

THE ADVERTISING STANDARDS AUTHORITY OF SOUTH AFRICA (ASA)

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The Advertising Standards Authority of South Africa

Basic outline

- History of ASA
- Purpose of ASA
- Process and powers of enforcement
- General information (Basic rules)
- Current challenges



ASA **history** in a nutshell

- Established 1968
- Tri-partheid agreement
 - Marketers
 - Advertisers
 - Media owners
- Agreed to set of rules and procedures to enforce such rule



HISTORY:

Our efforts have been recognized both locally and internationally:

- EASA Best Practice Award (2009)
- EASA best practice award for integrated consumer awareness campaign (2005)
- DTI Award for Consumer Champions (2003)



Purpose of the ASA

- Two main purposes: **protect consumers**, and ensure **fair play among competitors**
- Platform for arbitration in such conflicts
- **Complement** (not replace) legislation



NOT... purpose of ASA

- Contractual disputes
- Quality of product / service
- Legitimacy of business practices
- Political advertising



The ASA of SA

- Independent
- Funded by advertising industry (**NO** Government contribution)
- Works closely with government, statutory bodies, consumer / industry organisations
- ECT-Act officially recognises ASA (CONSUMER PROTECTION ACT??)
- Global relevance (EASA)



Support for the ASA

- Through Various Industry Representative Bodies:
 - ACA (Association for Communication & Advertising)
 - ARA (Association for Responsible Alcohol Use)
 - CTFA (Cosmetics, Toiletries & Fragrance Association)
- International Recognition (Australia, Italy, UK, Canada, New Zealand etc.)



Complaint handling **process**

- Criteria for “valid” complaint
- Obtain official response (3 / 5 days)
- Present to Directorate for decision
- If necessary – obtain opinion
- Ruling issued and published on website

