



Frequently Asked Questions:

Who are the ASA and CAP?

The Advertising Standards Authority (ASA) is the UK's independent regulator of advertising across all media. We are the established means for regulating advertising in the UK, ensuring that advertising is legal, decent, honest and truthful. It is our aim to make every UK ad a responsible one.

The Committees of Advertising Practice (CAP) write and update the rules contained in the rule books, known as the Advertising Codes. CAP also holds responsibility for enforcing the rules.

What constitutes advertising?

Our remit extends to cover ad claims across media, from print, TV and cinema to claims on websites and social media.

What does our work mean for you?

Our role is to make sure that UK ads stick to the rules.

Our aim is to ensure that we help you to advertise in line with the rules by making clear how they apply, what claims you can make to promote your services and by providing clear guidance on the types of claims that you should avoid.

Why are we contacting you?

We contact lots of sectors as part of our ongoing work to make sure UK advertising sticks to the rules. The ASA has made several rulings about homeopathy and this follow-up work is designed to improve awareness of how the rules apply and give you guidance on how to stick to them.

What do the rules say?

In simple terms, the rules require advertisers to ensure that ads do not mislead, harm or offend. More specifically, they require advertisers to be able to prove the claims they are making. This can mean producing robust, documentary evidence to back up high-level claims, particularly around the efficacy of claims about health.

Why do they apply to me?

The rules apply to all UK ads, wherever they appear including, as mentioned previously, on companies' own websites. The rules are mandatory and apply to all businesses, from sole traders through to multinationals and are designed to ensure that consumers are protected and that businesses are playing by the same rules.

What gives the ASA/CAP authority?

The advertising rules reflect, and are underpinned by, the law and it is the ASA's role as the recognised UK regulator for advertising to administer those rules. It's our function, in the first



instance, to respond to concerns from consumers, business or civil society about ads and to take action to remove those ads that break the rules.

What if I refuse to follow the rules?

We're not here to work against you. We're here to help you stick to the rules. However, where advertisers or businesses are unwilling or unable to abide by the rules, we have a range of sanctions available to us that we can, and will, invoke to bring advertising into line. This is not our preferred approach. Ultimately, where our action is not successful, those who decline to work with us can and will be referred to our legal backstop, Trading Standards, for statutory enforcement action.

What sanctions do you have?

We can ask media owners to deny advertising space to those who fail to follow the rules. In the case of claims appearing on websites, we can highlight an advertiser's name and non-compliance in a dedicated section of the ASA website – something that is picked up in search results online. Further, we can have an advertiser's paid search links disabled and can launch our own paid search campaign highlighting the advertiser's name and the problem with their advertising. Ultimately, we can refer advertisers to Trading Standards.

Why is the ASA targeting my profession?

We conduct a range of monitoring and compliance work across diverse sectors, from Lettings Agents to Post-Conception Advice Service providers. We also conduct compliance work in high profile sectors such as Alcohol, Gambling, Food and Payday Loans.

Is the ASA biased against Complementary Health therapies?

No. Our role is to make sure all ads stick to the same rules. A big part of that means being able to prove the claims you make. This is particularly important when it comes to health claims and ensuring that consumers, especially those who might be ill or vulnerable are not dissuaded from consulting their GP before pursuing a course of treatment.

What do I do now?

Take advantage of the free guidance available on the ASA and CAP websites, www.asa.org.uk, to help you determine what, if any, changes you need to make to your advertising. You might also want to contact your professional association, if you have one, for further help.

What next?

Please ensure that any changes are made to your advertising by Thursday 3 November. After this time, we will conduct monitoring spot checks and apply sanctions to those advertisers who have failed to make the necessary changes by the stated deadline.