers . . ."*

#### **C10.19.18**

Whenever a sweepstakes, prize draw, or contest is offered to individual recipients as an inducement to obtain qualified non-paid circulation, these recipients shall be reported as "Other sources". (See C10.32.2).

#### **C10.20 Direct Request: Telecommunication**

##### **C10.20.1**

Telecommunications from individually qualified recipients requesting the magazine may be reported as personal telecommunications request. Effective January 1, 2008, all outbound Direct Request from Recipient: Telecommunication requests, with the exception of subscriptions to individuals who refuse to be recorded, must be recorded and made available to the auditor at the time of audit.

## **C10.20.2**

Effective January 1, 2008, subscriptions to individuals who refuse to be recorded, and inbound telecommunication requests shall comply with the following conditions:

A question approximating the following shall be asked and answered during the telephone interview: "Do you wish to receive (continue to receive) this publication? Yes ... No ... A personal identifying question must be asked and answered. To permit future verification of your request, please give us your month and/or date of birth - Month ... Day..., or mother's maiden name or high school graduated from."

Other forms of personalized questions which only the recipient and not the publisher is likely to know, may be asked as an alternate should the recipient not provide an affirmative response to the original question. Once a particular question is used and the answer stored, a different question shall be used for future request questions. If the respondent refuses to answer any and all personal questions, the interview may be considered a request if the interview is tape-recorded and the respondent indicates affirmative to the request question. The personalized question is not required for faxes, or if the interview is tape-recorded.

If the call is being recorded, the publisher may use any of the following script options to obtain the request:

### Option #1

Do you wish to receive this publication?

Do you wish to continue to receive this publication?

### Option #2

All that I need to do is update your address information and ask you a couple of questions to send out your free subscription. We show that the subscription should go to (address). Is that correct?

All that I need to do is update your address information and ask you a couple of questions to send out your free subscription. We show that the subscription is going to (address). Is that still the correct address?

### Option #3

In order to receive your free subscription to (publication name), I just need a few moments to update some information, ok? I have your name as...

In order to continue receiving your free subscription to (publication name), I just need a few moments to verify some information, ok? I have your name as...

### Option #4

Hello. This is (caller's name) for/from (publication name) calling to update the information that we have on file so that we can begin sending you a free subscription to our publication, ok?

Hello. This is (caller's name) for/from (publication name) calling to update the information that we have on file so that we can continue sending you a free subscription to our publication, ok?

### Option #5

Hello. This is (caller's name) from (magazine name). I'd like to start your free subscription and just need to ask you a couple of questions to be able to do so. I have your address as (address). Is this correct?

**C10.20.2** (continued)

Hello. This is (caller's name) from (magazine name). I'd like to renew your free subscription and just need to ask you a couple of questions to be able to do so. I have your address as (address). Is this correct?

**C10.20.3**

*A telephone interview form shall be submitted to BPA Worldwide for approval prior to its use. BPA Worldwide's approval will be given to any telephone interview form which:*

Contains adequate instructions (script) to the telephone interviewer (outbound calls) or to the recipient (inbound calls) including a statement in accordance with local laws, that the call is being recorded;

Contains the name, title, company address and telephone number of the recipient.

Contains an acceptable request question with a personalized data question coupled to the re-request for subscribers who refuse to be recorded. (as defined in Section C10.20.2 above). The personalized data question is required only if the telephone call is not recorded;

Is consistent with the Market Served and Method of Distribution.

Is signed and dated by the interviewer for outbound calls and for inbound calls, is properly re-corded by the receiver, signed and dated.

With the exception of name, address, title, email, fax, and phone number, prior-year demographic information shall not be confirmed during the telephone interview. Telemarketing vendors/agents shall not have access to the prior demographic information of a campaign.

**C10.20.4**

The qualified recipient's spouse may request the magazine on behalf of the qualified recipient. This may be reported as personal telecommunication requests.

**C10.20.5**

The qualified recipient's authorized assistant may request the publication on behalf of the qualified recipient. This may be reported as personal telecommunication request, provided the authorized assistant responds affirmatively to either one of these questions:

"Do you provide administrative support for \_\_\_\_\_ that includes the ability to request subscriptions for him/her?"

"Do you provide administrative services for \_\_\_\_\_ and are you (allowed/eligible/permitted) to request a publication on their behalf?"

In one telephone interview, an authorized assistant may not request a magazine for more than one qualified recipient and be reported as personal request (see Section C10.20, Direct Request: Telecommunication).

**C10.20.5** (continued)

Publishers electing to contact an authorized assistant to elicit personal telecommunication request shall comply with the same conditions concerning telecommunication requests set forth in these rules (See C10.20.2). In addition, the publisher shall comply with the following condition:

**C10.20.6**

Multiple magazine telecommunication requests obtained in a single telecommunication may be counted as telecommunication request circulation provided the interviews are tape recorded, there is a separate request question asked and answered for each of the magazines, and such circulation is in conformance with Section C10.19.4 (See C10.20.9).

**C10.20.7**

Prior testing of scripts, systems and procedures for soliciting telecommunications request may be required to determine auditability.

**C10.20.8**

For incoming requests received through telecommunications equipment, adequate records verifying the time and date of call shall be maintained. In addition to the personalized request question, the recipient may be instructed to key a unique identification code taken from the publisher's label.

**C10.20.9**

Publishers shall be responsible for maintaining the following records which are to be made available to the auditor at the time of audit and/or during random visits:

All telephone company invoices.

All computer-generated data including summaries by date of calls received, telephone numbers of calls, placed and received, and computer logs of tasks performed.

Recordings, where permitted and available, shall be inspected by the auditor to verify adherence to the BPA Worldwide approved interview form and the proper recording by the interviewer of the recipient's response. Whenever conversations are recorded, the recipient shall be advised, in accordance with local laws, that he/she will be recorded. Monitoring of live interviews also may be conducted for the same purpose.

**C10.20.10**

The publisher shall be responsible for the documentation and accuracy of telecommunication requests including those requests obtained through outside telemarketing firms.

**C10.20.11**

The auditor will compare and cross-check all records and make any other tests deemed necessary, including follow-up telephone contact and/or mail confirmations, for complete and accurate authentication of the request and qualification information. The publisher shall be billed for the costs incurred for any special confirmations conducted by BPA Worldwide or its agent.

## **C10.20.12**

All other specific rules pertaining to the use of premiums for personal written request circulation (Section C10.19.15), or in the merging of magazines' circulation (Section C10.19.16) apply to telecommunications.

## **C10.21 Direct Request: Internet and E-mail**

### **C10.21.1**

For those publishers wishing to accept requests via electronic medium (Web, email, other) a transcript (screen-by-screen panels) shall be submitted to BPA Worldwide for approval prior to use. BPA Worldwide's approval will be given to any electronic transcript that meets the following conditions:

Contains adequate instruction (menu and screen panels) to the recipient end user.

Contains a provision for the name, title, and company address of the recipient.

Contains an acceptable request question with a personalized data question to confirm the request (as defined in Section B10.20.2) and a provision for the date.

Incoming email correspondence that is not Web qualification-form generated and is requesting a publication does not need a personal data question. However, out bound solicitations for email requests must include a notification that the subscriber may be contacted by a third party to verify the publication request.

Documentation of the respondent's conformance to the Field Served and Definition of Recipient Qualification shall be available either through the electronic medium or a secondary source.

