

2012 Bylaws & Rules Book, Edition BM – U.S.

CHAPTER C: NEWSPAPERS

Article 1 - Paid Circulation

C 1.1 Paid Circulation Defined

(Also see [ABC Policy Regarding the Sale of Carrier Delivery Circulation and Single Copy Sales of Newspapers, Sale of Subscriptions and Single Copy Sales of Magazines and Farm Publications with Other Services.](#))

Paid circulation is hereby defined to be subscriptions and single copy sales of newspapers which have been individually paid for by the purchasers, not for resale, at not less than one cent per copy or per subscription.

- (a) Subscriptions may be served for no longer than three consecutive months, immediately following the expiration date and such arrears may be included in paid circulation.
- (b) Subscriptions to any newspaper received as a result of an offer by a publisher that stipulates that part of the subscription term is free will qualify for inclusion in paid circulation only when a contractual agreement exists for the full term and frequency of the subscription and is in accord with the provisions of this rule. Without such contractual agreement, those copies that are free shall not qualify as paid circulation.
- (c) Unless stated otherwise, the amount paid by the purchaser/subscriber required to qualify circulation as paid, is net of all other considerations.

For purposes of defining paid circulation, the phrase 'net of all considerations' means that the purchaser has paid a qualifying price for the single copy or subscription in addition to the value of any other product or service bundled with the subscription or single copy offer.

For example, an offer of a subscription that includes an inducement of 'free' movie tickets valued at \$6.00 would require the consumer to pay \$6.00 plus a qualifying amount for the subscription in order for the sale to qualify as paid circulation.

(See [Rule C5.2 Premiums](#) regarding the valuation process)

C 1.2 Prices

(Also see [ABC Policy Regarding the Sale of Carrier Delivery Circulation and Single Copy Sales of Newspapers, Sale of Subscriptions and Single Copy Sales of Magazines and Farm Publications with Other Services.](#))

(a) Basic price is defined as the price at which the publication may be purchased by anyone at anytime. For ABC reporting purposes, publisher members must establish a single copy basic and an annual basic price for each frequency of delivery available to consumers. These basic prices must be regularly published within the publication (at least quarterly) and the publisher must be able to demonstrate current and ongoing sales at these prices.

(b) Annual basic prices must be established for home-delivery subscriptions for each offered frequency. Publishers will also have the option to establish a basic price for mail-delivered subscriptions. An example of a basic price declaration might be as follows:

Home Delivery

Daily & Sunday	\$100 / year
Daily Only	\$ 60 / year
Sunday Only	\$ 50 / year

(c) Publishers are only required to establish one set of basic prices as noted in (b) above; however, publishers may optionally establish different annual basic prices for up to three geographic areas (e.g. city zone, retail trading zone, all other; NDM, ONDM, etc.), provided the publisher also reports circulation averages for each geographic area (see C 2.1 Circulation Averages).

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(d) Newspapers offering digital editions may establish a separate basic price structure for Single Copy Sales and Home Delivery for the digital edition or default to the print product's basic price.

(e) National newspapers may establish up to three geographic based pricing zones and establish basic prices by delivery type and frequency for each of these zones. Each pricing area may be established by the newspaper itself, provided the area is comprised of continuous geographic units such as postal code boundaries, census units, counties, towns, etc. In addition, each pricing area must abut one other pricing area.

Basic prices per area may change at the publisher's discretion; however, pricing areas may change only at the beginning of an audit period, and only after notification to the Bureau.

Publisher's Statements for those national newspapers opting to establish prices per this rule shall include a description of each of the geographic pricing units.

Article 2 - Circulation Reporting

C 2.1 Circulation Averages

All ABC Publisher's Statements and Audit Reports shall include a calculation of average circulation for each day of the week the newspaper is published plus a five-day (Monday to Friday) combined daily average. Additional averages (e.g. six-day Monday to Saturday, "Power Days," etc.) may be included at the publisher's option. These averages will be presented in the following manner, and as applicable:

- Paid for by Individual Recipients (home delivery and single copy)
- Paid Business/Traveler circulation (group subscriptions plus guest refund-based and purchased by hotel copies)
- Verified Circulation

In those instances where a newspaper is required to report separate data for either digital or branded editions (see Rules C 2.4 Separate Editions and C 5.10 Subscriptions Involving Digital Editions), an executive summary of the circulation will be reported as applicable:

- Average for member newspaper
 - Print
 - Digital - Replica
 - Digital - Nonreplica
- Average for branded editions

Newspapers may optionally report total circulation by edition (print, digital replica, digital nonreplica, etc. to include all branded edition circulation) either in total by edition only or by edition distribution categories.

(Special Note: Effective with October 1, 2011, Publisher's Statements and Audit Reports, newspapers that report digital edition circulation sourced to bundled sales will be required to report a "net subscriber" number in total and by day of the week.)

As applicable, averages will be presented in subsidiary paragraph(s) for each category—print, digital replica, digital nonreplica, and branded editions—in the following manner:

- Paid for by Individual Recipients (home delivery and single copy)
- Paid Business/Traveler circulation (guest refund-based and purchased by hotel)
- Verified Circulation

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Publishers will also have the option to report circulation averages by geography (city zone, retail trading zone, newspaper designated market, etc.).

Publishers wishing to establish up to three sets of geographic basic annual prices for each frequency offered are required to report circulation averages by geography.

Newspapers with an average weekday paid circulation of 50,000 or less may opt not to report by day-of-week unless any one day (exclusive of Sunday) is at least 15 percent higher or lower than the other days, in which case day-of-week reporting is required. Newspapers choosing not to report by day-of-week may report a five-day (Monday to Friday) or six-day (Monday to Saturday) combined daily average.

Newspapers participating in the Community Newspaper Audit service may report a five-day (Monday to Friday) or six-day (Monday to Saturday) combined daily average. Sunday, where applicable, will be reported as a separate average.

Newspapers reporting on the Community Newspaper format may omit the inclusion of an executive summary and instead include replica and nonreplica digital edition circulation as a separate line item within Paragraph 1A of ABC reports labeled as digital editions. If nonreplica digital editions are included in this line item, the explanatory paragraph must report averages by replica and nonreplica edition.

In addition, Community Newspaper Audit service participants may report a separate average for a single or multiple "Power Day."

C 2.2 Morning, Evening, All-Day, and Sunday Designations

(a) Newspapers of daily frequency shall be designated in Bureau reports as either Morning, Evening, or All-Day. For U.S.-based newspapers, Sunday newspapers shall also be so designated in Bureau reports. The selection of the designation to be used shall be solely the prerogative of the publisher.

(b) The number, designation and dating of editions for newspapers of daily frequency shall be solely the prerogative of the publisher. These designations and dating shall be consistent for each day that an edition is published.

(c) Newspapers of national distribution may be designated as a "National Newspaper" provided it has distribution in at least 30 states, and with at least 20 percent of its distribution outside of its Newspaper Designated Market, or home state, whichever is applicable. It shall include an analysis of distribution by state in ABC Publisher's Statements and Audit Reports.

C 2.3 National Advertising Sold in Morning and Evening Editions as a Unit

When national advertising is sold exclusively as a unit in editions designated by the publisher as morning and evening editions of a daily paper, whether these editions are published under one or different names, Publisher's Statements shall be filed covering both editions. These statements may be issued separately or combined. If combined the total circulation of the two editions shall be reported in the first column, the circulation of the morning edition in the second column and the circulation of the evening edition in the third column.

C 2.4 Separate Editions

(a) The circulation of a separate edition of a member newspaper may be included in the total average paid and/or verified circulation of the member in Publisher's Statements and Audit Reports, subject to the following conditions:

(1) The member newspaper must identify the same city or cities of publication in the front page logotype or running date line of all editions.

(2) Branded editions are any editions that show on the front page a name other than the name under which ABC membership is held. Distribution of such editions may be included in the total average paid and/or verified circulation of the member provided the logotype of the edition is shown clearly and in a manner consistent with the member's basic logotype on all branded editions, and the term "edition" is consistently and legibly shown on each edition. For example, the ABC member *Daily News*, Anytown, Illinois

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might have a branded edition titled *The Times*. As long as all copies of *The Times* are identified as being an "edition of the *Daily News*," the distribution may be reported as a branded edition on the *Daily News*' Publisher's Statements and Audit Reports.

Branded editions must also:

- Include editorial content
- Publish at least weekly
- Publish on the same paper-stock (e.g. 'newsprint' stock) as the member publication
- Represent itself to the community and public as a newspaper

Editions that do not include editorial content may be qualified and reported as branded editions provided each receiving household makes a specific request for the delivery in accordance with provisions of Rule C 3.3 Other Verified Distribution. Any edition without editorial content must also be used as a vehicle to distribute freestanding inserts (FSIs). If a publication does not meet these requirements, newspapers may optionally report on the circulation on ABC's Consolidated Media Report (CMR).

If, in the opinion of the managing director, changes to the character of an edition are of a substantive nature, the edition will not be eligible for branded edition reporting but may be included on Consolidated Media Report (CMR). As an example, publications comprised primarily of classified advertisements or dedicated to a singular topic may not be eligible for branded edition reporting.

Newspaper editions in a different language may be reported as branded editions and included in the total average paid and verified circulation provided all branded edition requirements are met.

The circulation of each branded edition will be reported separately on Publisher's Statements and Audit Reports unless the total average paid and verified circulation for all branded editions is less than 3 percent of the total average paid and verified circulation including branded editions and less than 2,000 copies per issue.

Newspapers reporting on the Community Newspaper Audit format are not required to report branded edition circulation separately.

(3) Editions of the newspaper published in a different format (broadsheet versus tabloid, etc.) will be noted in the explanatory paragraph of ABC Publisher's Statements and Audit Reports and include a brief description of the distribution (geographic area, single copy versus home delivery, etc.) and the average number of copies included in total average paid and verified circulation.

(4) If, in the judgment of the managing director, differences exist in the identification of an edition sufficient to create the appearance of a separate publication, separate membership in ABC will be required.

