

Singapore Code of Advertising Practice

(3rd Edition)

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The Code has the
support of the following
organisations and
government agencies
whose representatives
constitute the Advertising
Standards Authority
of Singapore

Agri-Food & Veterinary Authority of Singapore
Association of Accredited Advertising Agents, Singapore
Association of Broadcasters (Singapore)
Association of Media Owners (Singapore)
Consumers Association of Singapore
Direct Marketing Association of Singapore
Health Sciences Authority
Infocomm Development Authority of Singapore
Media Development Authority
MediaCorp Pte Ltd
Pharmaceutical Society of Singapore
Singapore Advertisers Association
Singapore Association of Pharmaceutical Industries
Singapore Medical Association
Singapore Press Holdings Limited

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Preface

This Code seeks to promote a high standard of ethics in advertising by self-regulation against the background of national law and international law and practice, including the International Code of Advertising Practice published by the International Chamber of Commerce.

It supersedes the two previous codes first published in 1976 and revised in 2003. The 2003 Code was issued to address advances in the social environment, advertising media, and technology. Since 2003, further changes in media and technology have occurred. Also, the Council has had the occasion to evolve its practices and processes over the years. As with the 2003 revisions, however, the essential principles of the earlier Codes have not been changed. Explicit guidelines and interpretation shall be provided by the Advertising Standards Authority of Singapore on a case-to-case basis.

In administering an industry committed to self-regulation, the Advertising Standards Authority of Singapore relies principally on a system of guidance and voluntary compliance, rather than punitive measures, to facilitate observance of this Code. Effective enforcement therefore depends heavily on the support, co-operation, resources and obedience of participants in the industry. The Authority believes in the benefits of self-regulation, including the flexibility to resolve disputes and address concerns expeditiously and in an informal and consultative forum.

I. INTRODUCTION

i THE ADVERTISING CONTROL SYSTEM

1. *The Code of Advertising Practice and ASAS*

- 1.1 The Singapore Code of Advertising Practice (the Code) is a fundamental part of the system of control by which local advertising regulates its activities.
- 1.2 The Code has been endorsed by organisations representing advertisers, advertising agencies and media. It is administered by the Advertising Standards Authority of Singapore (ASAS) Council to the Consumers Association of Singapore (CASE). The Code will be used by ASAS to regulate local advertising activities.

2. *The Advertising Standards Authority of Singapore*

- 2.1 ASAS comprises members drawn from the organisations representing advertisers, advertising agencies and media, government agencies and other supporting organisations. The ASAS Council meets regularly to secure compliance with the Code and to keep it up to date.

3. *Responsibilities of ASAS, advertisers, agencies, and media*

- 3.1 While ASAS provides individual advice and guidance to advertisers, advertising agencies and the media who are in doubt as to the acceptability of advertising, particularly prior to publication, ASAS is not geared, nor is it intended for it to become a clearing house for the approval of all advertising.
- 3.2 Responsibility for observing the Code rests primarily with the advertiser. But it also applies to any advertising agency or medium involved in the publication of an advertiser's message to the public. The interpretation of the Code is vested in ASAS to ensure that this system of self-regulation works in the public interest. ASAS will be bound by all existing legislation.

4. *Power of ASAS*

- 4.1 ASAS shall be empowered to ask an advertiser or an advertising agency to amend or withdraw any advertisement that, in the opinion of ASAS, is contrary to the Code. It shall also be empowered to ask an advertiser or advertising agency to withhold such advertisement until it has been modified or, in the case where ASAS has requested for further information in order to decide whether an advertisement is contrary to the Code, pending receipt of such information and a decision.
- 4.2 ASAS is empowered to ask Media Owners to support the decisions of ASAS. ASAS shall be empowered to request its members to sanction parties which violate the Code, including the withdrawal of facilities, rights or services from parties concerned subject to legal constraints. Members shall use best efforts

to ensure that they have the power to sanction parties that violate the Code, e.g., by incorporating such power into their own membership rules or into their contracts with clients.

- 4.3 ASAS shall be empowered to rule on any disputes relating to breaches of the Code arising between members of the Singapore Advertisers Association, the Association of Accredited Advertising Agents, Association of Media Owners (Singapore) and Association of Broadcasters (Singapore). Such rulings shall be binding on members of the associations.
- 4.4 ASAS may also advise on any advertisement prepared and/or published by persons or companies outside the four associations, provided that any such advertisement is brought to the attention of ASAS in accordance with the procedure outlined below.
- 4.5 ASAS shall not be responsible for any loss or damage, whether direct or consequential, in any event.

