

Children's Advertising Code

DECEMBER 2023

Objectives



This **Code** has been adopted by the **AANA** as part of advertising and marketing self regulation. The object of this **Code** is to ensure that advertisers and marketers maintain a high sense of social responsibility when advertising and marketing to children in Australia.

This **Code** is accompanied by a **Practice Note** which has been developed by the **AANA**. The **Practice Note** provides guidance to advertisers and complainants, and must be applied by the **Ad Standards Community Panel** in making its determinations. In the event of any ambiguity the provisions of the **Code** prevail.

Definitions



In this **Code**, unless the context otherwise requires:

- ▶ **Advertising** means:
 - (a). any advertising, marketing communication or material which is published or broadcast using any Medium or any activity which is undertaken by, or on behalf of an advertiser or marketer,
 - over which the advertiser or marketer has a reasonable degree of control, and
 - that draws the attention of the public in a manner calculated to promote or oppose directly or indirectly a product, service, person, organisation or line of conduct,
 - (b). but does not include:
 - labels or packaging for products
 - corporate reports including corporate public affairs messages in press releases and other media statements, annual reports, statements on matters of public policy
 - in the case of broadcast media, any material which promotes a program or programs to be broadcast on that same channel, station or network.
- ▶ **Advertising to Children** means: Advertising that targets Children and which is determined by the context of the advertisement and the following three criteria:
 1. Nature and intended purpose of the product being promoted is principally or significantly appealing to Children;
 2. Presentation of the advertisement content (e.g. theme, images, colours, wording, music and language used) is principally appealing to Children;
 3. Expected average audience at the time or place the advertisement appears includes a significant proportion of Children.
- ▶ **Community Panel** means the Panel appointed by Ad Standards from time to time, the members of which are representative of the community, to administer a public complaints system in relation to Advertising.
- ▶ **Children** means persons under the age of 15 and **Child** means a person under the age of 15.

Definitions



- ▶ **Medium** means any medium whatsoever including without limitation cinema, internet, outdoor media, print, radio, telecommunications, television or other direct-to-consumer media including new and emerging technologies.
- ▶ **Premium** means anything offered either free, at a reduced price, or with an additional cost and which is conditional upon the purchase of an advertised product.
- ▶ **Prevailing Community Standards** means the community standards determined by the Ad Standards Community Panel as those prevailing at the relevant time in relation to Advertising to Children. The determination by the Community Panel shall have regard to Practice Notes published by AANA and any research conducted by Ad Standards.

Children's Advertising Code



2.1



Advertising to Children must not contravene **Prevailing Community Standards**.

2.2



Advertising to Children must not be misleading or deceptive to **Children**.

2.3



Advertising to Children:

- (a) must not employ sexual appeal;
- (b) must not include sexual imagery; and
- (c) must not state or imply that **Children** are sexual beings and that ownership or enjoyment of a Product will enhance their sexuality.

2.4



Advertising to Children must not portray unreasonably frightening or distressing images or events.

2.5



Advertising to Children:

- (a) must not undermine the authority, responsibility or judgment of parents or carers;
- (b) must not contain an appeal to **Children** to urge their parents, carers or another person to buy the advertised product or service for them;
- (c) must not state or imply that the advertised product or service makes **Children** who own or enjoy it superior to their peers; and
- (d) must not state or imply that persons who buy the advertised product or service are more generous than those who do not.

2.6



Advertising to Children which features a **Premium** must not encourage the purchase of an excessive quantity or irresponsible consumption.

2.7



Advertising to Children which uses popular personalities or celebrities (live or animated) to endorse, recommend, promote or advertise or market products, services or Premiums must be clearly distinguishable as advertising.

This section does not form part of the **Children's Advertising Code** and is provided here for information only.

Complaints under the AANA self regulatory system



Complaints about the content of an advertisement can be made under this **Code** and the other **AANA Codes to Ad Standards**.


Once **Ad Standards** has received your complaint, it then assesses the complaint to determine whether it is eligible for consideration by the **Ad Standards Community Panel**. The Panel is the body established to consider complaints. If accepted the advertiser/marketer is notified and a response is requested. The complaint is then considered by the Panel and the advertiser and complainant are advised of the determination. A case report is then published. The original complainant or advertiser/marketer can also ask for a review of the determination.

You can make a complaint by:

Lodging a complaint online at:

 www.adstandards.com.au

Writing a letter (and sending via post) to:

 **Ad Standards**
PO BOX 5110
BRADDON
ACT 2612

CODE ADMINISTRATION

Effective Date: [December 2023](#)