(5) All digital editions will be reported separately in appropriate paragraphs of Publisher's Statements and Audit Reports:

- Replica digital editions must, in the opinion of the managing director, be consistent in content with the print version of the newspaper. A replica digital edition may include updated news reporting.
- Nonreplica digital editions must be consistent in character and content and editorially homogenous with the member newspaper. The advertising content of nonreplica digital editions may differ from the print newspaper. On Publisher's Statements and Audit Reports, nonreplica digital editions will be reported by platform such as e-reader, mobile, tablet, website, etc. Nonreplica digital editions may also qualify as verified circulation. The explanatory paragraph of ABC Publisher's Statements and Audit Reports will carry a description of any verified nonreplica digital edition service.
- The explanatory paragraph of Publisher's Statements and Audit Reports of all newspapers reporting digital editions must include information as to the advertising content of such editions.

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Digital edition circulation eligible for paid or verified reporting is limited to restricted access digital editions and do not include public access websites.

(b) Newspapers that sell regional advertising separately may report the average distribution for each regional portion in the explanatory paragraph of ABC Publisher's Statements and Audit Reports.

C 2.5 Circulation Above or Below Average for Other Days

Not applicable to Community Newspaper Audit service participants.

(a) When, over a period of three months, the average weekday circulation of a daily paper with less than 50,000 paid circulation is, on a certain day of the week less than 15 percent but more than 5 percent in excess of or below the average for the other days of the week, the circulation for such day on which the excess or deficiency occurs may, at the option of the publisher, be shown separately and the average for the other five days shown as the "daily average." When multiple days meet the above criteria, they may be reported as one average if the circulation for each is within 5 percent of each other.

To exercise this option, the publisher must notify the managing director at least 15 days prior to the beginning of the six months' period for which the separation is desired to be shown. Upon receipt of such notice and its approval, the managing director shall notify all other daily newspaper members in the city of publication that such option has been requested and approved.

Once publishers have exercised the option, they may continue for successive periods while qualified.

(b) Total average paid circulation by month may, at the option of the publisher, be reported in Publisher's Statements and Audit Reports. Percentages of the differences between the monthly averages and the average paid circulation for the period covered by the report are to be shown.

C 2.6 Weekend Issues

When a publisher effects a change in front page logotype or date line or form, and thereby identifies an issue of a newspaper in a manner different from the regular logotype, date line or form, such as for one day each week or for a "Weekend issue," the circulation for those days may be shown separately in circulation averages with appropriate explanation.

C 2.7 Days Omitted from Averages

(a) Newspapers may omit certain days from the calculation of their average net paid circulation when circulation on those days differs from the previous corresponding day by at least five percent.

Example: A newspaper wants to eliminate Thursday, August 11. The net paid circulation for that day was 100,000. The net paid circulation for the previous corresponding day (Thursday, Aug. 4) was 107,000. Because the difference between the two-day's circulation exceeds five percent ($7,000/107,000 = 6.54\%$), Aug. 11 is eligible for omission from ABC's circulation averages.

A newspaper reporting 'branded' edition circulation may elect to omit certain days of only the member newspaper or any branded edition separately using the above criteria (circulation of a branded edition compared to the corresponding day of the same branded edition, etc.)

(b) Requirements

(1) A maximum of 10 omitted days is allowed within a 12-month audit period. The omission of any day(s) for a branded edition will each be considered as one of the maximum of 10 days allowed.

(2) When a publisher member changes distribution, such as distributing a Morning issue to Evening subscribers or copies of an Evening issue to Morning subscribers, the circulation for those days may be included in paid circulation, provided the publisher maintains records to substantiate that those distributed copies qualify as paid circulation.

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The total paid circulation for each such day and the average total paid circulation, exclusive of those days during the period covered by the reports, will be shown in the Explanatory Paragraph.

(c) Bureau Reports

When there are days that are omitted from the average reported, the circulation for omission will be reported separately for each day in the Explanatory Paragraph. The number of omitted days will also be reported on the front page.

C 2.8 Extras

(a) Any edition issued in addition to the regular editions and which is published more than an hour before or an hour after the normal press schedule shall be considered an "extra." The last regular press schedule of the day in a previous week corresponding to the day on which the extra is run shall be considered the normal press schedule.

(b) To qualify as paid circulation an extra of a daily newspaper must be sold at qualifying prices and comply with C2.4 Separate Editions.

(c) The sales of extra editions shall be included in the circulation of the day for which they are dated. Extra editions of weekday newspapers issued under Sunday date line shall be included in the circulation for the following Monday.

(d) A complete explanation shall then be included stating the occasion for the extra editions, the number of sales made for each extra edition, the average for the period affected, whether all advertising was carried, and if not, the extent to which it was.

C 2.9 Analysis of Individually Paid Home-Delivery Circulation by Price Category

Not applicable to Community Newspaper Audit service participants.

(a) Newspapers will be required to report subscription circulation sold at greater than or equal to 25% of basic price and subscription circulation sold at less than 25% of basic price if more than 5% of their subscription circulation is sold at prices below 25% of basic price. This information will be reported in an on-line, password protected database.

(b) In all cases the calculation for each subscriber is based on the publisher's declared annual price as noted in [Rule C 1.2 Prices](#). For example, if the annual daily and Sunday basic price is \$100 and an analysis is made on an eight-week subscription sold for \$6, the following steps would be taken:

8 weeks/52 weeks = 15.4%

15.4% X \$100 = \$15.40 (8 week pro rata basic)

\$6 / \$15.40 = 39% circulation to be reported as greater than 25%

C 2.10 One-Day Figures for Supplement Statements

When a newspaper provides an average circulation for all issues published on a specific day of the week for use in a Newspaper Supplement Statement, which does not appear in the newspaper's individual reports, this will be verified by audit and appropriately identified and explained in the Newspaper Supplement Statement.

C 2.11 Intermittent Subscriptions

(Effective April 1, 2011, Rule C 2.11 Intermittent Subscriptions will no longer qualify as paid circulation and may be included as verified distribution provided the requirements of [Rule C 3.3 Other Verified Distribution](#) are met.)

(Beginning as early as December 1, 2008, publishers planning to serve intermittent subscription copies after April 1, 2009, are required to notify ABC at least 120 days in advance of the beginning date of the intermittent service.)

(a) Intermittent service ("bonus days") is the occasional delivery of issues not specifically identified as part of a new or renewing contract between the publication and the subscriber.

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(b) To qualify for inclusion in paid circulation, the following conditions must be met:

(1) Intermittent service must be made to all eligible subscribing households within a market (e.g. City Zone, Newspaper Designated Market, etc.).

(2) All households scheduled to receive intermittent subscription service must be notified at least two weeks prior to the distribution date. If notification is placed in the newspaper, the notification must appear on a day that the subscriber would normally receive the newspaper.

Example: Sunday-only subscribers are to receive Thursday, Nov. 24 as an intermittent service day. Notification must occur no later than Sunday, Nov. 6.

(3) If, over the course of any seven-day period, the delivery of intermittent service copies emulates another established delivery frequency, the amount paid by the recipient of the intermittent service copies must be at least equal to a qualifying price, based upon a pro-rata of the basic price for the established frequency.

(4) Advertisers must be notified at least 120 days prior to the delivery of the intermittent circulation. The notification is to be made through an ABC hosted Website and should include the date, the projected impact on total gross distribution for each intermittent service delivery day and the geography to be affected by each program.

(5) This rule will be phased out starting in 2009. For the September 2009 and March 2010 Publisher's Statement periods the limit is 50 intermittent service days for the 12-month period. For the September 2010 and March 2011 Publisher's Statement periods the limit is 25 intermittent service days for the 12-month period.

(c) When intermittent service equals or exceeds eight days in any Publisher's Statement period, "average intermittent service" will be reported as a separate line item in Paragraphs 1 and 2 of ABC Publisher's Statements and Audit Reports, as "Home Delivery, Intermittent Service."

(d) When "average intermittent service" is reported in ABC reports, information as to the specific dates the intermittent service occurred and the incremental paid circulation resulting for each of these dates must be included in the explanatory paragraph.

C 2.12 Audit Report Maps

(a) Audit Reports of daily newspaper members with circulation of 50,000 or more shall include a map showing the current ABC zone boundaries and designated distribution area.

(b) All other newspaper members may, at the option of the publisher, include a map showing the current ABC zone boundaries or designated distribution area.

(c) The Audit Reports of newspaper members reporting circulation on the basis of a newspaper designated market in lieu of zones or in addition to zones, shall include a map showing the approved newspaper designated market boundaries of the newspaper. The Audit Report of U.S. newspaper members reporting an analysis by ZIP Code in Paragraph 3 may show ZIP Code boundaries for the City Zone, Retail Trading Zone, Newspaper Designated Market or designated distribution area.

(d) Maps are to be prepared by the Bureau in accordance with the procedures approved by the Board of Directors.

C 2.13 Weekly Newspaper Group Audit Plan

In order to qualify for the group audit plan, the weekly newspapers involved must meet the following criteria:

(a) Each newspaper in the group shall qualify for ABC membership in accord with the bylaws defining regular or provisional membership.

(b) Advertising shall be sold in combination for all newspapers.

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(c) The initial audit of a weekly, semiweekly or triweekly newspaper shall cover a period of at least three months ending with any calendar quarter. Audits thereafter shall be scheduled at least once each two years for urban weekly newspapers and at least once every four years for non-urban weeklies. The managing director shall determine after consultation with the publishers in the group the period to be covered by each regular audit.

(d) Group Publisher's Statements showing circulation data for individual newspapers as well as total circulation for all newspapers in the group shall be issued for the semi-annual periods October 1 to March 31 and April 1 to September 30.

C 2.14 Total Consumer Accounts

All ABC Publisher's Statements and Audit Reports shall include a calculation of Total Consumer Accounts.

- Total Consumer Accounts represents the number of unique customer accounts.
- All products billed together, whether incremental pricing exists or not, count as one Total Consumer Account.
- Total Consumer Accounts will be calculated using a snapshot of one representative daily day and Sunday during the reporting period.
- The ABC report will include an explanatory note in situations where specific platforms could not be unduplicated.
- Newspapers reporting on the Community Newspapers Audit format are not required to report Total Consumer Accounts.