Web-based, single response, qualification questions may be pre-populated with prior-year information, provided the subscriber proactively verifies the data in each question by clicking a separate "confirm" button for each question. The request question ("Do you wish to receive/continue to receive XYZ Magazine?") cannot be pre-populated, unless the subscriber has demonstrated through an action ("i.e. click to subscribe") prior visiting to the qualification page.

### **C10.21.2**

Multiple publication electronic requests are acceptable and may be counted as request circulation, provided that the following requirements are met:

Magazines offered shall be homogeneous, in that they have similar definitions of recipient qualification and serve businesses, industries, trades, occupations or professions with clearly defined limits.

A separate request from the subscriber is necessary to establish a request for each magazine.

The text of the solicitation shall disclose that multiple magazines are being offered.

A description of the editorial content that differentiates the magazines offered shall be included on the qualification card. The offer form shall display the different magazine logos to increase differentiation among titles.

**C10.21.2** (continued)

A question approximating the following shall be asked:

Please check here if you wish to receive Magazine XXX

Please check here if you wish to receive Magazine YYY

Please check here if you wish to receive Magazine ZZZ

The forms must contain a personalized data question to confirm the request, as defined in Section C10.20.2.

**C10.22 Request From Recipient's Company: Written**

**C10.22.1**

Questionnaires or letters on a company letterhead from firms requesting copies of a magazine for employees identified by name, title and/or function may be reported as written request from recipient's company.

**C10.22.2**

Publishers electing to use a standardized questionnaire to develop such company request circulation shall comply with the following conditions:

A statement approximating the following shall appear on the form:

*"Please send this magazine to the following employees".*

**C10.22.3**

Such questionnaires or letters shall include instructions to the company to verify each name appearing on the list for correct mailing address information. In addition, the company shall be instructed to fill in or otherwise indicate for each name on the list the recipient's industry, title and/or functional description. Such letters of instruction shall be submitted to BPA Worldwide for approval prior to printing.

**C10.22.4**

Questionnaires shall contain a provision for signature and a provision for date.

**C10.22.5**

Each name deleted from the list by the company shall be removed from the qualified circulation within 90 days of receipt of the communication.

**C10.22.6**

The format and terminology used in standardized questionnaires and requalification forms to develop Written Request from Recipient's Company shall be approved by BPA Worldwide prior to use. BPA Worldwide's approval will be given to standardized questionnaires and requalification lists that meet the above conditions and are consistent with the Market Served and the classifications reported in Paragraph 4 of the circulation statement.

**C10.22.7**

The auditor may conduct direct mail confirmations and make any other tests considered essential to the complete and accurate authentication of this source (see C11.4).

**C10.22.8**

The following types of non-paid circulation may be considered as written request from recipient's firm providing such circulation is in conformance with Sections C10.21.2 through C10.21.5:

- Non-paid request from recipient's firm.
- Non-paid multi-copy same addressee circulation.

**C10.22.9**

The following types of paid subscriptions may be reported as written request from recipient's firm in conformance with Sections C10.22.2 through C10.22.5 above:

- Subscriptions sold in quantities of two or more paid for by an employer for their employees.
- Sponsored Subscriptions Individually Addressed.
- Multi-Copy Same Addressee.

**C10.22.10**

The following types of paid circulation are NOT to be reported as written request from recipient's firm:

- Non-deductible subscriptions (except in those cases where the publisher has obtained a specific request to receive the magazine from the member).
- Gift subscriptions.

**C10.22.11**

Whenever a promotional incentive is offered as an inducement to obtain either qualified non-paid or qualified paid request circulation from recipient's firm, the publisher shall identify the premium and the quantity used in a footnote in paragraph 5.

**C10.22.12**

Whenever two or more magazines are merged, request circulation from recipient's firm shall be footnoted in paragraph 5 indicating the percentage of request circulation from each of the merged magazines.

**C10.22.13**

Whenever "company name only" addressed subscriptions are purchased (paid) or requested (non-paid), this circulation shall be reported as "request from recipient's company".

## **C10.23 Request from Recipient's Company: Telecommunication**

### **C10.23.1**

Telecommunications such as telephone calls from authorized individuals or from a company requesting copies of the magazine for employees of that company may be reported as telecommunication request from recipient's company.

### **C10.23.2**

Publishers electing to use telecommunications for company request shall comply with the following conditions:

A question approximating the following shall be asked and answered during the telecommunication: "Please send this publication to the following employees," or "Do you want this magazine sent to any other employees? Yes ... No ... To permit future verification of your request, please give us your month and/or date of birth - Month ... Day ... or mother's maiden name or high school graduated from." Other forms of personalized questions which only the interviewee and not the publisher is likely to know, may be asked as an alternate should the interviewee not provide an affirmative response to the original question. Once a particular question is used and the answer is stored, a different question shall be used for future request questions. If the respondent refuses to answer any and all personal questions, the interview may be considered a request if the interview is tape-recorded and the respondent indicates affirmative to the request question.

The names and titles and/or functions of the employees shall be provided:

The name and title and/or function of the authorized requestor shall be provided along with the company, address, and telephone of the company.

### **C10.23.3**

Telecommunications from an authorized assistant wherein that assistant has requested the magazine for more than one qualified recipient in one telephone interview, may be reported as telecommunication request from recipient's company.

### **C10.23.4**

All other conditions pertaining to telecommunications outlined in Sections C10.20 and C10.25 except in conditions specified for "personal" telecommunication shall be followed.

## **C10.24 Request from Recipient's Company: Internet and E-Mail**

Electronic communications such as email, Internet, Web communications and others from authorized individuals or from a company requesting copies of the magazine for employees of that company may be reported as Request from Recipient's Company: Electronic.

### **C10.24.1**

Publishers electing to use this form of company request shall comply with the following conditions: (See C10.21.)

#### **C10.24.2**

A question approximating the following shall be asked and answered as part of the electronic communication: "Please send this magazine to the following employees," or "Do you want this magazine sent to any other employee? Yes ... No..."

"To permit future verification of your request, please give us your month and/or date of birth - Month. Date, or your mother's maiden name or high school graduated from." Other forms of personalized questions that only the recipient and not the publisher are likely to know are also permissible. Once a particular question is used and the answer is stored, a different question shall be used for future request questions.

#### **C10.24.3**

The names and titles and/or functions of the employees shall be provided.

#### **C10.24.4**

The name and title and/or function and email address of the authorized requestor shall be provided, along with the company name, address, and telephone number of the company.

#### **C10.24.5**

All other conditions pertaining to Internet as outlined in C10.19.12 shall be followed.

#### **C10.24.6**

All other conditions pertaining to Electronic outlined in C10.20 except in conditions specified for Personal Electronic, shall be followed.

#### **C10.25 Membership Benefit**

Individual and organizational memberships in associations or societies or clubs etc. where the subscription is paid for out of membership dues and the member does not have the option of deducting the subscription price from the dues (non-deductible membership benefit subscriptions).

#### **C10.26 Communication from Recipient or Recipient's Company (Other than Request): Written**

##### **C10.26.1**

The following types of records may be reported as written communication circulation:

Standardized questionnaires to an individual magazine, such as:

Census forms.

Editorial survey forms.

Questionnaires which do not have the provision for the Yes/No request question.

**C10.26.1** (continued)

Arrears unpaid for three months and credit subscriptions unpaid for six months where the subscriber has been transferred to controlled circulation.

Reader service cards to an individual magazine (where the recipient has not signed the card and/or answered the question "Yes, I wish to receive (continue to receive) this magazine)."