5. Procedure for making advertising complaints

- 5.1 Advertising complaints should be addressed to the Chairman of ASAS. All complaints should be in writing and accompanied by sufficient details of the complaint for ASAS to act. Advice may be given by telephone to prospective complainants and others as to the scope of the Authority's activities. However, investigations/deliberations will not begin until the complainant has provided a written confirmation and has paid the administrative fee according to the tariff published by ASAS.
- 5.2 The complainant will provide a cutting of the press or magazine advertisement or the full text of the radio, television or cinema commercial complained of. For advertisements with visual, audio or video elements, ASAS prefers to receive a copy of the advertisement in a form that allows such visual, audio or video elements to be observed. If the advertisement is in the vernacular, an English translation must be supplied.
- 5.3 All complaints should also be accompanied by the contact information, especially the postal address, of the complainant.
- 5.4 ASAS may call on the complainant, the person complained against or any other person for information that ASAS deems relevant in assessing the advertisement complained of. Such requests for substantiation may be made by the Chairman or by the secretariat on behalf of the Chairman, and may specify deadlines for the information to be provided and sanctions to be applied if such deadlines are not met.
- 5.5 In requesting substantiation, whether from interested parties or independent outside parties, ASAS may take into account all factors to decide who is in the best position to provide the information. The cost of obtaining further information will be borne by the party ASAS calls upon to provide the information or, where ASAS requests information from an independent outside party, by whichever party ASAS deems appropriate. If the person called upon by ASAS fails to timely provide information or declines to finance the gathering

of information, ASAS has the discretion to either take no further action or to act on the basis of the information before it. In either event, ASAS will not be liable to any person for any loss or damage which is in any way related to such lack of information. Those who are bound by this Code will bind themselves to indemnify ASAS for all costs and expenses incurred in deliberating on complaints if such investigations/deliberations involve the employment or engagement of professional experts.

- 5.6 The ASAS council will meet to rule on complaints and other enquiries at regular intervals appropriate to the voluntary nature of its membership (but not less frequently than once every three months). Members of ASAS, other than the Chairman, will have one vote and all decisions will be by a simple majority of members present. In the event that the votes are divided, the Chairman will have a casting vote. A quorum will be constituted by one-third of existing members. Any member of ASAS who has a vested interest in a dispute must immediately declare that interest and be absent from all deliberations. The Chairman is responsible for ensuring that the council member of ASAS who has a vested interest will absent himself from all deliberations.
- 5.7 ASAS's decision will be notified in writing to the interested parties, advising them of any action to be taken.
- 5.8 In addition to advertising complaints, all other enquiries should also be addressed to the Chairman of ASAS. ASAS' advice on such matters will be communicated directly to the party concerned by the Chairman, or on his/her behalf, in writing.
- 5.9 Complainants and persons making enquiries of ASAS should allow a reasonable period (which will typically be between one and two months after all relevant information is in hand) for the members of the ASAS Council to study the complaints/enquiries and to dispatch a reply or make a ruling. Where further information is required for ASAS to make a ruling or answer an enquiry, the time required to handle a complaint or enquiry will be extended accordingly.
- 5.10 All members of ASAS will honour the confidential nature of all discussions. All deliberations of ASAS are confidential and must not be disclosed to third persons by any party without ASAS's prior written permission. ASAS is not obligated to disclose any information it may receive in the course of any investigation/deliberation to any party.

6. Sanctions

- 6.1 The sanctions which exist are principally the withholding of advertising space or time from advertisers, and the withdrawal of trading privileges from advertising agencies. Both these sanctions are applied by the media owners.
- 6.2 In addition, there is also a sanction of adverse publicity. This is wielded by ASAS which may publish details of the outcome of investigations it undertakes naming those who have offended against the Code.

7. ASAS Decision

- 7.1 The decision of ASAS on the interpretation of the Code shall be final.

ii. THE CODE OF ADVERTISING PRACTICES

1. Preamble

- 1.1 All advertisements should be legal, decent, honest, and truthful.
- 1.2 All advertisements should be prepared with a sense of responsibility to the consumer and society.
- 1.3 All advertisements should conform to the principles of fair competition generally accepted in business, including:
 - (a) Non-denigration;
 - (b) Non-exploitation of goodwill;
 - (c) Non-imitation.
- 1.4 All advertisements shall not subvert the shared values in Singapore's society including:
 - (a) Nation before community and society above self;
 - (b) Family as the basic unit of society;
 - (c) Community support and respect for the individual;
 - (d) Consensus, not conflict; and
 - (e) Racial and religious harmony.
- 1.5 All advertisements shall not subvert Singapore's family values of:
 - (a) Love, care, and concern;
 - (b) Mutual respect;
 - (c) Filial responsibility;
 - (d) Commitment; and
 - (e) Communication.
- 1.6 No advertisement should bring advertising into disrepute or reduce confidence in it as a service to industry and to the public.
- 1.7 This Code shall not intentionally suppress free and vigorous competition.
- 1.8 This Code shall protect the rights of consumers.