Article 3 – Verified Circulation

C 3.1 Employee, Correspondent and Agent Copies

A newspaper may include as a sub-category of "Verified Circulation" copies served (or made readily available for pick up in the normal work environment by) to employees, retired employees, correspondents and agents under the following parameters:

(a) To be classified as an employee, individuals must be, or have been, on the regular payroll during the reporting period of either the newspaper or a wholly-owned subsidiary of the newspaper that is actively engaged in the production or distribution of the newspaper. Employees of subsidiary organizations, such as radio and television stations, job printing plants and so forth, that are not actively engaged in the production or distribution of the newspaper, are not eligible.

(b) To be classified as a correspondent, individuals must contribute at least one article per month that is printed in the newspaper.

(c) To be classified as an agent, individuals must be currently involved in delivering the newspaper to subscribers.

An individual classified as an employee, correspondent or agent for more than one newspaper may be included in the "Average Verified Circulation" of only one newspaper.

(d) Adequate records must be maintained by the newspaper (employee payrolls, records of correspondent compensation, agent billings) to support its claims.

C 3.2 Educational Programs

(a) A newspaper may include as a sub-category of "Verified Circulation" the classification "Educational Programs" and if shown shall include only copies ordered for delivery to schools. Only those copies that have supporting documentation confirming usage (i.e., affidavits from schools, verification of delivery and receipt, etc.) available for auditor review may be reported as verified distribution.

(b) Distribution of copies outside of structured classroom settings may also qualify as verified circulation, and reported as Educational Copies provided the following conditions are met:

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- (1) The copies are served in conjunction with a formal program designed to encourage literacy and continuing education of the participating student by assisting the student family to improve their life and job skills.
- (2) The program in question establishes minimum participation standards for the student family, and the student family achieves those minimum standards.
- (3) Auditable records demonstrating the student's enrollment in school, the program in question, completion of minimum participation standards are maintained.
- (4) Only one copy per participating student family household may be claimed.
- (5) Schools and classrooms offering home delivered copies must also participate in NIE programs requiring classroom usage of the newspaper.

C 3.3 Other Verified Circulation

(a) Home Delivery - Requested

Copies delivered to households based on a request from the household for delivery may be reported as: Verified Home Delivery – Requested under the following conditions:

1. Distribution occurs for at least 12 weeks
2. A member of the recipient household specifically requested delivery of the frequency being delivered, and requests are renewed at least annually if delivery duration equals or exceeds one year)
3. Each issue delivered includes a clear and conspicuous notice that provides a phone number and online address for the consumer to use to opt-out of future deliveries.
4. Publishers are required to contact each receiving household on an annual basis to confirm desire for ongoing delivery and provide options to opt-out if desired. Contact may be via mail, email, phone call or automated phone call. Receiving households should be given easy opt-out mechanisms such as push-button response during an automated call or replying to an email.
5. Records are available for the auditor to confirm the request.

ABC Audit Reports shall include an analysis of all verified – requested distribution by age of request as follows: Less than 1 year; 1-2 years; 2-3 years; and 3+ years. The analysis shall be based on Paragraph 3 dates and should be inclusive of all requested distribution for all editions of the newspaper. The analysis shall be repeated in ensuing Publisher's Statements.

(b) Home Delivery – Targeted

(Publishers planning to serve Home Delivery – Targeted copies are required to notify ABC at least 120 days in advance of the first day of delivery.)

Copies delivered to households may be reported as Verified Home Delivery – Targeted under the following conditions:

1. Households targeted for delivery are notified on the first day of delivery
2. Notification includes anticipated dates of delivery
3. Notification must include options for household members to contact the publisher to 'opt-out' of delivery
4. Publishers must maintain route lists of all targeted-delivery programs and, if requested by the auditor, provide copies to ABC at least two weeks prior to the commencement of a program. Failure to provide requested audit documents will result in the exclusion of the copies from Verified Circulation claims.

(c) Other Verified Distribution

In addition to Employee (print or digital service) and Educational Program (print or digital service) copies as noted in Rules C 3.1 and C 3.2, distribution to the following venues may be included in "Verified Circulation" provided each location makes a specific request for delivery. The request should include an acknowledgement by the requestor that the copies are intended for use by patrons.

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- Hospitals & Nursing homes
- Restaurants
- Doctor/Dentist offices
- Other "public place" locations (e.g. barber shops, salons, etc.)
- Airlines

In addition, copies to be distributed through retail outlets will be eligible for inclusion in Verified Circulation provided the retailer makes a specific request for the number of copies and the copy counts represent reoccurring distribution to patrons.

Also, copies distributed through publisher maintained venues (honor boxes, etc.) are eligible for inclusion in Verified Circulation provided such distribution is consistent in volume and location.

No other single copy distribution is eligible to be reported as Verified Circulation.

C 3.4 Business/Traveler Copies

(a) Business Copies

All copies or subscriptions purchased in quantities of 2 or more by corporations, institutions or individuals for employees, subsidiary companies or branches may be included in paid circulation as an element of "Paid Business / Traveler Circulation, Group (subscriptions by Businesses for Designated Employees)" provided either:

- (1) The newspaper has records indicating names or titles of the employees, or
- (2) Subscriber records are available for Bureau verification indicating the names or titles of those receiving the newspaper.

(b) Traveler (Hotel) Copies

All copies purchased by hotel guests as described in this rule and / or purchased by hotels for distribution to guest rooms may be included in paid circulation as an element of "Paid Business / Traveler Circulation, Hotel Distribution." Copies allocated to this category shall be further classified as follows:

"Guest Refund based" – copies distributed to guest rooms wherein the guest is notified upon check-in that a specified amount is included in the price of the room for the newspaper and that amount will be refunded should the guest elect not to receive the newspaper.

"Purchased by hotel" – copies intended for distribution to guests.

C 3.5 Gift Subscriptions

(a) A Gift Subscription shall be considered one, which is given as a normal expression of friendship and which does not promote the business or professional interests of the donor.

(b) To qualify, Gift Subscriptions must be paid for in accordance with C 1.1.

(c) Subscriptions which are given to promote the professional or business interests of the donor shall be judged by the rule governing Verified Circulation.

(d) In no case where an order (or orders) from a single donor covers more than fifty subscriptions shall the subscriptions be regarded as Gift Subscriptions but shall instead be classified as term subscriptions in third-party, provided they conform to the rules governing Verified Circulation.

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C 3.6 Gift Subscriptions Not Recognized as Paid Circulation

- (a) Gift Subscriptions paid for by subscription salespersons or others who are compensated by merchandise or other rewards in lieu of cash commission.
- (b) Gift Subscriptions which have been paid for by someone who has been offered a premium and the amount received is less than the full value of the premium plus one cent.

Article 4 - Time of Making Audits

C 4.1 Timing of Audit

- (a) All audits for newspapers in the same city shall be for periods ending at the same date. If an audit is made for a shorter period on one of the newspapers in the city, the averages for the shorter period shall be the first of averages shown in Paragraphs 1 and 2 of reports issued for all newspapers in the city.

The regular audit of a daily newspaper shall cover a 12-month period ending with a calendar quarter. A daily newspaper with average weekday paid circulation of 50,000 copies per issue or less may request an audit covering a 2-year period ending with a calendar quarter. Audit Reports and Publisher's Statements for newspapers using the 2-year audit plan will be issued on a simplified reporting form with Paragraph 2 reporting on the basis of either zones, "City of Publication" or Newspaper Designated Market.

Newspapers participating in the Community Newspaper Audit service shall be audited every two years or they may request an audit covering a 12-month period; Audit Reports and Publisher's Statements will be issued on a form dedicated to this service.

- (b) If, for any reason, the regular audit has not been made until after three months have elapsed since the end of the audit period, the Bureau may include in its audit such additional three months in order to give the latest information. In cases where the audit period ends with any date other than a regular semi-annual period, the publisher shall file a six-month Publisher's Statement covering the months intervening between the end of said statement period and the three months following the close of the audit period.

- (c) In cities near one another or in such geographical relation that it is economical to audit the publications therein for identical periods, the audit periods in those cities shall be made to coincide.

C 4.2 Initial Audit

See also [B 2.5](#).

- (a) The initial audit of a newspaper applicant for membership in a city where there is already a newspaper member or members shall cover a period of at least 6 months ending with the same date as the audit of the present member or members, except as provided in Paragraph (c) of this section.

- (b) The initial audit of a weekly, semiweekly or triweekly newspaper, or a participant in the Community Newspaper Audit service applying for membership on the plan of being audited every other year shall cover a period of at least three months ending with any calendar quarter, except, in a city where there is already a newspaper member on the plan of being audited every other year, the initial audit period of three months shall end with same date as audit of member.

Weekly newspapers qualifying for an audit every other year may, at their option, report circulation averages in total or on the standard form for daily newspapers.

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The initial audit of a weekly, semiweekly or triweekly newspaper published in a city or city zone of a daily newspaper member or members shall cover a period of at least six months ending with the same date as the audit of a present member or members and subsequent audits may be required on an annual basis and dues paid annually.

The annual audits of weekly, semiweekly or triweekly newspapers will be reported on the standard form.

(c) In the case of a newly established newspaper the initial audit may be made of all issues distributed within a regular period ending any calendar quarter provided there has been regular issuance for not less than three months and provided further said newspaper is not published in a city in which there already is a member or members. If there is a newspaper member in the city the initial audit may be made for all issues distributed within the audit period already established provided there has been regular issuance for not less than three months. If there has not been regular issuance for at least three months, the initial audit of the applicant shall be deferred until the following regular audit period.

C 4.3 Reinstatement Audit

Reinstatement audits of newspapers under suspension of service shall coincide with the audit period of the other newspapers in the same city.

Article 5 - Circulation Incentives and Other Qualification Standards

C 5.1 Premium Defined

(a) Premiums are anything offered to a subscriber at time of solicitation, in addition to regular issues of the publication itself. Any presentation to current subscribers which, in the opinion of the managing director, implies future receipt of such extraneous things in conjunction with continued (or future) subscriptions will cause renewal subscriptions to be judged as premium induced.

