



PRODUCT-SPECIFIC INDUSTRY CODES

ADVERTISING REGULATORY GUIDE

Depending on what you're selling, there may be a product-specific industry code with additional requirements to meet in your advertising or marketing.

AM I ADVERTISING A VEHICLE?

Consider the Voluntary Code of Practice for Motor Vehicle Advertising, published by the Federal Chamber of Automotive Industries' (FCAI). This Code's primary purpose is to provide guidance to advertisers in relation to appropriate standards for the portrayal of images, themes and messages relating to road safety.

Advertisers should ensure that advertisements do not depict, encourage or condone dangerous, illegal, aggressive or reckless driving. Advertisers need to be mindful that excessive speed is a major cause of death and injury in road crashes and accordingly should avoid explicitly or implicitly drawing attention to the acceleration or speed capabilities of a vehicle.

You can find the FCAI Code [here](#).

WHAT HAPPENS IF I DON'T COMPLY WITH THE FCAI CODE?

Complaints about vehicle advertising are received by the Advertising Standards Bureau and considered by the Advertising Standards Board. If the ad is found to be in breach of the relevant code, the Board will request for the ad to be modified or removed from the relevant media.

AM I ADVERTISING ALCOHOL?

Australia has a quasi-regulatory system for alcohol marketing: guidelines for marketing have been negotiated with government, consumer complaints are handled independently, but all costs are borne by industry. If you are advertising alcohol consider provisions in the ABAC Responsible Alcohol Marketing Code including:

- Responsible and moderate portrayal of Alcohol Beverages
- Responsibility toward Minors – ads must not depict a person under 25 years of age
- Responsible depiction of the effects of alcohol
- Alcohol and Safety

You can find the ABAC Code [here](#).

WHAT HAPPENS IF I DON'T COMPLY WITH THE ABAC CODE?

Alcohol related advertising complaints are received by the Advertising Standards Bureau. Complaints under the AANA Codes are heard by the Advertising Standards Board.

Complaints under the ABAC Code are referred to ABAC where the complaint and ad are assessed by the ABAC Chief Adjudicator. Some complaints may be referred on to the full ABAC Adjudication Panel and in these cases complainants are informed of the referral and sent a copy of the final determination. Complainants who request confidentiality will be granted it. Members of the ABAC Adjudication Panel are independent of the alcohol beverage industry.

AM I ADVERTISING A FOOD AND/OR BEVERAGE PRODUCT AIMED AT CHILDREN?

Many food & beverage companies are signatories to the Responsible Children's Marketing Initiative (RCMI) which provides a common framework to ensure that only food and beverages that represent healthier choices are promoted directly to children. A child is considered to be a person under 12 years old. The main principles in the RCMI are that advertising and marketing communications to children for food and/or beverages must:

- (a) Represent healthier dietary choices, consistent with established scientific or Australian government standards, as detailed in Signatories' Company Action Plan.
- (b) Reference, or be in the context of, a healthy lifestyle, designed to appeal to Children through messaging that encourages:
 - i. Good dietary habits, consistent with established scientific or government standards; and
 - ii. Physical activity.

AM I ADVERTISING A QUICK SERVICE RESTAURANT PRODUCT AIMED CHILDREN?

Many quick service restaurant companies are signatories to the Quick Service Restaurant Initiative (QSRI) which provides a common framework to ensure that only food and beverages that represent healthier choices are promoted directly to children. A child is considered to be a person under 14 years old. The main principles in the QSRI are that advertising and marketing communications to children for food and/or beverages must:

- (a) Represent healthier dietary choices, as determined by the Nutrition Criteria; and
- (b) Reference, or be in the context of, a healthy lifestyle, designed to appeal to Children through messaging that

encourages:

- i. Good dietary habits, consistent with established scientific or government standards; and
- ii. Physical activity.

WHAT HAPPENS IF I DON'T COMPLY WITH THESE INITIATIVES?

All complaints about advertising related to these two initiatives are received by the Advertising Standards Bureau and considered by the Advertising Standards Board. If an ad is found to be in breach of an initiative to which you are signatory, the Board will request for the ad to be modified or removed from the relevant media.

The information contained in this guide is for information purposes only. It should not be considered legal advice or a comprehensive guide to every regulation that applies to advertising or marketing communications. It is not guaranteed to be correct or complete. The purpose of this guide is to help advertisers and marketers gain a basic knowledge of the various regulatory regimes that apply to advertising and marketing communications in Australia.