Such communications shall have provisions for date and signature of recipient or by a member of the recipient's firm and shall bear evidence of the date of mailing by the recipient, or receipt by the publisher and proof of conformance to classification.

Non-deductible association or seminar subscriptions.

Expired one and two-year paid subscriptions.

Multi-Copies to the Same Addressee circulation where the recipient at the point of redistribution has agreed to accept a specified number of copies for redistribution to qualified recipients. A written and signed redistribution agreement shall indicate the specific quantities requested, as well as the date requested. Agreements shall be obtained for no less than 95% of all points of redistribution, and for no less than 95% of the copies to be distributed. Street rack distribution must receive the permission of the municipality governing the public space. Agreements are required for each municipality or private location, not each street rack.

Trade Show, Consumer Shows, and Convention distribution, where a redistribution agreement as mentioned above or a paid contract for exhibit space is obtained from the event management. Distribution of such copies are verified by third party delivery receipts, and literature supporting the event is provided. (See C9.9, C9.33, C10.17).

**C10.26.2**

The following standardized questionnaires from another magazine shall be reported as Communication from Recipient or Recipient's Company (Other than Request): Written provided the other Magazine is of the same parent publishing company:

Personal written request forms direct from the recipient.

Written request forms from the recipient's company.

Written communication forms from the recipient or from the recipient's company.

These sources shall age based on the qualification date of the original source document.

The quantity of names added to the file shall be properly identified in paragraph 8 additional comments, stating: "Communication from Recipient or Recipient's Company (Other than Request): Written" includes x copies or x% requests for XYZ Magazine."

Whenever 5% or more of the total circulation is qualified through questionnaires from another magazine, the number of sources used and the amount of circulation from those sources shall be disclosed in paragraph 8 as follows:

**C10.26.2** (continued)

“Communication from Recipient or Recipient’s Company (Other than Request): Written” includes [#] sources of circulation for quantities of [#] copies or [#]% to # copies or [#]%.

The source shall be identified by name in a footnote in Paragraph 8 whenever 10% or more of the circulation is qualified through questionnaires from a single magazine.

**C10.26.3**

Questionnaires from another magazine from another parent publishing company shall not be reported as Communication from Recipient or Recipient’s Company (Other than Request): These are reported as “Other Sources”.

**C10.27      Communication from Recipient or Recipient’s Company (Other than Request):  
Telecommunication**

**C10.27.1**

The following telecommunication to a media company shall be reported as Communication from Recipient or Recipient’s Company (Other than Request): Telecommunication provided the other Magazine is of the same parent publishing company:

Personal telecommunication request forms direct from the recipient.

Telecommunication request forms from the recipient’s company.

Telecommunication communication forms from the recipient or from the recipient’s company.

These sources shall age based on the qualification date of the original source document.

The quantity of names added to the file shall be properly identified in paragraph 8 additional comments, stating: “Communication from Recipient or Recipient’s Company (Other than Request): Telecommunication” includes x copies or x% requests for XYZ Magazine.”

Whenever 5% or more of the total circulation is qualified through questionnaires from another magazine, the number of sources used and the amount of circulation from those sources shall be disclosed in Paragraph 8 as follows:

“Communication from Recipient or Recipient’s Company (Other than Request): Telecommunication” includes [#] sources of circulation for quantities of [#] copies or [#]% to [#] copies or [#]%.”

The source shall be identified by name in a footnote in Paragraph 8 whenever 10% or more of the circulation is qualified through questionnaires from a single magazine.

**C10.27.2**

Telephone interview forms shall be submitted to BPA Worldwide for approval.

**C10.27.3**

BPA Worldwide’s approval will be given to any questionnaire that is consistent with the Market Served and the classifications reported in Paragraph 4 of the circulation statement.

#### **C10.27.4**

Questionnaires shall also contain the instructions to the telephone interviewers, the name and address of the firm to be called, the name and title of the person being interviewed, and provision for the operator's signature and date of interview.

#### **C10.27.5**

These forms shall be adequately identified and dated to permit the auditor to satisfy him/herself of their authenticity and acceptability.

#### **C10.27.6**

Whenever three or more copies of a magazine are sent to the same addressee, a distribution agreement may be obtained via a telecommunication provided the agreement to distribute the copies is tape-recorded. The agreement shall indicate the specific quantities requested, as well as the date requested.

Agreements shall be obtained for no less than 95% of all points of redistribution, and for no less than 95% of the copies to be distributed. (See C7.19).

#### **C10.27.7**

The auditor will compare and cross-check telephone bills, interview forms, conduct confirmations and make any other tests considered essential to a complete and accurate authentication of this source. The publisher shall be billed for the costs incurred for any special tests.

#### **C10.27.8**

Telecommunication questionnaires from another magazine from another parent publishing company shall not be reported as Communication from Recipient's Company (Other than Request): telecommunication. These are reported as "Other Sources".

### **C10.28 Communication from the Recipient or Recipient's Company (Other Than Request): Electronic**

#### **C10.28.1**

The following types of records may be reported as Communication from the Recipient or Recipient's Company (Other Than Request): Electronic:

Standardized questionnaires to a media company, such as:

Census forms

Editorial survey forms

Questionnaires that do not have the provision for the "Yes/No" request question

### **C10.28.2**

Questionnaires shall be submitted to BPA Worldwide for approval. BPA Worldwide's approval will be given to any communication that contains adequate instructions (menu and screen panel(s) to the recipient end-user and a provision for the name, address and email address of the recipient.

Prior testing of electronic scripts, systems and procedures for soliciting this form of communication may be required to determine audit ability.

### **C10.28.3**

BPA Worldwide's approval will be given to any questionnaire that is consistent with the Market Served and the classification reported in Paragraph 4 of the circulation statement.

### **C10.28.4**

These questionnaires shall be adequately identified and dated to permit the auditor to be satisfied with the authenticity and acceptability.

### **C10.28.5**

Whenever more than two copies of a magazine are sent to the same addressee, a distribution agreement to distribute the copies is confirmed by the respondent answering a personal identifying question.

The agreement shall indicate the specific quantities requested, as well as the date requested. Agreements shall be obtained for no less than 95% of all points of redistribution, and for no less than 95% of the copies to be distributed. (See B7.24.)

### **C10.28.6**

The following standardized questionnaires from another magazine shall be reported as Communication from the Recipient or Recipient's Company (Other Than Request): electronic provided the other magazine is of the same parent publishing company:

- Personal Electronic request forms direct from the recipient

- Electronic request forms from the recipient's company

- Electronic communication forms from the recipient or from the recipient's company

These sources shall age based on the qualification date of the original source document.

The quantity of names added to the file shall be properly identified in Paragraph 8 additional comments, stating: "Communication from Recipient or Recipient's company (Other than Request): Email includes X copies or X% requests for *XYZ Magazine*."

### **C10.28.7**

Questionnaires from another magazine from another parent publishing company shall not be reported as Communication from Recipient or Recipient's Company (Other than Request): Electronic. These are reported as Other Sources.

## **C10.29 Independent Field Reports**

### **C10.29.1**

Field reports obtained by independent field service organizations under contract to the publisher shall be adequately identified and dated to permit the auditor to be satisfied of their authenticity and acceptability. Such circulation is reported as "Other Sources".

### **C10.29.2**

Field service organization reports obtained by interview with the qualified recipients may be counted as request circulation provided the recipient signs the questionnaire requesting the magazine.