Premiums are anything except:

- (1)** Complete issues of newspapers or periodicals sent to all subscribers for the period included in the offer. Electronic edition issues provided to all print subscribers for the period included in the offer wherein only the print edition subscription is to be reported as paid circulation.
- (2)** 'Door Openers' defined as anything sent free by mail with subscription offer or provided by solicitor at the time of solicitation that has been reprinted from or is printed material directly related to the publication making the subscription offer and the value of which does not exceed 50 cents as determined by procedure outlined in C 5.2(a).
- (3)** Offers of sample merchandise to subscribers in connection with subscription offers in which the ordering and receipt of the sample product is not contingent upon ordering subscription(s).
- (4)** Merchandise offered to current paid subscribers as an inducement to convert payment methodology on future subscriptions. Such offers are to be made separate from subscription renewal efforts and are limited to inducements to subscribers to agree to ongoing (til forbid) continuous service which may include automatic billing process and/or debits to authorize credit card accounts.
- (5)** Electronic editions of newspapers, regardless of whether they are priced and/or otherwise reported as paid circulation.
- (6)** Programs providing subscribers exclusive access to functions or activities created by the publisher that are not also available for sale to the general public, but are offered for sale, at an incremental cost, to existing subscribers, subsequent to the purchase of their subscription.
- (7)** Free or discounted access to archive or back content of the publication included as part of the subscription to the publication.

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(8) Free or discounted access to online content or an electronic edition from the same editorial home as the publication included as part of the subscription to the publication.

(9) Subscriber reward programs are designed to promote brand loyalty by demonstrating appreciation to subscribers and Web visitors, and provide added value for a newspaper's advertisers. Subscriber reward programs will not be classified as a subscription premium if the following requirements are met:

(a) Enrollment Process—the subscriber reward program must include an enrollment process initiated by the subscriber or consumer. Automatic enrollment is not permitted. The newspaper may designate who is eligible for program membership and at what membership level.

(b) Rewards may take two forms:

(1) The newspaper may reward subscribers with merchandise or points redeemable for merchandise; however, i) the reward may not be converted to cash and/or accepted as payment for a subscription by the newspaper, and ii) retail value of a new subscriber's merchandise reward may not exceed the new subscriber's subscription price during the first 90 days of the subscription.

(2) Advertisers may participate in the subscriber reward program by offering rewards designed to build reach, good will and increased consumer business for the advertiser.

(c) The subscriber reward program may contain benefits such as editorial content generated by the newspaper and other publications; community calendars; or access to newspaper-sponsored events and services. [Access to paid print or paid electronic editions of other publications is not considered eligible and would be governed by the combination sales rule.]

(b) If a back copy, either whole or part, is included in a subscription offer, the back copy shall be considered a premium, unless the subscription is taken on a retroactive basis in accord with the Bureau's back copy rule and the date of the back copy is such that it would have been included in the subscription even though not mentioned specifically in the offer.

(c) Periodicals and newspapers offered in combination sales shall not be considered premiums but shall be reported in a special paragraph devoted to combination sales prices.

(d) Any publication, the contents of which consist chiefly of data for reference rather than for general reading, shall not be considered a "periodical" for the purpose of the exception noted in Paragraph (a) of this section but shall, when sold with another publication, be considered as a premium. Any publication, regardless of character of content, whose frequency of issue is less than once in three months shall not be considered a "periodical" for the purpose of the exception noted in Paragraph (a) of this section but shall, when sold with another publication, be considered as a premium.

C 5.2 Premiums with Subscriptions/Single Copy Sales

(a) When a premium is used in connection with a subscription or single copy sales offer or implied to current subscribers in conjunction with continued or future subscriptions, the full value of the premium, whether stated or not, must be collected. 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.

In those situations where the cost to the publisher is used to calculate the premium value, set-up costs and shipping and handling fees to the publisher from the manufacturer shall not be considered.

In addition to the value of the premium the subscriber must pay at least the amounts required by [C 1.1](#).

The provisions of this rule are applicable regardless of the source of the premium offer. Any sale induced by a premium from any program, whether the offer is generated by the publisher, an agent or solicitor, must qualify based on the criteria established in this rule.

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(b) In case the premiums have been furnished by a subscription agency or other publisher and have not been furnished or authorized by the publisher or the subscription agency, but by individual solicitors (whether employees of the publisher, other publishers, subscription agency or independent salespeople), all the subscriptions produced by the solicitors involved shall be included as premium subscriptions and the same tests of validity of those subscriptions shall be made.

C 5.3 Combination Sales

When two or more different publications (newspapers, magazines, business publications, farm publications) are offered for an amount less than the total of the basic prices of all the publications, these sales are defined as “forced” combinations and are subject to the following conditions.

(a) Single Copy Sales

When each of the publications offered in the combination sale intends to qualify the distribution as “paid circulation” it must be made known clearly to the purchaser that each of the publications can be purchased individually at the same price as if purchased as part of the group.

The combination package must be priced so that both of the following guidelines are observed:

(1) Newspapers sold in combination may be included in paid circulation provided that the minimum qualifying price of each publication is collected.

(2) When a combination package is offered on a single-copy basis, three purchase options (“stacks” of publications) must be made available at all retail locations, including vending machines: the combination package itself plus each publication included in the combination package separately. A qualifying purchase price for the combination would be at least the selling price of the highest priced publication plus one cent for the second publication.

Example: The selling price for Publication A is \$1.00 and for Publication B is \$1.00, the combination price must be at least \$1.01.

(b) Subscriptions

The amount paid for all publications involved must be at least one cent for each publication involved in the offer.

(1) Add-On Subscriptions

“Add-on” subscriptions are defined as the addition of a new publication served in conjunction with the consumer’s existing subscription. Both subscriptions offered as a combination package may qualify as paid circulation under the following conditions:

(a) The subscriber must be notified of the new or renewal subscription offer.

(b) The amount of incremental payment or reduction of rate must be clearly disclosed and be at least a qualifying amount as defined by the publication’s Paid Circulation defined rules.

(c) An affirmative act on the part of the subscriber is required and an option must exist to pay an incremental amount for the additional subscription or to take a reduction in the amount paid if the additional subscription offer is declined.

When an option to opt-in/opt-out does not exist, any promotional materials cannot imply or suggest that the “add on” publication is “free,” “at no additional cost,” or use of similar language.

To view examples of frequently used offers, consult ABC’s website.

The amount paid for all publications involved must be at least a qualifying amount as defined by the publication’s Paid Circulation Defined rules.

(2) Multiple Subscriptions to One Newspaper

When two or more subscriptions to the same newspaper are offered or sold in one sale, the amount paid by the subscriber must not be less than two cents. In addition, any offer of two or more subscriptions to the same newspaper must include an option to receive only one subscription for less than the multiple subscription price. For example, an offer of two subscriptions for 10 cents must also

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make one subscription available for nine cents or less.

The rule is not applicable to situations where digital edition issues are provided to print subscribers and only the print edition subscription is to be reported as paid circulation. (See also C 5.10 Subscriptions Involving Digital Editions)

(c) Newspapers Distributed Together

A newspaper with less than seven-day frequency can distribute copies of another newspaper on no more than two days per week when the host paper does not publish by establishing a basic price for this service, provided copies are paid for in accord with [C 1.1](#) and subscribers are given the opportunity to opt-out. If a digital edition is to be utilized as the publication distributed on non-publishing days of the host newspaper, subscribing households must register and activate the digital edition service.

The average copies of the other newspaper served to subscribers under these arrangements will be reported as "Home Delivery – Joint Distribution Agreement." A full explanation will be provided in Bureau reports.

(d) Newspaper Distribution with Other Publications

A host publication is defined as the highest priced publication in the combined offer as determined by comparing basic prices of all publications for the terms involved.

When a newspaper acts as a host to one or more other publications by permitting distribution of the other publication(s) to some or all of its subscribers or single copy purchasers, the sales of the host publication will qualify for inclusion in paid circulation if the amount paid by the purchaser is:

(1) At least the amount required by [C 1.1](#) when the value of the other distributed publication(s) is not greater than 25 percent of the value of the host publication.

(2) At least the amount required by [C 1.1](#) plus a minimum of 25 percent of the basic price of the other distributed publication(s) for the terms involved and when the value of the other distribution publication(s) exceeds 25 percent of the value of the host publication.

No publicity of the joint distribution can be made by or on behalf of the host or other distributed publication(s) beyond a one-time informational announcement unless the amounts paid by the purchasers are at least the amounts required above.

Distribution of the non-host publication(s) is not eligible for inclusion in paid circulation but can be reported as analyzed non-paid circulation in Bureau reports, provided this reporting is permitted for that publisher division.

The average number of copies the host can report as paid circulation that involve the distribution of other publications must be stated in the paragraphs of Bureau reports devoted to general explanations.

The explanation must identify the other publication(s) distributed and their basic price.

(e) With Premiums

These provisions apply to carrier-delivered as well as mail subscriptions.

(1) Newspapers with Newspapers

When a premium is used with a combination offer, the amount paid by the purchaser must not be less than the value of the premium as defined in Rule C 5.2 plus the amount required in this rule.

(2) Newspapers with Periodicals

When a premium is used with a combination offer, the subscriber must pay at least one cent each, plus the value of the premium, whether stated or not.

Newspapers may reprint and sell their own editorial content on a stand-alone basis, without invoking the Combination Sales rule, provided that (1) the stand-alone editorial content is not offered for sale until after the publication date of the newspaper that carried the editorial content, and (2) the cover price of the stand-alone product is less than 75 percent of the basic price of the relevant newspaper.

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For further information, consult ABC's website: www.accessabc.com or contact an ABC [Publisher Relations manager](#).

C 5.4 Subscriptions Paid for by Contestant

Subscriptions received in a contest and paid for by the contestant and not by the recipient shall not be recognized as conforming to any of the rules defining a paid subscriber but shall be included in the unpaid distribution and explained in the paragraph of Publisher's Statements and Audit Reports devoted to general explanations.

C 5.5 Contests and Coupons

(a) When a contest for a prize or reward in which the public may participate, is promoted, complete description of the contest or feature shall appear in the Publisher's Statement for the period during which the contest is used and in the Audit Report which includes that period, and each report shall show the total amount of prizes given away in connection with contests during the period covered by the Publisher's Statement or Audit Report.

When, in the judgment of the managing director, such contest is not a circulation inducement for the publication, this rule shall not apply.

(b) Subscriptions to, or copies of, a publication given in redemption of coupons or the equivalent, such as wrappers, box tops, etc., shall be included in paid circulation as Third Party Sales. This rule shall apply whether or not the coupons or equivalent are redeemable in cash.

