6

PRIVACY

Principle

Individuals should be protected from unwarranted infringements of privacy.

Rules

6.1 Marketers must not unfairly portray or refer to anyone in an adverse or offensive way unless that person has given the marketer written permission to allow it. Marketers are urged to obtain written permission before:

- referring to or portraying a member of the public or his or her identifiable possessions; the use of a crowd scene or a general public location may be acceptable without permission
- referring to a person with a public profile; references that accurately reflect the contents of a book, an article or a film might be acceptable without permission
- implying any personal approval of the advertised product; marketers should recognise that those who do not want to be associated with the product could have a legal claim.

Prior permission might not be needed if the marketing communication contains nothing that is inconsistent with the position or views of the featured person.

6.2 Members of the royal family should not normally be shown or mentioned in a marketing communication without their prior permission but an incidental reference unconnected with the advertised product, or a reference to material such as a book, article or film about a member of the royal family, may be acceptable.