### **C10.29.3**

The President may require the publisher to furnish such information about the organization and its procedures, and may make such independent investigations as deemed necessary to determine whether or not the reports constitute satisfactory evidence of qualification.

## **C10.30. Lists**

### **C10.30.1**

Association/Society or Club etc. membership lists, manufacturers' or distributors' lists of customers, prospects and licensees are acceptable evidence of qualification providing such lists are adequately identified and dated to satisfy the auditor of their authenticity and acceptability. If the executive director of an Association/Society or Club requests subscriptions for their members, the subscription request may be disclosed in a footnote in paragraph9, Additional Data.

## **C10.31 Business Directories**

### **C10.31.1**

All printed and published directories, including directory issues of periodicals and industrial directories or those available on Compact Disk - Read Only Memory (CD-ROM) or through the Internet, shall be adequately identified and dated to satisfy the auditor of their authenticity and acceptability.

### **C10.31.2**

To determine the qualification date of a directory, the month and year of the copyright or the date of printing (the earliest date) shall be used. In the event that a month does not appear, the following shall apply:

A directory dated on the cover, or compact disk (CD) dated for one year only shall have a qualification date of January 1 of that year.

A directory dated on the cover, or compact disk (CD) dated for two or more years shall have a qualification date of July 1 of the first year.

A directory dated on the cover, or compact disk (CD) dated with a specific month and year would have a corresponding qualification date.

## **C10.32 Other Sources**

### **C10.32.1**

Business letterheads, company personnel rosters, company annual reports, company telephone directories, business cards, trade shows registration lists, reader service cards and qualification questionnaires from other publications not owned by the same parent company. Such sources shall be adequately identified and dated to satisfy the auditor of their authenticity and acceptability.

### **C10.32.2**

Publishers electing to use sweepstakes prize draw or other contest offers to develop qualified non-paid circulation shall comply with the following conditions:

Non-paid recipients qualified through the use of these offers shall be reported as other sources in paragraph 5.

The publishers shall identify such sweepstakes offers and the quantity reported as other sources in a footnote in paragraph 8 as follows:

*" . . . recipients reported as other sources in paragraph 5 were obtained through the use of sweepstakes offers."*

Mailing house lists which have been approved by BPA Worldwide may be reported as other sources and shall carry an identifying footnote.

### **C10.32.3**

Mailing house lists which have not been approved by BPA Worldwide are not acceptable as qualification evidence. However, in order to obtain BPA Worldwide approval, a publisher may arrange with a mailing house to have the list checked against the original sources provided such sources are within the time limits prescribed in these Rules and are available to the auditor. If a publisher elects to report the original qualification sources in paragraph 5 of the circulation statement, the mailing house shall prepare the data for this paragraph and shall be subject to all requirements for the auditing of paragraph 5.

### **C10.32.4**

Qualification questionnaires from another Magazine from another parent publishing company shall continue to age based on the qualification date of the original source document. (See sections 10.26.1, 10.27.3, and 10.28.6).

## **C10.33 Single Copy Sales**

Copies sold on a single-issue basis through newsstands and other retail outlets shall be reported as "single copy sales" one year old. (See Section C10.12 of these Rules).

## **C10.34 Worksheets Maintained by the Publisher**

BPA Worldwide can supply all the necessary worksheets to the publisher for the completion of the data reported in the circulation statements.

### **C10.35**

Those magazines not reporting qualified paid circulation separately in paragraphs 2 through 6 will use the following forms;

Form 1-2  
Form 4-6  
Form 5

### **C10.36**

Those magazines reporting qualified paid circulation separately in paragraphs 2 through 6 will use the following forms:

Form 1-2  
Form 3a-3d  
Form 4-6\*  
Form 5\*

\*Form shall be kept separately for the qualified non-paid and qualified paid circulation.

### **C10.37**

*Form 1-2 (Circulation Breakout by Issue)* - Is a perpetual inventory of circulation which will record the qualified continuous and non-continuous by qualified non-paid, qualified paid and total qualified circulation by issue. Also recorded on this form is the non-qualified distribution. The reporting of information on this form is mandatory for all magazines.

### **C10.38**

*Form 1-2a (Date of Mailing by Issue)* - Records the date of mailing and number of copies mailed for each issue including any late mailing of copies.

### **C10.39**

*Form 3a-3b (Analysis of Qualified Paid Subscription Sales)* - Records the sales by month for the period of qualified paid subscriptions, by prices, length of subscriptions, and use of promotional incentives.

### **C10.40**

*Form 4-6 (Geographical and Classification Breakout)* - Records the continuous and non-continuous qualified circulation count of the issue analyzed in paragraphs 4 and 6 by classification within each state or other geographical area. The reporting of information on this form is mandatory for all magazines.

All magazines reporting qualified paid circulation in paragraphs 2 through 6 shall run a printout proof of all names on the qualified circulation mailing list every six months and use this form.

#### **C10.41**

*Form 5 (Qualification Source Breakout)* - Records qualification sources by state or other geographical area for the qualified circulation of the issue analyzed. This count is obtained from a physical count of the mailing list, for the issue analyzed, of the entire qualified circulation. The reporting of information on this form is mandatory for all magazines preparing their second six months circulation statements, and optional for the reporting of this information on the interim circulation statement. Separate forms are required for continuous and non-continuous circulations.

#### **C10.42**

*Arrears Form (Post Expiration Copies Included In Total Qualified Circulation)* - Records the qualified circulation by state of the issue analyzed for potential renewals unpaid up to three months. (See C7.3).

#### **C10.43**

*Renewal Rate Form* - Records the renewal percentage computation for the expired qualified paid subscriptions by state or other geographical areas for the period analyzed, and the renewal of these qualified paid subscriptions.

#### **C10.44**

While BPA Worldwide supplies these official forms, equivalent forms prepared by the magazine and approved by the President may be used.

#### **C10.45**

The preparation, maintenance and availability of all requirements and records necessary for an audit as stated in these Rules shall be the responsibility of the publisher. The employment of outside agents or firms for any and all circulation work does not relieve the publisher member of their responsibility.

#### **C10.46**

Upon completion of the circulation audit and annual validation of the mailing list, the publisher, with the written approval of the President, will be permitted to discard the qualification source documents which have been validated provided the mailing list proof of all the names on the qualified circulation list for the issue analyzed are coded to denote:

Consumer audit classifications for paragraph 4.

Source of qualification and original date of qualification documents for paragraph 5.

Length and expiration date of each paid subscription.

#### **C10.47**

It shall be the publisher member's responsibility to insure the proper safeguards for the protection and retention of the validated mailing lists which have been sealed by the auditor for the exclusive use of BPA Worldwide in subsequent audits.

**C10.48**

Any qualification source documents received by the publisher after the validated audit issue shall be retained for the auditor's examination at the time of the next regular circulation audit.

**C10.49**

A magazine member may request a validation audit of its circulation list if the magazine's records are to be relocated in another city or state, or if the magazine has been sold.

If the President determines that the validation audit should be made, the publisher shall be billed in accordance with the standard circulation audit charges and any and all other costs which may be incurred by the corporation in conducting such audits.

**C10.50**

All records necessary for an audit shall be retained by the publisher until the next annual audit has been completed.

**C10.51**

Services shall be suspended by the President for any magazine whose audit takes over 75 days to complete or such further time as granted by the President. The Publisher may appeal the President's decision in writing to the Executive Committee of the Board of Directors within seven days from receipt of the President's decision. The decision of the Executive Committee shall be final. In the event of suspension, a notice shall be posted on BPA's web site and/or released to the membership and the publisher may not publicize any circulation data until the successful completion of that audit.