C 5.6 Subscriptions as Prizes

Subscriptions given as prizes through contests shall not be included in paid circulation. This includes subscriptions offered as premiums at county and state fairs.

C 5.7 Subscriptions Involving Charitable Donations

Circulation obtained through cooperation between a publisher and an organized charity or other organization where the publisher makes a donation in return for and in proportion to the circulation so obtained shall be described and included in the paragraphs of Publisher's Statements and Audit Reports devoted to such sales. In such cases to qualify as paid subscriptions the subscriber must pay not less than one cent, plus the full amount he is informed will be paid to the charity or other organization on his behalf by the publisher.

C 5.8 Subscriptions Paid for by Advertising

Any subscription obtained by one publisher from another and paid for in service by the insertion of an advertisement, may be included as paid circulation, provided proof of the insertion of the advertisement or other documentary evidence is available to establish the validity of such subscription. In these cases the auditor shall explain in the paragraph of the Audit Reports devoted to general explanations that this procedure has been followed by the publisher.

C 5.9 Subscriptions Purchased with Award Points

(a) Subscriptions acquired through the redemption of accrued award credits or loyalty points (e.g., frequent flyer miles, credit card member points) may qualify as paid circulation if the publisher presents satisfactory evidence that the cash value of the redeemed product or service is equivalent to one cent.

These "loyalty programs" require that the participant record a specific volume of transactions to earn sufficient award credit for award points.

(b) Requirements

Sufficient documentation must exist to demonstrate that the program meets the following qualifications:

(1) Program

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- (a) The enrollment process must include a clear link to the “host” organization.
- (b) The participant must take an affirmative action when enrolling in the program.
- (c) If points are awarded for enrollment, participants may not initially receive more than 35 percent of the points needed to obtain the least expensive product or service offered in the program.
- (d) If an expiration date for points is established, the date must allow for sufficient accumulation of points necessary to redeem the highest valued item prior to expiration.
- (e) Each program must have an assigned point value based upon the number of points required to redeem the lowest valued commercially available product (product value divided by assigned points equals per-point value).
- (f) Points must be earned as a result of incremental activity or the value of each transaction.

(2) Participant (consumer)

- (a) The participant must perform a specific action to earn award points.
- (b) The participant must perform a specific action to redeem goods or services.
- (c) The participant must know the specific activity required to earn points including the volume of points that can be earned with each activity.
- (d) The participant must be able to accrue points for future redemption opportunities.
- (e) Participant must have sufficient access to their account status on a regular basis.
- (f) There must be proof that proper payment was received from the participant for the redeemed items.

(3) Point Values

Per-point valuation must be established as follows:

- (a) All items offered for point redemption must have a stated value in points or dollars.
- (b) An option must exist for point redemption for a mixture of publication and non-publication items.
At least 20 percent of all items offered must be non-publication items. For non-publication items, at least 50 percent of them must be commercially available (in the public domain) for consumer purchase.
- (c) The value of each commercially available item must be equal to or greater than the average value of all publications included in the offer.
- (d) The number of points required for redemption should be an extension of the per-point value calculation (product value divided by assigned points equals per-point value) multiplied by the stated value. This calculation must be consistent for all (publication and non-publication) award items.
- (e) The average price calculation formula will be equal to the per-point value multiplied by the number of points required to purchase the subscription.

C 5.10 Subscriptions Involving Digital Editions

The following rule language represents additional qualification standards unique to the utilization of digital editions (platforms). Unless otherwise indicated, these rules are intended to augment, not replace, other core qualification rules governing paid and verified circulation for newspapers.

(a)

(i) Hybrid subscriptions are defined as a subscription contract fulfilled through a combination of print and digital editions (e.g. restricted access website, mobile, e-reader, etc.), with the intent to count only one copy as a paid or verified circulation unit per day. For example, an offer of three days of print plus access to the digital edition for a seven-day-per week newspaper would result in three days per week reported as paid circulation and four days per week reported as paid digital circulation.

(ii) Bundled subscriptions are defined as a subscription contract fulfilled through a combination of print and digital editions (platforms) with the intent to count all copies as paid or verified circulation units. For example, an offer of seven days of print plus access to the digital edition for a seven-day-per week newspaper would result in seven days per week reported as paid digital circulation.

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(b) Paid Circulation:

- Incremental Pricing – In all cases where the inclusion of digital editions (platforms) are tied to a print subscription, or when the offer only includes digital editions (platforms), the offer must specify that each subsequent edition (platform) is offered at an incremental price of at least five percent of the offer price for the print-only edition. If there is no print edition, the incremental price requirement must be based on the first digital edition. If all other qualification rules and policies are followed, the distribution of the digital edition may be included in paid circulation provided:
 - The additional charge for digital edition (platform) service includes the option for print-only service or service of only one digital edition at a lesser price. The offer of the print-only or single digital edition must be presented in a clear and conspicuous manner.
 - To verify incremental pricing, publishers must be able to reconcile back to the original offer for the life of the subscription term. If the publisher is unable to do so, qualification as paid will revert to the requirements for no incremental pricing.
- No Incremental Pricing
 1. In all cases where the inclusion of digital editions (platforms) is tied to a print subscription or offered with other digital editions (platforms) but without an incremental pricing element for any of the digital components, the digital edition service may only be reported as paid circulation from the first date of access if the following conditions are met:
 - The subscriber registers and activates the digital service by establishing a user name and password.
 - The subscriber accesses the first digital service at least one time per 30 days; the second digital service (platform), at least weekly; and the third and any subsequent digital edition service (platform) at least daily.
 2. When print is not part of the offer, the publisher has the discretion to identify which digital platforms will be designated as paid without access requirements as well as assigning the first (monthly), second (weekly), and third (daily) qualification criteria.
 - The platform/qualification criteria may differ from subscriber to subscriber.
 - The platform/qualification criteria for each subscriber may differ from month to month.

As with all other circulation activity, publishers have the responsibility to install and maintain account systems that accurately capture subscriber activity by digital platform, compare that activity to established qualification standards and tabulate qualified circulation units.

Pricing Qualification Standards – All digital offers should have a “definitive” term. Continuous service offers are acceptable (e.g., \$X.xx per month/quarter, etc. until forbid).

 - A digital subscription offer without a definitive term will qualify as paid circulation for 30 days.
 - For periods beyond 30 days, the subscription would be subject to ABC’s verified circulation qualification standards, outlined in section (c) of this rule.
- Inducement Limitations – Subscribers of hybrid and bundled offers who have not paid incrementally for the digital edition cannot be offered any extraneous items or merchandise to access the digital service. The publisher may highlight the benefits of digital editions to encourage access.

(c) Verified Circulation:

- Subscriptions - Digital subscriptions served to individuals qualify if the recipient registers and activates, or downloads, the edition to trigger the start of the subscription, and subsequently accesses the edition at least once every six months.

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- NIE copies - Digital editions may be used for NIE service provided the school or teacher submits an affidavit regarding the number of students and affirms that number of students used the editions. See also C 3.2 Educational Copies.
- Digital copies made available for registered college students must qualify under the qualification standards as outlined in the Policy Relating to NIE Copies served to College Students.
- Employee copies - Digital editions may be used to fulfill copies served to individuals as outline in C 3.1 Employee, Correspondent and Agent Copies.
- Non-Qualified Paid Digital Service - If digital subscription offers do not reflect incremental pricing and do not meet the access requirements outlined in section (b) or those that have been offered other inducements to access are not eligible for inclusion on ABC reports.

C 5.11 Vacation Paks

Copies held by the publisher or independent carrier for distribution to a subscriber during the period the subscriber is on vacation may be included in paid circulation subject to the following provisions:

- (a) The subscriber specifically orders in advance the copies. The carrier or newspaper should have on file for the auditor's review an order that includes the date of order, the subscriber's name, address and vacation dates.
- (b) The subscriber is charged a minimum of one cent for the specific vacation term ordered.
- (c) Only copies served to the vacationing subscriber may be included in paid circulation.
- (d) The term of the Vacation Pak Plan be limited to four calendar weeks.
- (e) Digital editions are not eligible to be used in vacation pak programs.

C 5.12 Single Issue Sales of Back Copies

A newspaper of any frequency is considered a back copy once the subsequent corresponding day's newspaper is made available for sale. Single issue sales of back copies of daily newspapers shall not be recognized as paid circulation in Bureau reports and should therefore be included in unpaid distribution.

C 5.13 Subscription Offer Based on Acceptance Unless Declined

Publishers may modify existing subscriber contracts to add additional days of service without an incremental charge under one of the following circumstances:

- (a) Frequency Conversion ("forced") – Publishers may eliminate an existing frequency and convert all of these subscribers to a new delivery schedule that is universally available to the public. The additional service in such a 'forced' conversion can qualify as paid circulation.

Examples of "forced" frequency conversions include the addition of Saturday delivery to Sunday only customers; weekend subscribers to receive Monday copies during football season; Monday thru Friday subscribers to receive Saturday and Sunday copies; the addition of Thanksgiving day copies to Sunday only subscribers, etc.

To qualify for inclusion in paid circulation, copies served under this provision of the rule must adhere to the following criteria:

- (1) Starting no later than 30 days prior to the first delivery date incorporating the change in frequency, all promotions / sales materials of the frequency to be discontinued must be converted to include the added delivery. For example, if Sunday only subscribers in Able County are to be converted to Saturday / Sunday subscribers on July 1, all inbound and outbound sales efforts must be modified by June 1 to only "sell / accept" Saturday / Sunday subscriptions (only) for the affected geography.

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- (2) The discontinued frequency (e.g., Sunday only) cannot be reinstated within the affected geography for six months after its discontinuance.
- (3) All frequency changes must be applicable to a defined geographic area (e.g. cluster of ZIP codes, county / counties, ABC defined market, etc.).
- (4) All affected households must receive a clear and conspicuous notice of the change; such notice may be accomplished via an informational note as a 'topper' to the newspaper.
- (5) No inference should be made to affected subscribers / new subscribers that the change in frequency is temporary.

Digital editions may be included as part of frequency conversion (forced) provided registration and activation has been made.