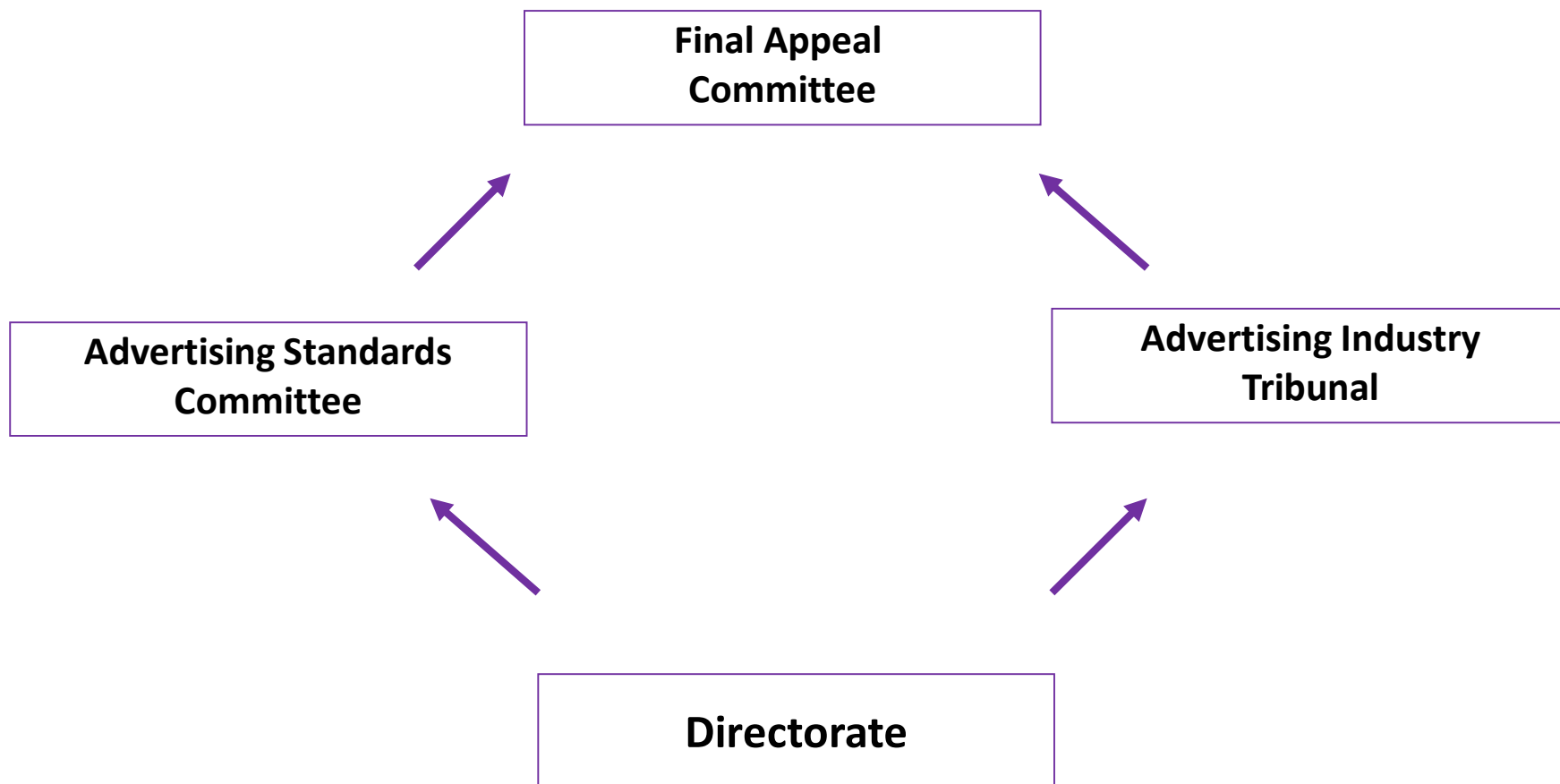


Enforcement of rulings

- Through media members (Including print media and broadcast media)
- Members will withdraw advertising at issue (e.g. ECT Act)
- Ad Alert
- Additional sanctions possible



Levels of decision-making



Our “teeth”:

- Forced removal of ad (where we have membership base)
- Forced pre-clearance of advertising
- Adverse publicity / summarised ruling
- Refusal of advertising space



GENERAL PRINCIPLES OF THE CODE OF ADVERTISING PRACTICE



Offensive Advertising

- Advertising may not cause serious, widespread or sectoral offense
- The fact that it is offensive to some does **not automatically** justify removal



Children

- Should not exploit credulity or lack of experience
- Should not create impression that certain surroundings / actions are safe when they are not
- No sexual innuendo



Gender

- Do not exploit or objectify any particular gender in an unjustifiable manner.
- Negative gender portrayal (entrenching a stereotype) is a big NO-NO





The car is covered
are you?

Your car, as part of your personal and business assets, is insured against damage, yet you never stop to think about yourself or your employees in the event of an accident or illness. Make sure that you are properly protected with sufficient cover.

Here are some of the reasons why you should be covered by us:

- Unlimited private hospitalisation on most options
- On diagnosis of a dread disease, or in the case of a life changing event, members can upgrade to higher options at any time of the year
- Free trauma counselling and Fedhealth's 24 hour Nurseline are available to you when you need emotional and practical support the most
- Fedhealth also covers Specialised radiology like MRI and CT scans from risk, thereby protecting day-to-day benefits.

Call us to find out more about Real cover – from hospital plans to fully comprehensive options.

Get Real about Medical Aid. Get Fedhealth.

Call Fedhealth on **0860 002 153** or call **your broker** or sms your name to **32199** now.

Registered Scheme Rules Apply

Real Medical Aid

FEDHEALTH
www.fedhealth.co.za



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Substantiation

- If you claim it, you have to prove it
- “Proof” must either emanate from, OR be evaluated by and independent, credible expert in the relevant field.



Misleading Claims

- May not mislead by, *inter alia*, ambiguity, omission or exaggeration.
- Keep in mind disclaimers and “correcting misleading impression”





Comparative advertising

- Is allowed, BUT:
 - Careful of trademarks
 - Substantiate claims
 - Don't disparage
 - Don't exploit goodwill of another company



Disparagement

- Do not attack, discredit or disparage other products | services | advertisers | advertisements
- May highlight weakness IF factual and in public interest (we look at *intention of advertiser*).



Spot the problem?



Where to reach ASA:

- ASA: www.asasa.org.za
 - » (011) 781-2006 [tel]
 - » complaint@asasa.org.za