**C10.52 Purchase or Transfer of Subscriptions from List of Suspended Magazines**

When a publisher purchases a magazine and/or the subscription list of a magazine that has ceased publishing and transfers the subscriptions to the publisher's own magazine, the following shall apply:

The magazine shall be homogeneous.

A record shall be available indicating the subscriber's election to receive the magazine which has assumed the responsibility to fill the unexpired term of this suspended subscription. This election may be done through a negative option questionnaire. If such documents are returned to the publisher, they shall be considered a request to receive the surviving publication.

This service shall be started within six months after the last issue of this suspended magazine, or within such further time as may be granted by the President.

The original order and proof of payment of the suspended magazine shall be available.

The unexpired portion of the subscription is ascertained by either of the following methods, decided by the President:

By dividing the sum of money due the subscriber at the base annual price of the discontinued magazine by the price per copy of the surviving magazine, said per copy price to be a pro rata price of the base annual subscription price of that magazine.

**C10.52** (continued)

By counting the number of copies of the discontinued magazine still due the subscriber and crediting the subscriber with this number of copies of the surviving magazine.

A separate analysis of transferred subscriptions shall be made in paragraph 4 for one circulation statement and one audit report and all details concerning such subscriptions shall be reported in paragraph 8 as determined by the President.

The subscriptions cannot be reported as paid circulation beyond the expiration date.

**C10.53      Subscription Extensions**

Number of subscriptions extended because of subscription price reductions or a reduction in the frequency of issue will be reported in paragraph 8.

**C10.54**

When a publisher reduces the base annual price of a magazine, subscriptions are extended as follows:

The unexpired portion of the subscription shall be extended in the ratio that the value of such unexpired portion at the old base rate bears to the new base rate.

All calculations shall be made effective from the date of the issue with which the price change has occurred.

**C10.55**

When a publisher has reduced the base annual price and has extended the expiration date as specified above, and then, at a later date, has raised the basic annual price the new expiration dates for subscriptions originally extended shall be cut back in the ratio that the newest base price bears to the last base price. All calculations shall be made effective from the date of issue with which the price change has occurred.

**C10.56**

When a publisher increases the frequency without a change in subscription rates, the publisher may extend the subscription period ordered by the subscriber. Details regarding subscription extensions shall appear in paragraph 8.

**C10.57      Requirements and Records for Computerized Audits**

Publisher members using a computer for circulation fulfillment and preparation of audit data, shall:

**C10.58**

Provide printouts of all continuous names separate from non-continuous names on the qualified mailing list for the issue analyzed, including all of the coding information for each recipient.

**C10.59**

Provide separate computer tabulations for:

Continuous and non-continuous consumer magazine audit classifications for paragraph 4.

Continuous and non-continuous source and age of qualification documents for paragraph 5.

Continuous and non-continuous geographical breakout for paragraph 6.

Post expiration copies (arrears) for paragraph 7.

Computer tabulations of non-continuous circulation shall be required for all other issues reported in the period.

**C10.60**

Retain a "*frozen*" file (in any form of memory) of the issue analyzed until the annual audit has been completed. The auditor may conduct any tests to verify the accuracy of the above reports.

**C10.61**

If a publisher member elects not to retain a "*frozen*" file for the issue analyzed, the necessary worksheets shall be completed as reported in Section C10.31 of these Rules.

**C10.62**

Allow the auditor to examine the computer procedure manuals, including the coding instructions and system flow charts.

**C10.63 Requirements for Storing Documents on Electronic Media or Microfilm**

Publishers electing to store documents on electronic media or microfilm shall adhere to the following:

**C10.64**

The stored qualification documents shall support the following information for each recipient:

Consumer Magazine classifications for paragraph 4.

Source and date of qualification documents for paragraph 5. The date of qualification for paragraph 5 shall be the date the recipient signed the document or the date of receipt stamped by the publisher. It is not necessary that the postmark cancellations be imaged.

Geographical breakout for paragraph 6.

All other demographic data captured for future use.

#### **C10.65**

Completely legible hard copy shall be provided for the stored qualification documents selected on the auditor's test.

#### **C10.66**

At BPA Worldwide's discretion, periodic confirmations shall be made to verify the origin of the document.

### **C11.0 Audit Procedure**

#### **C11.1**

The auditor shall examine all available records pertaining to circulation as required in Sections C9.0 and C10.0 of these Rules.

#### **C11.2**

Mailing list labels, circulation qualification records and other lists shall be counted and tested to verify analysis of circulation.

#### **C11.3**

Officers and employees concerned with circulation may be questioned with regard to work on the records in their charge.

#### **C11.4**

The auditor may compare and crosscheck data from these various sources, conduct confirmations and make any other tests considered essential to the complete and accurate authentication of the audit report.

The publisher shall be billed for the costs incurred for special tests considered to be essential to complete the audit.

#### **C11.5**

The auditor may visit the printer's plant and bindery and secure records pertaining to the magazine and may also visit the mailing room or any other department or plant that is concerned with the production or mailing of the magazine. For these purposes the cooperation of the publisher shall be expected.

#### **C11.6**

As a result of an audit, whenever there has been a substantial change in the circulation data as reported originally in the circulation statement, a corrected statement shall be issued by BPA Worldwide which shall bear the legend "Membership Advisory of Correction (See Paragraph 11)." Prior to the issuance of a membership advisory, however, the publisher shall be notified by registered mail or other courier mail (return receipt requested) of the auditor's findings, and shall have ten days to appeal the auditor's findings prior to the release of a membership advisory. In the event of an appeal, the auditor's findings will be reviewed by the President. If the publisher disagrees with the decision of the President they may, within 10 days, request a further review by the Board of Directors.

## **C11.6 (continued)**

In addition, BPA Worldwide may post on its web site or release in some other way, a bulletin to its members whenever a circulation statement is corrected. Whenever an adjusted audit report, corrected circulation statement or bulletin is released, the publisher shall be billed for the charges incurred.

## **C11.7**

Whenever Membership Advisories of Correction are issued for a member for two sequential years for any reason, or audit reports are issued for three sequential years due to errors and omissions within the same BPA statement paragraph, i.e. 5, qualification source and age, that have been brought to the attention of the member in the previous audits the Corporation shall not release the subsequent circulation statement without auditing it first. The publisher shall be billed the audit charge for this special audit in accordance with rates as established from time to time by the Board of Directors. In addition the matter will be brought to the attention of the Executive Committee for a review of the membership status of the publication for possible further action as provided for under Section B10.0 of the Bylaws.

## **C11.8**

If it becomes necessary for an auditor to remove from the publisher's premises any receipts, documents, etc., the auditor shall be required to have two identical receipts signed by the auditor and the publisher or a publisher's representative listing the material taken. One receipt is to be kept by the auditor and the other by the publisher, both receipts to be destroyed upon the auditor's return of the material.

## **C12.0 SUPPLEMENTARY AUDIT PROCEDURES**

### **C12.1 Supplementary Business/Demographic Audit Report**

A report released by the Corporation attesting to the accuracy and validity of the number of secondary or multiple products or type of products approved, purchased, recommended or specified, or functions or titles of the qualified recipients of a magazine, or any other demographic information gathered through multiple response questions.

Any questions which contain purchasing authorization but is a qualifying question for the entire qualified list e.g. primary, not secondary information and does not contain an analysis of multiple response data, shall not be considered a supplementary question. If an analysis of multiple response data is included in the report, it shall be considered supplementary.