(b) Frequency Upgrades ("opt-out") – Publishers may upgrade an existing subscriber to a greater frequency, with the option to opt-out, even while the original frequency remains available in the marketplace. For example, publishers may add Saturday delivery to some current Sunday only subscribers while continuing to sell Sunday only subscriptions).

To qualify for inclusion in paid circulation, copies served under this provision of the rule must adhere to the following criteria:

- (1) Affected subscribers must be notified at least one day in advance of the start of the incremental delivery service.
- (2) The initial notification must advise of the specific delivery change that is to occur; the term of added delivery; and instructions on how to decline the incremental delivery. This notification must be presented in a clear and conspicuous manner.
- (3) The incremental delivery must be for not less than 12 consecutive weeks. The addition of a single day, or other irregular (non-reoccurring) delivery days (such as the addition of Thanksgiving to Sunday only subscribers) is not permitted within this provision of the rule.
- (4) If at any point in the first 12 weeks a subscribing household opts-out of the incremental service, all added copies served that were incremental to the original subscription frequency are to be excluded from paid circulation claims.
- (5) Publisher's Statements and Audit Reports of newspapers executing these frequency upgrades must explain the details of the upgrades including the impact on average paid circulation.

Digital editions may not be included as part of a frequency conversion unless the offer is an 'opt-in' upgrade. In this instance, the converted subscriber must register and activate the digital subscription.

In all cases where publishers elect to invoke either or both provisions of this rule, advertisers must be notified at least 120 days prior to the implementation of the frequency conversion or upgrade. The notification is to be made through an ABC hosted Website and should include the effective date of change, the projected impact on paid circulation, and the geography to be affected by each program.

C 5.14 Transfers on Consolidation

When two or more newspapers merge, copies of the surviving newspaper served to the subscribers of the merged newspapers may be included in the Bureau reports as paid circulation under the following conditions and with the following qualifications:

- (a) The merged newspapers must be homogeneous.
- (b) A merger of daily newspapers or other publications with a predominantly local appeal will be recognized under this rule only when the merged publications have been published in the same community.

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(c) The number of issues to be credited as paid circulation on an unexpired subscription shall, at the option of the publisher, be ascertained by one of the following methods. The decision shall be subject to approval by the managing director.

(1) By dividing the sum of money still due the subscriber at the basic annual subscription price of the discontinued newspaper by the price per copy of the surviving newspaper, said per copy price to be a pro rata of the basic annual subscription price of the surviving publication.

(2) By counting the number of copies of the discontinued newspaper still due the subscriber and crediting the same number of copies of the substituted newspaper as paid, providing the basic annual subscription price of the discontinued newspaper is at least 50 percent of the basic annual subscription price of the substituted publication or provided that the pro rata single copy price (basic annual subscription price divided by number of copies published annually) of the discontinued newspaper is at least 50 percent of the pro rata single copy price of the continued publication.

(d) Not more than six months may elapse between the cessation of service to the subscriber of the newspaper subscribed for and the beginning of service by the newspaper substituted therefore.

(e) When a merger of newspapers is affected, the first Publisher's Statement thereafter shall contain a consolidated statement of the circulation in the appropriate paragraph(s) but the other analyses in the report shall be made separately on each of the merged newspapers. Analyses of member newspapers involved shall be based upon the latest Bureau reports. Those not previously members of the Bureau shall be analyzed as thoroughly as may be possible under the circumstances and inability to state any specific fact called for by Bureau reports shall be noted with explanation. Separate analyses may be continued thereafter, if, in the judgment of the managing director, such procedure is necessary to give essential information.

(f) In all cases where reported circulation for the merged newspapers includes digital editions served to subscribers, the subscribing household must reaffirm by executing a new registration and activation.

C 5.15 Purchase of Subscription List

When a newspaper purchases a subscription list of another newspaper that has ceased or is about to cease publication, the subscribers of the discontinued newspaper served with copies of the going publication may be included in Bureau reports in paid circulation under the following conditions:

(a) The newspapers must be homogeneous.

(b) In the case of daily newspapers, or other publications of predominantly local appeal, both newspapers must have been published in the same DMA or within a 100-mile radius.

(c) The number of issues to be credited as paid circulation on an unexpired subscription shall, at the option of the publisher, be determined by one of the following methods. The decision shall be subject to approval by the managing director.

(1) By dividing the sum of money still due the subscriber at the basic annual subscription price of the discontinued newspaper by the price per copy of the surviving publication, said per copy price to be a pro rata of the basic annual subscription price of the surviving newspaper.

(2) By counting the number of copies of the discontinued newspaper still due the subscriber and crediting the same number of copies of the substituted publication as paid, providing the basic annual subscription price of the discontinued publication is at least 50 percent of the basic annual subscription price of the substituted publication, or provided that the pro rata single copy price (basic annual subscription price divided by number of copies published annually) of the discontinued newspaper is at least 50 percent of the pro rata single copy price of the continued publication.

(d) Not more than six months may elapse between the cessation of service to the subscriber of the newspaper subscribed for and the beginning of service by the newspaper substituted therefore.

(e) Copies served in arrears to subscribers of the purchased newspaper shall not be included in paid circulation.

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(f) If the option is given to the subscriber of receiving in cash what is due on the old subscription, but the subscriber chooses to be served instead with copies of the purchasing newspaper and authorization to serve the publication instead of the cash is satisfactorily established in the judgment of the managing director, the subscription shall be counted the same as if the subscriber had subscribed for the purchasing newspaper in the first place, subject to provisions of Paragraph (c) of this rule.

(g) The first Publisher's Statement after the inclusion of the purchased subscription list shall contain a consolidated statement of the circulation in the appropriate paragraph, but the other analyses in the report shall be made separately on each of the newspapers involved. Analyses of member newspapers involved shall be based upon the latest Bureau reports. Those not previously members of the Bureau shall be analyzed as thoroughly as may be possible under the circumstances and inability to state any specific fact called for by Bureau Reports shall be noted with explanation. Separate analyses may be continued thereafter, if, in the judgment of the managing director, such procedure is necessary to give essential information.

(h) Subscribing households that have been receiving digital editions of the discontinued newspaper must go through a registration/access process in order to be reported in the circulation statistics of the purchasing newspaper.

C 5.16 Transfers from One Going Newspaper to Another

When one going newspaper transfers subscriptions to another going newspaper, the subscribers so transferred may be included in Bureau Reports in paid circulation under the following conditions:

(a) The newspapers must be homogeneous.

(b) In the case of daily newspapers or other publications of predominantly local appeal, both publications must have been published in the same community.

(c) The subscriber proposed to be transferred must have had the option of being transferred or remaining on the list of the newspaper subscribed to; or the subscriber must have had the option of receiving in cash what is due on the old subscription or of accepting the substitution of the other newspaper; and authorization by the subscriber in the case of any of these options must be of record.

(d) The number of issues to be credited as paid circulation on an unexpired subscription shall, at the option of the publisher, be determined by one of the following methods. The decision shall be subject to approval by the managing director.

(1) By dividing the sum of money still due the subscribers at the basic annual price of the transferring publication by the price per copy of the publication to which the subscription is transferred, said per copy price in the case of each publication to be a pro rata of the basic annual subscription price.

(2) By counting the number of copies of the transferring newspaper still due the subscriber and crediting the same number of copies of the newspaper to which the subscription is transferred, provided the basic annual subscription price of the transferring publications, is at least 50 percent of the basic annual subscription price of the publication to which the subscription is transferred or provided that the pro rata single copy price (basic annual subscription price divided by number of copies published annually) of the transferring newspaper is at least 50 percent of the pro rata of the newspaper to which the subscription is transferred.

(e) Copies served in arrears to the transferred subscribers shall not be included in paid circulation.

(f) The first Publisher's Statement after the transfer shall contain a consolidated statement of the circulation in the appropriate paragraph but the other analyses in the report shall be made separately on each of the publications involved. Analyses of member publications involved shall be based upon the latest Bureau Reports. Those not previously members of the Bureau shall be analyzed as thoroughly as may be possible under the circumstances and inability to state any specific fact called for by Bureau Reports shall be noted with explanation. Separate analyses may be continued thereafter, if, in the judgment of the managing director, such procedure is necessary to give essential information.

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C 5.17 Transfers from Suspended Publication to Others

When the subscribers to a publication which has discontinued issuance are offered a choice from a list of two or more other publications, the subscriptions transferred through exercise of such option may be included as paid circulation by the other publications under the following conditions:

- (a) Choice of other publications must be offered within six months after last publication date of publication which has discontinued issuance.
- (b) The subscriptions of the discontinued publication must conform fully to all other Bureau regulations.
- (c) At least one of the publications offered as a substitute must be homogeneous in editorial content to that of the suspended publication.
- (d) The number of issues to be credited as paid circulation on an unexpired subscription shall, at the option of the publisher, be ascertained by one of the following methods. The decision shall be subject to approval by the managing director.
 - (1) By dividing the sum of money still due the subscriber at the basic annual subscription price of the discontinued publication by the price per copy of the surviving publication, said per copy price to be a pro rata of the basic annual subscription price of the surviving publication.
 - (2) By counting the number of copies of the discontinued publication still due the subscriber and crediting the same number of copies of the substituted publication as paid, providing the basic annual subscription price of the discontinued publication is at least 25 percent of the basic annual subscription price of the substituted publication, or provided that the pro rata single copy price (basic annual subscription price divided by the number of copies published annually) of the discontinued publication is at least 25 percent of the pro rata single copy price of the continued publication.
- (e) Copies served in arrears to subscribers of the suspended publication shall not be included in paid circulation.
- (f) If the option is given to the subscriber of receiving in cash what is due on the old subscription but the subscriber chooses to be served instead with copies of the purchasing publication and authorization to serve the publication instead of the cash is satisfactorily established in the judgment of the managing director, the subscription shall be counted the same as if the subscriber had subscribed for the purchasing publication in the first place, subject only to the provisions of Paragraph (d) of this rule.
- (g) The first Publisher's Statement which includes the transferred subscriptions as paid circulation shall contain a statement naming the publication from which the subscriptions were transferred, the number of transferred subscriptions received and the basis on which fulfillment to the subscriber has been made. The publisher may, if desired, report the number of copies served on such subscriptions during the period covered by the statement. This explanation shall continue in subsequent Publisher's Statements for such periods in which transferred subscriptions are received. The Bureau reserves the right to require a more detailed explanation than above specified if in the judgment of the managing director such procedure is necessary to give essential information.

