

legal | **decent**

honest | **truthful**

We regulate

**ads in newspapers /
magazines / posters /
TV / radio / cinema /
internet / e-mails /
text messages / direct mail /
sales promotions /
teleshopping / and more**

We apply the advertising rules...

The Advertising Standards Authority is here to make sure advertisements are **legal, decent, honest and truthful.**

Many millions of ads appear every year in the UK. We know that the **vast majority comply** with the Advertising Codes* – and we act swiftly to tackle the ones that don't.

By proactively checking ads and acting on complaints, we make sure that **consumers are protected.**

Our service operates at **no cost to the public** because we're funded by a levy on advertising space. Importantly, we don't collect or administer the levy ourselves, which ensures our **independence** from advertisers.

The ASA is recognised by **Government, other regulators and the courts.**

*The UK Code of Non-broadcast Advertising, Sales Promotion and Direct Marketing (The CAP Code)
The UK Code of Broadcast Advertising (The BCAP Code)

...CAP writes them

The UK Advertising Codes are written by the **Committee of Advertising Practice (CAP)** and the **Broadcast Committee of Advertising Practice (BCAP)**. The Committees' members include the main bodies that represent advertisers, agencies and media owners.

The rules are designed to ensure that **advertising does not mislead, harm or offend.** Ads must also be socially responsible and respect the principles of fair competition.

The Advertising Codes reflect legal requirements, but also contain **additional protections for children and vulnerable people** and for certain products such as alcohol, health and beauty, environmental claims, gambling and direct marketing.

The rules apply in the spirit as well as the letter, making it almost impossible for advertisers to find loopholes or 'get off on a technicality'. This **common-sense approach** takes into account the nature of the product being advertised, the media used, and the audience being targeted.

Full copies of the Advertising Codes are available on the CAP website www.cap.org.uk.



Prevention

rather
than
cure

We don't just wait to receive complaints – we actively monitor ads to make sure **standards are being maintained**. We conduct surveys of ads in high profile areas (eg gambling or alcohol advertising) and in sectors with lower compliance records.

We also **educate and train advertisers** on the rules to prevent problem ads from appearing in the first place.

Although the ASA does not pre-vet advertising, the majority of **TV and radio commercials are pre-cleared** before they go on air by Clearcast (www.clearcast.co.uk) or the Radio Advertising Clearance Centre (www.racc.co.uk).



How to make a complaint

**Just one complaint
can lead to an ad
being withdrawn.**

**We've also made sure
the complaints procedure
is as quick and easy
as possible.**

1

First, decide whether your complaint is covered by the ASA. More information on our remit can be found on our website, or you can call us to discuss your complaint.

2

If it is, contact us. You can complete our online complaints form or telephone or write to us.

3

We'll give you the name of the person who will handle the case and be your point of contact.

4

All complaints are anonymous, unless you are asking us to get your name taken off a mailing list or you are complaining on behalf of your company.



What happens

next?

We can often **resolve complaints quickly**. For instance, we can have an ad changed if it's a minor mistake or chase up an undelivered mail order item on your behalf.

If it's not that simple, we may need to conduct a formal investigation. This means that the ASA Council will rule on the matter.

The ASA Council is the jury that decides whether ads have breached the Advertising Codes. **Independently chaired** by Lord Smith of Finsbury, the majority of its members come from outside the advertising industry. Full details of ASA Council members and our adjudications can be found on our website.

We take every step to make sure **the process is fair**, which is why there is an Independent Review Procedure that allows complainants and advertisers to request a review of an adjudication.

What happens when a complaint

is upheld?

If a complaint is upheld, the advertiser **must withdraw or amend the ad** and not use the advertising approach again.

Most advertisers comply with our rulings but we also have a range of sanctions available to us, such as:

- All rulings are published online, often leading to **bad publicity** for the advertiser
- Media owners and broadcasters **refuse to run ads that break the rules**
- Poster advertisers that break the rules on taste and decency and social responsibility can be required to have their **posters pre-vetted**
- Removal of Royal Mail direct mail discounts

The few advertisers that fail to comply with ASA rulings or who persistently break the rules can be referred to the Office of Fair Trading (for misleading non-broadcast ads) or to Ofcom (TV and radio commercials).



Want to know more

about us?

Full information on our role,
remit, adjudications and
other activities can be
found on our website.

Or you can contact us by
phone, fax, post or online.

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