Publishers wishing to compare circulation data to benchmark data may do so in a supplementary audit report. The benchmark data, e.g. U.S. Census, published rankings of corporations, etc., may be more than three years old but shall be the most recently released data at the time of the audit, but not necessarily for the same time period as the audit.

The supplementary audit report shall contain the name of the publication; publishing company; address of publishing company; telephone and fax numbers; email address, Web site URL, whether or not an official association publication; year of the publication's establishment; number of issues per year; field served; definition of recipient qualification; report expiration date; and the purpose of the report. The same field served and definition of recipient qualification as used in the regular circulation audit for this period shall be reported in the supplementary audit report.

## **C12.2 Eligibility and Procedures**

A magazine member in good standing may apply for a supplementary demographic audit report in addition to the regular circulation audit and shall proceed as follows:

Complete a supplementary demographic audit contract and file it with the Corporation together with the fee for the supplementary demographic audit. The supplementary demographic audit is renewable in any year, at the option of the publisher, by filing a contract with the Corporation prior to the member's regular annual circulation audit.

Complete a supplementary demographic audit form, and file it, along with the regular annual circulation audit form with the Corporation. The supplementary demographic audit report shall be in conformance with these Rules and shall be the basis for the supplementary demographic audit report.

## **C12.3**

Upon receipt of the supplementary demographic audit form the Corporation shall make an examination of the magazine's records and complete the supplementary demographic audit at the same time as the regular annual audit of the magazine's circulation. The supplementary demographic audit will be released on a separate report simultaneously with the regular annual circulation audit report (salmon stock).

## **C12.4**

If it is found that the magazine's records are incomplete and the supplementary demographic audit cannot be made, the publisher shall install and maintain such auditable records as recommended by the Corporation if the publisher plans to reapply for a supplementary demographic audit.

## **C12.5**

A magazine member who has successfully completed a supplementary audit, shall have the option of reporting supplementary data in their circulation statement as follows:

The initial reporting of supplementary data for the demographic breakout of qualified circulation shall be in a supplementary audit report or combined with the regular circulation audit report. Thereafter, the publisher may elect to report new supplementary data in their interim circulation statement and/or second circulation statement.

A publisher may elect to report new supplementary data on a separate supplementary circulation statement at the time they file their regular interim circulation statement and/or second circulation statement.

New supplementary data reported on the interim circulation statement or second circulation statement, shall be within one year from the date of the latest supplementary audit report.

New supplementary data may be reported on a circulation statement provided these data are subject to audit at the time of the next regular annual circulation audit. The publisher shall file the supplementary audit contract and fee at the same time they file their circulation statement with the Corporation.

A publisher who elects to report new supplementary data on their interim and/or second six month circulation statement shall report their demographic breakout of qualified circulation as a separate analysis in addition to the secondary or multiple analysis of the supplementary data reported.

## **C12.6 Supplementary Demographic Audit Report Forms**

Publisher members shall report their supplementary demographic on forms supplied by the Corporation.

## **C12.7**

In the interest of uniformity in appearance and typographical set-up of the supplementary demographic audit report, BPA Worldwide will process all paragraphs requiring special typesetting, rulings, and extra pages. The magazine member shall be billed for the production, services, and distribution costs.

## **C12.8**

Distribution of the supplementary demographic audit report shall be made only after an official release is made by the publisher. Thereafter, printed copies may be purchased by any member from the Corporation at a price fixed by the Board of Directors or downloaded from BPA's web site. A member shall not reproduce entire supplementary demographic audit reports and any publicity shall be in conformance with the Rules.

## **C12.9**

The first page of the supplementary demographic audit report shall contain the name of the magazine; publishing company; email address; Web site URL; address of publishing company; telephone and fax numbers; whether or not an official membership Benefit magazine; year of the magazine's establishment; number of issues per year; Market Served; and the purpose of the audit. The same Market Served as used in the regular circulation audit for this period shall be used in the supplementary demographic audit report. Also, the report shall contain a comment emphasizing that it should be used in conjunction with the annual circulation audit report covering the same period.

## **C12.10 Supplementary Analysis of Demographic Breakout of Qualified Circulation**

Shall contain a secondary or multiple analysis of the number of copies by one or more of the following type of classifications, either as separate totals or in a cross-tabulation breakout:

- Type of business or products
- Type of products approved, purchased, recommended or specified
- Job titles of recipients
- Job functions of recipients
- Any other demographic of recipients

## **C12.11**

Each supplementary analysis shall report the number of respondents to the supplementary question being analyzed. These data may be reported as notations in paragraph 4 or in additional columns for each category in the analysis. For the purposes of the supplementary analysis under this Section, the number of negative responses ("no" or "none of the above") and non-respondents may also be reported separately.

If a publisher chooses not to report negative responses, then the negative respondents shall be removed from the respondent notations in paragraph 4. If a publisher chooses not to report a specific category in the supplementary analysis, respondents that only responded to that category shall be considered negative responses.

For example, the following is an acceptable format for reporting:

**C12.11 (continued)**

	<b>REQUIRED</b>	<b>OPTIONAL</b>	<b>OPTIONAL</b>
Total Qualified	Number of respondents who buy, approve, recommend or specify	Number of respondents who do not buy, approve, recommend or specify	Number of respondents who did not answer the question
<b>10,000</b>	<b>9,000</b>	<b>700</b>	<b>300</b>

**C12.12**

The reporting of percentages shall be optional. However, when percentages are used in a supplementary analysis, they shall be based on the number of qualified copies and in addition, may be based on the number of total qualified paid subscribers only and/or the number of qualified paid subscribers included in the analysis.

**C12.13**

A publication member may elect to cross-tabulate supplementary demographic information by any paragraph reported on the BPA Worldwide circulation statement provided the data reported for such paragraphs are based on actual counts and presented in a clear and concise manner so that there will be no confusion about the data reported.

If a publisher wishes to report total extrapolated data based on a company, unit or firm level (where multiple employees provide data for one location), then a unit or firm audit shall be conducted and the data extrapolation shall be based on the unit or firm data. The publisher has the option to report unit or firm data.

**C12.14**

The analysis shall be based on the May/November issues. A magazine on a June audit schedule would analyze the May issue while a magazine on a December audit schedule would analyze the November issue.

**C12.15**

Classifications which are reported as subtotals will be arranged so that there will be no confusion about the exact number of products, functions or other demographics being reported. Grand totals of supplementary classifications shall not be reported under any circumstances.

**C12.16**

A magazine member may elect to analyze a particular demographic classification or group of classifications. If they exercise this option, the audit shall clearly indicate the particular demographic classification included in the supplementary analysis and shall also report the number of copies in the remaining classifications included in the total qualified circulation for the issue analyzed.

**C12.17 Qualification Source Breakout**

Shall contain an analysis of the qualified circulation by source using one, two, and three year columns or any combination thereof, and shall be repeated from the regular circulation audit and be in conformance with the Rules for reporting these data.

## **C12.18 Geographical Breakout**

Magazine members electing to use a supplementary business/occupational audit shall complete paragraph 6 - Geographic Breakout - in the regular circulation audit and repeat this paragraph in the supplementary audit.

## **C12.19 Questionnaires Used by Magazine to Elicit Supplementary Demographic Data**

### **C12.19.1**

For supplementary questionnaires eliciting buying influence data only, a "yes/no" or "none of the above" format is acceptable.

The following are acceptable examples of these two options:

"Do you recommend, purchase, specify or approve any of the products listed below?