C 5.18 Credit Subscriptions

(Also see [ABC Policy relating to Carrier Delivery - Office Collect Subscriptions and Pay-In-Office Subscriptions on Independent Carrier Routes reported in Newspaper Publisher's Statements and Audit Reports](#))

- (a) A subscription which is sold on a promise-to-pay basis shall be regarded as a "Credit Subscription" and such subscriptions will qualify as paid circulation provided:
 - (1) The term of the obligation to pay is not for more than three months.
 - (2) The subscriber pays the sum billed.
 - (3) That the amount charged is sufficient to meet the requirements of the Bureau's rules in all other respects.

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(b) If in any case the publisher is obliged to cancel the subscription because of non-payment, the number of copies served thereon shall be established and deducted from paid circulation and included in unpaid distribution.

(c) To qualify as paid circulation, credit subscriptions must be paid as follows:

(1) If sold within the U.S./Canada and the West Indies, payment must be made within six months after start of service for business publications and newspapers; within seven months after start of service for magazines and farm publications.

(2) If sold outside the U.S./Canada and the West Indies, payment must be made within nine months after start of service.

Copies served on subscriptions which are not paid in accordance with (c)(1) or (c)(2) above and have not been previously cancelled shall automatically be ineligible for inclusion in paid circulation and shall be included in unpaid distribution.

C 5.19 In-House Credits

From time to time retailers and/or civic or social organizations may offer consumers "in-house" credits to be redeemed at the organization's facility (such as credits issued to new members of a museum that are to be redeemed at the museum gift shop). The value of that "in-house" credit may be used toward the purchase of a newspaper subscription under the following conditions:

(a) The credit is part of a presentation made by the retailer, civic or social organization, not the newspaper, or its agents.

(b) The credit has a specific expiration date.

(c) The presentation is made in a manner that provides equal prominence and position for all good(s)/service(s) offered.

(d) The value of the credit is identified in monetary terms to the subscriber and is equal to no less than one cent.

(e) Adequate records regarding the order, transmittal of funds, and manner in which the value of the credit is determined, must be available for the auditor's review.

(f) The transactions are fully explained in the Publisher's Statements and Audit Reports.

C 5.20 Hawker (Street) Sales

(a) Newspapers electing to claim as paid circulation copies of newspapers sold through hawkers (street salespeople) are required to maintain a reporting environment and records that will accurately determine sales from hawkers and support an ABC audit.

(b) Recordkeeping requirements to support hawker sales include, but are not limited to, contemporaneous daily records by hawker, by location, identifying draw, returns, selling times, hawker compensation and cash collections. Records will also be available showing credit and compensation policies for independent distributors involved with hawker distribution.

Note, Audit Implications. The nature, timing and extent of audit procedures to be applied to claimed circulation for hawkers will be based on an assessment of the control environment, structure and reporting, historical results and other relevant conditions. From time-to-time, certain conditions may exist that could necessitate expansion of the audit program. This expansion may include extensive testing and/or direct hawker sales observations. These conditions include, but are not limited to, distributor and hawker pricing structure, sales incentives, return policies and the condition of the records involved. The conditions above would be reviewed by Bureau auditors in order to determine the appropriate audit procedures to be applied.

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Article 6 - Other Reports

C 6.1 Publisher's Statements

(a) All newspaper members shall be required to file semi-annual Publisher's Statements for the periods from October 1 to March 31 and April 1 to September 30.

(b) Publisher's Interim Statements may be filed for quarterly periods April 1 through June 30 and/or October 1 through December 31 only.

(c) Publishers using the four week - 13-month calendar billing system may report the circulation averages for the 13-week and/or 26-week period nearest the end of the calendar quarter.

C 6.2 Consolidated Newspaper Publisher's Statements and Audit Reports

Consolidated reports showing the circulation data for individual newspapers as well as total circulation for all individual ABC newspapers in the group may be issued for publishers requesting such service providing advertising is sold in combination for all newspapers included in the group. The reports shall be issued in accordance with standard forms furnished by the Bureau for periods ending March 31 and September 30.

The reports, whenever issued, shall include a map prepared by the Bureau showing the geographical location of the city of publication for each ABC newspaper included in the group.

Article 7 - Analysis by Reporting Areas and Delivery Methods

C 7.1 Optional Geographic Reporting

Newspaper members may elect to include an optional analysis of paid and verified circulation by geographic areas in Publisher's Statements and Audit Reports. In addition, publishers electing to establish up to three basic annual prices must include an analysis of paid and verified circulation by the geographies for which the basic prices are established.

Examples of more common reporting combinations include:

- City Zone, Retail Trading Zone, All Other
- Newspaper Designated Market, Outside Newspaper Designated Market
- City Zone, Balance of Newspaper Designated Market, Outside Newspaper Designated Market

If the optional reporting analysis is invoked, or if the analysis is required based on a desire to have more than one annual basic price, the reporting geographies must be in accord with the following criteria: The managing director from time to time, and after consultation with the publishers involved, may revise boundaries in accordance with the principles of procedure approved by the Board of Directors.

Any change in a reporting zone shall become effective at the beginning of the Publisher's Statement period within which the new alignment has been approved, provided such statement period is the first statement period of the audit period. If the new alignment is not approved in the first Publisher's Statement period of the audit period, it shall go into effect with the first day of the next audit period.

City Zone

(a) A city zone shall be established by the managing director, after consultation with the publishers in the city of publication in accordance with the principles of procedure approved by the Board of Directors.

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Retail Trading Zone

- (a)** A Retail Trading Zone shall be established by the managing director, after consultation with the publishers in the city of publication in accordance with the principles of procedure approved by the Board of Directors.
- (b)** Boundaries of Retail Trading Zone shall be established according to census units, and population figures shown shall be from census reports, and it shall be within the discretion of the managing director to determine whether areas may be included in the retail trading zone for which there are no established census unit boundaries, and to determine and provide the source for population figures.
- (c)** The circulation of all newspapers published in the same city shall be given uniformly within the prescribed zone.
- (d)** Publisher members may at any time petition with the Bureau for a revision in an existing retail trading zone. Upon such petition, the Bureau shall undertake a study of the proposed revision in the retail trading zone. If such change affects or involves the city and/or retail trading zone of another publisher member, the managing director shall advise the affected publisher member or members of the proposed change.
- (e)** Any change in a retail trading zone shall become effective at the beginning of the Publisher's Statement period within which the new alignment has been approved, provided such statement period is the first statement period of the audit period. If the new alignment is not approved in the first Publisher's Statement period of the audit period, it shall go into effect with the first day of the next audit period.
- (f)** In establishing or revising a retail trading zone, the managing director shall use the services of such staff members or such outside recognized fact-finding agencies as may be needed to establish the facts required for determining the boundaries of the retail trading zone in question within the principles of procedure. The expenses of such studies shall generally be borne by the petitioning member (or members) of the Bureau.

Newspaper Designated Market

- (a)** The Newspaper Designated Market shall be designated by the newspaper subject to approval of the managing director. The newspaper designated market of a newspaper member is considered to be that geographical area which is considered to be the market served by the newspaper.
- (b)** Factors which are to be given consideration in determining whether an area qualifies for inclusion in a newspaper designated market shall include, but not be limited to, the following:
- (1)** Evidence that the area included is that geographical area in which the newspaper is marketed.
 - (2)** Area included shall consist of abutting census units.
- (c)** Newspapers reporting average circulation for a newspaper designated market shall meet the following requirements:
- (1)** Newspapers with a newspaper designated market shall report in Publisher's Statements filed with the Bureau the average circulation for the area and may report average paid circulation data for each county or portion thereof within the area.
 - (2)** Newspapers reporting average circulation for a newspaper designated market shall include ABC-compiled occupied household data and may also include the ratio between circulation and occupied households, by county or parts thereof expressed as a percent.

MSA

Areas comprising Metropolitan Statistical Areas as established by the U.S. Office of Management and Budget shall be so designated in the county listing in Paragraph 3 of Audit Reports, and totals for these areas may, at the option of the publisher, be shown in Paragraph 3 of Audit Reports. The figures or tabulation shall carry the appropriate heading "Metropolitan Statistical Area, County (Counties) of _____ only." Where only a part of a county is included in the area, the listed name of the county shall be followed by "(part MSA)."

If MSA totals are shown in an Audit Report, the same figures may be repeated in the explanatory paragraph of subsequent Publisher's Statements at the option of the publisher. The totals shown in Publisher's Statements must be identical to the figures shown in latest released Audit Reports and so identified in the Publisher's Statements.

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Other Reporting Areas

(a) Metropolitan Statistical Area, Consolidated Metropolitan Statistical Area or county of publication.

Publishers may, at their option, show in the explanatory paragraph of newspaper Audit Reports and Publisher's Statements the average paid circulation either for the county of publication, for those newspapers not published in the central city of a metropolitan area; or if published in the central city of a metropolitan area, the average paid circulation for the Metropolitan Statistical Area and/or Consolidated Metropolitan Statistical Area. Separate figures for circulation outside MSA and/or CMSA, at the publisher's option, may be reported. In addition, population and occupied household data will be shown.

If the Metropolitan Statistical Area and/or Consolidated Metropolitan Statistical Area for the city of publication is comprised of more than one county or portion of more than one county, circulation and occupied household data may be shown for each of one or more counties, provided the circulation and occupied household data is also shown for the complete MSA and/or CMSA.

(b) Designated Market Area.

Publishers may at their option also show in the explanatory paragraph of newspaper Audit Reports and Publisher's Statements the average paid circulation in the DMA (Designated Market Area) as established by the A. C. Nielsen Company. In addition, population and occupied household data will be shown for the area defined.

All Other

Circulation outside of the limits described in the newspaper form as "City Zone" and "Retail Trading Zone" shall be designated as "All Other." Circulation outside area described as newspaper designated market shall be designated as "circulation outside newspaper designated market."

