

SECTION 19: MOTORING

Question 66: Given its policy consideration, do you agree with CAP's proposal to include rule 19.2 (legal requirements of the Highway Code) in the Code? If your answer is no, please explain why.

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| <p><i>Responses received in favour of CAP's proposal from:</i></p> <p>Advertising Association; Asda; Charity Law Association; Institute of Practitioners in Advertising;</p> <p>2 organisations requesting confidentiality</p> <p>An individual</p> | <p><i>Summaries of significant points:</i></p> <p>The respondents listed in the left hand column agreed with CAP's proposal.</p> | <p><i>CAP's evaluation of those points and action points:</i></p> <p>CAP welcomes the respondents' comments.</p> |
| <p><i>Responses received against CAP's proposal:</i></p> <p>None</p> | <p><i>Summaries of significant points:</i></p> | <p><i>CAP's evaluation of those points and action points:</i></p> |

Question 67: Given its policy consideration, do you agree with CAP's proposal not to include present rule 48.7 (prices in motoring marketing communications) in the Code? If your answer is no, please explain why.

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| <p><i>Responses received in favour of CAP's proposal from:</i></p> <p>Advertising Association; Asda; Charity Law Association; Institute of Practitioners in Advertising;</p> <p>An organisation requesting confidentiality</p> <p>An individual</p> | <p><i>Summaries of significant points:</i></p> <p>The respondents listed in the left hand column agreed with CAP's proposal.</p> | <p><i>CAP's evaluation of those points and action points:</i></p> <p>CAP welcomes the respondents' comments.</p> |
| <p><i>Responses received against CAP's proposal:</i></p> <p>Office of Fair Trading</p> | <p><i>Summaries of significant points:</i></p> <p>1. <i>Office of Fair Trading said:</i> We take the view that the present rule 48.7 that prices quoted should correspond to vehicles illustrated and that it is, for example, not acceptable to feature a top of the range model whilst quoting a starting price represents a useful</p> | <p><i>CAP's evaluation of those points and action points:</i></p> <p>1. CAP proposed to delete existing rule 48.7 because a marketing communication that would breach it would breach rules in the Misleading Advertising section. New rules 3.1 and 3.3 will prevent motoring ads from including price claims that could mislead the audience by, for example,</p> |

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| | <p>illustration of the more general rules contained in the CPRs. It is true that proposed rules 3.1 and 3.3 cover the general principles on omission of material information, and distortion of price statements. However, we consider that it might nevertheless be useful to slightly adapt and retain the car example so as to use it to illustrate rules 3.1 and 3.3 (e.g. “thus, whilst this will depend on all the circumstances of an individual advertisement, it will generally be unlikely to be acceptable to feature...”).</p> | <p>implying a top-of-the-range model is available at the starting price for that range. The proposed deletion of 48.7 would therefore not amount to a change in advertising policy and practice.</p> <p>CAP considers it is therefore not necessary to include in the Code a rule specific to price claims in Motoring ads but may consider the need for Motoring sector-specific guidance in due course.</p> |
| <p>Question 68:</p> <p>i) Taking into account its general policy objectives, do you agree that CAP’s rules, included in the proposed Motoring section, are necessary and easily understandable? If your answer is no, please explain why.</p> <p>ii) On consideration of the mapping document in Annex 2, can you identify any changes from the present to the proposed Motoring rules that are likely to amount to a significant change in advertising policy and practice, which are not reflected here and that you believe should be retained or otherwise given dedicated consideration?</p> <p>iii) Do you have other comments on this section?</p> | | |
| <p><i>Responses received from:</i></p> <p>Advertising Association; Asda; Charity Law Association; Institute of</p> | <p><i>Summaries of significant points:</i></p> <p>These organisations, and an individual, agreed the rules in the proposed Motoring section are necessary and easily understandable. Those respondents did not identify any changes from the present to the proposed rules that would amount to a significant change in advertising policy and practice, apart from those highlighted in the</p> | <p><i>CAP’s evaluation of those points and action points:</i></p> |

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| <p>Practitioners in Advertising; Low Carbon Vehicle Partnership; Society of Motor Manufacturers and Traders;</p> <p>2 organisations requesting confidentiality</p> <p>An individual</p> | <p>consultation document:</p> <p>Advertising Association; Asda; Charity Law Association; Institute of Practitioners in Advertising; 2 organisations requesting confidentiality</p> <p><i>1. Low Carbon Vehicle Partnership and the Society of Motor Manufacturers and Traders said:</i> To help consumers understand green claims and CO₂ emissions information in car ads, industry is working together to produce and promote best practice guidance.</p> | <p>1. CAP welcomes the Low Carbon Vehicle Partnership and SMMT's comments.</p> |
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