YES     NO

Do you recommend, purchase, specify or approve any of the products listed below (check all that apply):

Product X

Product Y

Product Z

"None of the Above" [would be the last category listed].

When eliciting multiple buying influence data through a telemarketing campaign, the "None of the Above" response category is not required if a 'Yes/No' format is used to elicit the data.

### **C12.19.2**

In cases of multiple job function/ responsibility, multiple products used, or multiple areas of work involvement, the use of "Other (please describe)" is permissible. However, use of this format shall be approved by BPA Worldwide in advance.

The following examples are acceptable uses of this option:

"Please indicate the following job functions which you perform (check all that apply):"

Function X

Function Y

Function Z

"Other (please describe) \_\_\_\_\_"  
[would be the last category listed].

"Which of the following products do you use in the course of your work? (check all that apply):"

Product X

Product Y

Product Z

"Other (please describe) \_\_\_\_\_"  
[would be the last category listed].

### **C12.19.3**

Questionnaire forms used to elicit supplementary demographic data shall be submitted to BPA Worldwide for approval. BPA Worldwide's approval will be given to any questionnaire which is consistent with the analysis to be reported.

Telephone interview forms shall contain adequate instruction to the telephone interviewer (outbound calls) or to the recipient (inbound calls). In addition, publishers shall be responsible for maintaining the following records which are to be made available to the auditor at the time of audit and/or during random visits:

All telephone company, telex and telegram invoices.

All computer-generated data including summaries by date of calls received, telephone numbers of calls placed and received, telex numbers and computer logs of tasks performed.

Tape recordings, where permitted and available, shall be periodically monitored by the auditor to verify adherence to the BPA Worldwide approved interview form and the proper recording by the interviewer of the recipient's response. Whenever conversations are tape recorded, the recipient shall be advised at the outset of the call that it will be recorded. Monitoring of live interviews also may be conducted for the same purpose.

The publisher shall be responsible for the documentation and accuracy of the data collected through telecommunications, including those requests obtained through outside telemarketing firms.

The auditor will compare and cross-check all records and make any other tests deemed necessary, including follow-up telephone/telex contact and/or test mailings, for complete and accurate authentication of the information. The publisher shall be rebilled for the costs incurred for any special tests conducted by BPA Worldwide or its agent.

### **C12.19.4**

Each questionnaire shall be adequately identified and dated to permit the auditor to be satisfied of their authenticity and acceptability.

### **C12.19.5**

A reproduction of the questionnaire shall be included in the supplementary audit report.

### **C12.20**

A physical count of the mailing list for the issue analyzed shall be made by the publisher of the supplementary demographic classifications in each geographical area.

### **C12.21**

Qualification evidence shall be available to the auditor to support any additional data reported in the supplementary demographic audit as well as the qualification material required for the regular annual circulation audit. This proof may be no older than three years from the date of the issue analyzed.

## **C12.22**

The preparation, maintenance, and availability of all requirements and records which are necessary for a supplementary demographic audit as stated in these Rules shall be the responsibility of the publisher. The employment of outside agents or firms for any or all-supplementary business/ occupational audit work does not relieve the publisher member of their responsibility.

## **C12.23**

All records necessary for an audit shall be retained by the publisher until the next supplementary demographic audit has been completed or for a period of not less than three years.

## **C13.0 PROJECTED RESEARCH STUDY OF PASS-ALONG RECEIVERSHIP**

### **C13.1**

A Magazine member in good standing may apply for the pass-along research study service and shall proceed as follows:

Complete a contract for BPA Worldwide's services and file it with the Corporation together with the established fee periodically set by the Board of Directors. Attached to the contract shall be a complete description of the purpose of the research, the completed statement of methodology and, the questionnaire/telephone interview form to be used.

The pass-along data will be collected via a telephone, e-mail and/or mail survey using an approved questionnaire form.

The telephone, e-mail and/or mail surveys to be used to develop pass-along data shall include a provision to record the quantity of recipients. Publishers may gather pass-along recipients' full names at the publisher's option. BPA Worldwide reserves the right to further verify these pass-along recipients if it is deemed necessary in order to complete the study.

The study must abide by the standards established by the Advertising Research Foundation's Guidelines for Audience Research on Magazines, with an exception for BPA's required 45% response rate (see below).

At the conclusion of the study, complete a BPA Worldwide Projected Research Study of Pass-Along Receivership Form and file it with the Corporation. The form shall be in conformance with these Rules.

At the conclusion of the study, complete a "*Full Disclosure Form for Research*" established by the Association of National Advertisers, Inc. and submit a copy to BPA Worldwide.

BPA Worldwide will limit its service to that research based only on the Magazine's qualified circulation and shall not include any study which directly compares one Magazine with another or relates to preferences of the recipient/subscriber. The only type of research study BPA Worldwide may verify shall be a Magazine's Pass-Along Receivership.

BPA Worldwide shall release a Research Study of Pass-Along Receivership Report only if a Magazine attains a minimum response of 45% of the sample size which also shall be an acceptable and a representable minimum of the population being tested.

### **C13.2**

Upon receipt of the contract, BPA Worldwide will review the objective of the research study and the intended methodology. Utilizing the expertise of an independent panel of research professionals, BPA Worldwide will make an evaluation of the methodology to determine its conformance to minimum standards for sampling, questionnaire construction, data collection, response rates and analysis as well as generally accepted research practices and ethics, as established by the ARF Guidelines for Audience Research on Business Magazines. BPA Inter-national may elect to reject the contract at this point and return to the magazine the contract, fees and any other material submitted. BPA Worldwide shall deduct from the refunded fees any costs associated with its evaluation.

### **C13.3**

Upon acceptance of the contract, BPA Worldwide shall make an examination of the research materials and records and complete an audit attesting to the completion of the specifications (methodology) of the study, including the sample selection and survey implementation, the tabulations of respondents, and the accurate coding, analyzing and projecting of all usable responses. BPA Worldwide's independent panel of research professionals shall review the conclusions and interpretations of the study for conformance to generally accepted research practices and ethics, as established by the ARF Guidelines for Audience Research on Business Publications. BPA Worldwide, however, shall not make any interpretations or draw any conclusions nor shall it attest to the soundness or correctness of the data resulting from the publisher's choice of research methodology.

### **C13.4**

At the completion of the audit, BPA Worldwide may release a Projected Research Study of Pass-Along Receivership Report. The report will be separate from all other reports of the member magazine and will be printed on blue stock.

### **C13.5**

If it is found that the magazine's (or the independent research firm's) records are incomplete or unavailable and the audit of the research cannot be made in accordance with BPA Worldwide procedures, the audit shall be terminated and all fees forfeited. No further attempt may be made by BPA Worldwide to verify that particular study.

### **C13.6**

A report released by the Corporation on blue stock attesting to the verification of: the sample selection, the survey implementation, the tabulation of returns, the coding of the responses, the tabulation of the responses and the projection of the data.

### **C13.7**

The report shall state that the methodology and subsequent results were reviewed by BPA Inter-national's independent panel of research professionals for conformance to ARF's Guidelines for Audience Research on Business Magazines.

### **C13.8**

Publisher members shall report on forms supplied by the Corporation.

### **C13.9**

In the interests of uniformity in appearance and typographical set-up, BPA Worldwide shall approve all paragraphs requiring special typesetting, ruling and extra pages.

### **C13.10**

BPA Worldwide shall print the reports and bill the magazine for the service in accordance with fees periodically set by the Board of Directors.