C 7.2 List of ZIP Codes and Towns Receiving 25 or More Copies

(a) All publishers of newspapers shall furnish a complete analysis of distribution by County and by U.S. ZIP Codes receiving 25 or more copies in numerical order, to be included as Paragraph 3 in Audit Reports. Newspapers may also at their option provide an analysis of towns receiving 25 copies or more per day in Audit Reports.

This data must be submitted to ABC within 30 days of the member's assigned audit period end date. Failure to submit the data on time may result in exclusion from the applicable ABC FAS-FAX report.

Publishers may at their option also furnish an analysis of distribution to be filed with regular Publisher's Statements for release as a Supplemental Report. The breakdown will be subject to audit at the time of the regularly scheduled audit. "Average Projected Circulation" will not be included in the Supplemental Report.

(1) The list shall include a breakdown of the total distribution for one Monday to Friday day for each "All Day," "Morning," "Evening" and/or "Sunday" issue published. The date or dates selected for the listing in Paragraph 3 of Audit Reports shall show circulation which is representative, subject to approval of the Bureau. In all cases where branded edition distribution is reported in Paragraph 1, each such edition must be reported separately in the list of ZIP Codes and, if applicable, the list of towns.

(2) The Audit Reports of newspapers published in the same city shall use the same date or dates for the listing. If the newspapers cannot agree on the date(s) to be used, the Bureau shall select the date(s).

(3) All publishers shall have the option of reporting distribution for each town receiving 25 or more copies by the following subdivisions:

(a) Paid, Verified, Branded Editions, Total

(b) Individually Paid, Business/Traveler, Verified, Branded Editions, Total

(c) Home Delivery, Single Copy, Business/Traveler, Verified, Branded Editions, Total.

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(4) All Single Copy circulation will be reported by point-of-sale.

(5) Digital edition 'distribution' shall be reported as a separate line-item at the end of the report.

(b) Circulation totals for each county shall be shown and counties shall be listed in alphabetical order by states. "Average Projected Paid Circulation" shall be shown for each county in the column adjacent to the total circulation figure for each county. The Bureau will compute the "Average Projected Circulation."

(c) The list by ZIP code shall include the following:

(1) Circulation shall be shown for each ZIP code receiving 25 or more copies. Towns included in each ZIP code will be identified.

(2) The Bureau will add occupied household figures based on data established by the Bureau of the Census for all counties, and for all ZIP codes with 2,500 or more occupied households.

(d) The optional list by town shall include the following:

(1) Circulation shall be shown for each town, city or recognized community receiving 25 or more copies, including, at publisher's option, those places outside the corporate city of publication, but within the established city zone.

Towns, cities, or recognized communities receiving 25 or more copies but with a population of less than 500 may, at the option of the publisher, have the distribution reported in the "Balance in County" of the county in which the copies are served or shown, by county, under the rural route for the town from which mail is distributed.

(2) In addition, circulation figures shall be shown as a total for the City Zone or Newspaper Designated Market and shall include separate sub-totals for each county wholly or partially within the city zone.

(3) The Bureau will add occupied household figures based on data established by the Bureau of the Census for all counties, established city zones and for all towns, cities or communities with 2,500 or more occupied households.

(4) A total of the distribution in each state shall be included in the list showing distribution in towns receiving 25 copies or more. If any state does not have distribution in cities of 25 or more copies, there shall be two options:

(a) Show the total distribution in each such state.

(b) Show the distribution in all such states in one total, using the words "Total all other states."

(e) In addition to the list described above, each publisher may, at his option, prepare separate lists from the information prepared for Paragraph 3 as follows:

(1) The total distribution of the newspaper shall be broken down as follows:

(a) Retail Trading Zone

(b) U.S. Metropolitan Statistical Area (MSA) and/or Consolidated Metropolitan Statistical Area (CMSA)(optional)

(c) Cities, Towns or Communities - A list for each state of all cities, towns or communities receiving 25 or more copies arranged alphabetically without grouping by counties. Each place listed shall be further identified as to the county in which it is located. Occupied household figures shall be shown for each place or city zone having 2,500 or more.

(d) Townships (optional - as sub-divisions only)

(e) Total Distribution

Occupied household and average projected circulation shall be shown for each of the above subtotals.

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C 7.3 Seasonally Occupied Households

U.S. newspaper members may, at their option, include an analysis of total households by county in ABC reports, based on the latest census. The analysis is to include occupied units plus vacant units broken down as follows: seasonal & migratory; held for occasional use; for sale or rent; other. Data will be reported for only those counties comprising the City Zone and Retail Trading Zone or Newspaper Designated Market, whichever applies, plus any other county in which the newspaper has five (5) percent or more coverage.

C 7.4 Non-Paid Distribution of Two-Year Weeklies

In the case of weekly newspapers audited every other year where the non-paid distribution is less than 10 percent of the total paid circulation, the publisher shall have the option of analyzing unpaid distribution as provided for in Bureau reports or of showing only one total for unpaid distribution.

Article 8 - Employment of ABC Auditors

In the event that newspapers in the same city have been audited or reviewed for the same period by the same Bureau employee (either a field auditor or other employee who directly participated in or reviewed either audit) and one of the newspapers employs or contracts to employ such person within 12 months after the release of its audit, then the other newspaper shall be entitled to a reaudit or review of its own audit. In such cases, the newspaper hiring or contracting to hire the Bureau employee shall pay for such reaudit or review.

Article 9

C 9.1 Supplemental Analysis: Non-Paid Newspapers

Publisher members may make available an analysis of Total Market Coverage (TMC), Extended Market Coverage (EMC), or similar publication not otherwise eligible for membership on a stand-alone report the following conditions:

(a) The TMC, EMC or similar publication must be owned and/or operated by the member newspaper or associate member that is a parent company of an ABC newspaper member.

(b) The TMC, EMC or similar publication's distribution must be delivered primarily to the recipient's home (this provision is not applicable to Canadian publications).

(c) The initial Report shall not be released until verified by audit.

(d) All data and records pertaining to information produced on the Report must be preserved for the auditor's examination. If records are considered inadequate to substantiate the publisher's claims, the Report will not be released.

(e) In those cases where a newspaper member owns and/or operates multiple TMC, EMC or similar publication, a separate analysis and report will be required for each. An optional combined report may also be included provided advertising may be purchased in combination.

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(f) The "Definition of Recipient" for TMC, EMC or similar publications shall be a statement describing the designated households within specific geographic areas to which the distribution is directed. It shall exclude statements of a promotional value and be subject to editing by the managing director.

(g) A total allowance of up to 15% for random/occasional delivery errors and false no goods will be permitted in evaluating the results of in-field testing of Address-Specific Home Delivered copies.

C 9.2 Home Delivery, Address Specific

(a) Distribution of TMC, EMC or similar publications to individual households, residences and/or businesses as defined by the Definition of Recipient Statement, and where such recipients are non-subscribers of the member newspaper, shall be analyzed as "Home Delivery, Address Specific" (or "Mail," whichever is applicable) provided distribution is made to the individual address. Claimed distribution must be supported by lists of recipients and carrier/distributor manifests.

(b) In those cases where TMC, EMC or similar publication is distributed to subscribers of the member newspaper and, as per (a) above, such distribution shall be analyzed as "Home Delivery - Delivered to Subscribers of (paid member name)."

(c) Distribution to households which are determined to be unoccupied by Bureau auditors shall be set up as "Home Delivery, Unoccupied Households." The average distribution, and issue-specific data shown in ABC Publisher's Statements and Audit Reports shall be calculated from the Bureau's test(s) results.

C 9.3 Home Delivery, Market Coverage

Distribution to individual households within defined geographic areas for which address specific lists are not available shall be analyzed as "Home Delivery, Market Coverage." Auditable documentation to substantiate the quantity of households within the defined distribution area must be available for auditor review. In addition, documentation at the carrier/distributor level supporting claimed distribution must be accessible to the auditor.

C 9.4 Public Access Distribution

Multiple copies of a TMC, EMC or similar publication distributed to public places for redistribution to consumers shall be analyzed as "Public Access" distribution. Examples of such distribution might include, but are not limited to: common entryways of apartment complexes, street racks, and retail establishments where the recipients are unknown to the newspaper. Records must be kept on an issue by issue basis to show gross distribution. Publisher's Statements and Audit Reports shall show copies distributed to designated areas but make no inference as to their final disposition and shall be fully explained in the paragraph devoted to general explanations.

C 9.5 Analysis of TMC, EMC or Similar Newspapers

(a) The TMC/EMC or similar publication Report shall include an analysis for all such distribution for one issue. The issue to be analyzed shall be the same issue used to report a geographic analysis. Format for the analysis shall be determined by the managing director working with the publisher. The format may be geographic in nature and may relate to the availability of advertising options.

(b) In addition, the Report for all such members making the analysis above shall include a complete analysis of distribution by ZIP Codes or Postal Codes and by recognized towns and communities receiving 25 or more copies per issue, arranged numerically and alphabetically, respectively.

C 9.6 Supplemental Analysis Distribution

Publisher's Statements and Audit Reports may contain maps identifying the geographic area of distribution.

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Article 11 - Optional Analysis

C 11.1 Optional Analysis

Newspapers wishing to provide an analysis of distribution, which does not qualify as paid or verified circulation may, do so on a format approved by the ABC Board of Directors.

With the exception of Third Party Sales, these "Other Circulation Elements" shall be limited to thirty percent of total (net) distribution within a ZIP code.

C 11.2 Analyzed Non-Paid Distribution

Other non-paid may include copies made available for pick-up in public locations. If such are to be included, the explanatory paragraph shall include a reference to the number of such locations and the range of newspapers available at the locations. The publisher must maintain documentation to indicate the number of newspapers placed at each location, and the time of day each location is serviced with newspapers.

C 11.3 List of Towns (and ZIP Codes) Receiving 25 or More Copies

Publishers opting to report other circulation elements must provide separate analysis of same for the issue analyzed for Paragraph 3 of Audit Reports. Such analysis shall list "Other Analyzed Distribution," and Non-Paid Distribution in separate columns for each ZIP code. In addition, those newspapers electing to provide the optional analysis must also publish a ZIP code analysis within the body of the ABC Audit Report.

C 11.4 National Newspaper Reporting

National newspapers will not be required to provide an analysis by ZIP code if the option to provide an analysis of distribution which does not qualify as paid circulation is invoked.