### **C13.11**

Printing and distribution of the report shall be made only after an official, signed release is made by the publisher. Thereafter, printed copies may be purchased by any member from the Corporation at a price fixed by the Board of Directors. A member shall not reproduce entire reports, nor portions thereof, and any publicity shall be in conformance with the BPA Worldwide Publicity Rules.

### **C13.12 Report Contents**

The report will include the following elements:

The name of the magazine member, its company and address.

The name of the firm conducting the study and its address.

The date the study was completed.

The date the study expires.

A description of the study, e.g., a name or title.

The date of the issue of the magazine from which the sample was drawn.

A statement regarding the "Purpose" of the project.

An announcement signifying the inclusion of projected data, if applicable.

A statement attesting to BPA Worldwide's verification and involvement in conducting the study.

A statement concerning existence of any interpretations and conclusions, and who has made them.

A full disclosure of the methodology utilized in the study.

A summary of all respondents differentiated by usable returns and unusable (incomplete, blank, postal returns, etc.) returns, and number of efforts.

Any analyses pertinent to the study, including levels of confidence (+/-), the tabulations for which can be supported by the research documentation.

A variance table detailing the variance between the sample, the respondents to the sample, and to the total qualified.

**C13.12** (continued)

A statement by BPA Worldwide disclaiming liability for the soundness or correctness of data resulting from the publisher's or independent firm's choice of research methodology or any interpretations or conclusions contained in the report.

**C13.13**

It is recommended that one of the two issues analyzed (May or November) be used as the population from which a sample is drawn. The use of issues other than May or November may result in the need for additional testing during BPA Worldwide's verification of the research study.

**C13.14**

A complete list of the population studied in zip code then alphabetic by last name sequence shall be retained and made available to the Corporation.

**C13.15**

A complete list of all names selected in the sample in zip code then alphabetic by last name sequence shall be retained and made available to the Corporation.

**C13.16**

Computer instructions, console logs, operator journals, run sheets and whatever other documentation is customarily available to perform or which results from the performance of the sample selection shall be retained and made available to the Corporation.

**C13.17**

Affidavits verifying that all names selected for the study were included in the study, itemized telephone bills, and audio tape recordings of telephone and/or personal interviews (if used), including any follow-up contacts, shall be retained and made available to the Corporation.

**C13.18**

Copies of completed telephone interview forms and/ or all mail survey returns, with envelopes, and an affidavit (from the magazine, research firm, telemarketing firm) attesting to the completeness of the returns.

**C13.19**

Printout or listing of all usable responses including all code input.

**C13.20**

Tabulations, manual or computerized, analyzing any coded input of the usable returns. The Corporation may request any additional printouts or analyses it deems necessary in the verification process.

### **C13.21**

Any other records deemed necessary by the Corporation in the fulfillment of its service.

### **C13.22**

All records necessary for the verification shall be retained by the publisher and made available to the Corporation upon request.

## **C14.0 SUBSCRIBER STUDY AUDIT**

### **C14.1**

A Magazine member in good standing may apply for the subscriber study audit service and shall proceed as follows:

Complete a contract for BPA Worldwide's services and file it with the Corporation. Attached to the contract shall be a complete description of the purpose of the research, the completed statement of methodology, and the questionnaire/telephone interview form to be used.

The subscriber study data will be collected via a telephone, e-mail and/or mail survey using a BPA approved questionnaire form.

An independent, third party market research company that is familiar and compliant with Advertising Research Foundation (ARF) guidelines must perform the subscriber study. The study must abide by the standards established by the Advertising Research Foundation's Guidelines for Audience Research on Magazines, with an exception for BPA's target response rates (see below).

BPA Worldwide shall release an Audit Opinion Letter only if a Magazine attains a minimum response with a target of 35% of the sample size which also shall be an acceptable and a representable minimum of the population being tested.

The subscriber study must include a sample drawn from the entire qualified file with a minimum of 1,000. Subscriber exclusion may include international addresses, residents of Alaska and Hawaii, copies lacking individuals by name and address, company names only, multiple copies to the same addressee, copies to the advertiser and the agency promotion list. Exclusions must be disclosed.

A minimum of 350 useable responses in tabulation is required.

### **C14.2**

Upon receipt of the contract, BPA Worldwide will review the objective of the subscriber study and the intended methodology. BPA Worldwide will make an evaluation of the methodology to determine its conformance to minimum standards for sampling, questionnaire construction, data collection, response rates and analysis as well as generally accepted research practices and ethics. BPA Worldwide may elect to reject the contract at this point and return to the magazine the contract, fees and any other material submitted. BPA Worldwide shall deduct from the refunded fees any costs associated with its evaluation.

### **C14.3**

Upon acceptance of the contract, BPA Worldwide shall make an examination of the research materials and records and complete an audit attesting to the completion of the specifications (methodology) of the study, including the sample selection and survey implementation, the tabulations of respondents, and the accurate coding and analyzing of all usable responses. BPA Worldwide, however, shall not make any interpretations or draw any conclusions nor shall it attest to the soundness or correctness of the data resulting from the publisher's choice of research methodology.

### **C14.4**

At the successful completion of the audit, BPA Worldwide will issue an Auditor Opinion Letter. The letter will be separate from all other BPA Worldwide reports of the member.

### **C14.5**

If it is found that the Magazine's (or the independent research firm's) records are incomplete or unavailable and the audit of the research cannot be made in accordance with BPA Worldwide procedures, the audit shall be terminated and all fees forfeited. No further attempt may be made by BPA Worldwide to verify that particular study.

### **C14.6**

An Audit Opinion Letter released by the Corporation attesting to the verification of: the statement of methodology, incentive, sample selection, issue sampled, publishing company and address/phone number, market research company and address/phone number.

### **C14.7 Audit Opinion Letter Contents**

The Audit Opinion Letter will include the following elements:

The name of the magazine member, its company and address

The name of the independent market research company and address

The date the study was completed.

Number of questionnaires distributed

Means of distribution (date of individual efforts)

Total useable respondents

Response Rate

Incentive

The date/month/period of the issue of the magazine from which the sample was drawn.

**C14.8**

Publishers will have the option of disclosing subscriber study questionnaire/survey.

**C14.9**

It is recommended that one of the two issues analyzed (May or November) be used as the population from which a sample is drawn. The use of issues other than May or November may result in the need for additional testing during BPA Worldwide's verification of the research study.

**C14.10**

A complete list of all names selected in the sample in zip code then alphabetic by last name sequence shall be retained, either in print or electronically, and made available to the Corporation.

**C14.11**

Affidavits verifying that all names selected for the study were included in the study, itemized telephone bills, and audio tape recordings of telephone and/or personal interviews (if used), including any follow-up contacts, shall be retained and made available to the Corporation.

**C14.12**

Copies of completed telephone interview forms, e-mail survey returns and/or all mail survey returns, with envelopes, and an affidavit (from the magazine and independent market research firm) attesting to the completeness of the returns, shall be retained and made available to the Corporation.

**C14.13**

Printout or listing of all usable responses including all code input, shall be made available to the Corporation.

**C14.14**

Tabulations, manual or computerized, analyzing any coded input of the usable returns must be made available upon request. The Corporation may request any additional printouts or analyses it deems necessary in the verification process.

**C14.15**

Any other records deemed necessary by the Corporation in the fulfillment of its service.

**C14.16**

All records necessary for the verification shall be retained by the publisher and made available to the Corporation upon request.