2. Scope

- 2.1 The primary objective of this Code is the regulation of commercial advertising.
- 2.2 The Code shall apply to all advertisements for any goods, services, and facilities appearing in any form, or any media, including but not limited to:
 - (a) Advertisements in newspapers (including classified advertisements), magazines, brochures, leaflets, circulars, mailings, posters, plastic cards (including fare cards, cash cards), tickets and other printed publications;
 - (b) Advertisements via facsimile transmissions and aerial announcements;
 - (c) Advertisements displayed on buildings and vehicles;
 - (d) Television, radio, cinema and video commercials;
 - (e) Advertisements in information network services, electronic bulletin boards, on-line databases and Internet services;
 - (f) Advertisements in non-broadcast electronic media such as computer games;
 - (g) Mail orders;
 - (h) Sales promotions;
 - (i) Mailing lists;
 - (j) Digital communications in every format, design and context including the world-wide web (Internet); and
 - (k) Telephone, etc.
- 2.3 The Code shall be followed by all concerned with advertising whether as advertisers, advertising practitioners, sales promoters, agencies, or the media.
- 2.4 The Code shall be complied with for all advertisements appearing in Singapore regardless of their place of origin. The Code recognises that enforcement may be difficult in this area (for example, advertisement received through the Internet and mail-order brochures from overseas), but would seek the co-operation of all parties concerned, including Internet operators and publishers.

- 2.5 The following definitions apply to the Code:
- (a) An advertisement means any form of commercial communication for any goods or services, regardless of medium used, including advertising claims on packs, labels and point of sale material;
 - (b) A product encompasses goods, services, ideas, prizes and gifts; and
 - (c) A consumer is anyone who is likely to see a given advertisement.

3. Interpretation

- 3.1 This Code is to be applied in the spirit as well as in the letter.
- 3.2 The Code will be issued by ASAS to regulate local advertising.
- 3.3 Conformity with the Code is assessed according to the advertisement's probable impact when taken as a whole or in context. This will depend on the audience, the medium, the nature of the product and any additional material distributed to consumers.
- 3.4 The fact that the content or form of an advertisement originates wholly or in part from other sources is not an excuse for non-compliance with the Code.
- 3.5 While an advertiser's subsequent correction and appropriate redress for a contravention of the Code are desirable, they cannot excuse the original contravention of the Code.
- 3.6 ASAS shall have the discretion to publish details of the parties who have offended against the Code and the nature of the offence.
- 3.7 If the offending advertisement originates from overseas, ASAS shall have the discretion to seek overseas authority to help enforce the Code, in addition to Section I, (i), para 4.2 and 3.6 above.
- 3.8 ASAS shall not be responsible or liable for any loss or damage, whether direct or consequential, in any event.

II. GENERAL PRINCIPLES

1. *Legality*

- 1.1 Advertisements should not contain anything that is illegal or might incite anyone to break the law. Nor should they appear to condone or lighten the gravity of illegal activities.
- 1.2 Advertisements should not contain anything that contravenes the ethical code of recognised professional bodies in Singapore.

2. *Decency*

- 2.1 Advertisements should not contain anything that is offensive to the standards of decency prevailing among those who are likely to be exposed to them.

3. *Honesty*

- 3.1 Advertisements should not abuse the trust of the consumer or exploit his lack of experience, expertise or knowledge.

4. *Fear, superstition, violence*

- 4.1 Advertisements should not without justifiable reason play on fear. Advertisers may use an appeal to fear to encourage prudent behaviour provided such use is not disproportionate to the risk.
- 4.2 Advertisements should not exploit the superstitious.
- 4.3 Advertisements should not contain anything that might lead or lend support to acts of violence and anti-social behaviour, nor should they appear to condone or lighten the gravity of such acts.

5. *Truthful presentation*

- 5.1 Advertisements should not mislead in any way by inaccuracy, ambiguity, exaggeration, omission or otherwise. More specifically, advertisements should not:
 - (a) Misrepresent any matter likely to influence consumers' attitude to any product, advertiser, or promoter;
 - (b) Misrepresent any information to mislead consumers into believing any matter that is not true, such as the source of the product, quality of the product, obligation (or non-obligation) in using a trial product, and others;
 - (c) Mislead consumers about the price of goods or services;

- (d) Underestimate the actual total price to be paid;
 - (e) Mislead consumers to overestimate the value or mislead consumers regarding the conditions on the terms of payment such as hire purchase, leasing, instalment sales and credit sales; or
 - (f) Mislead consumers regarding the terms of guarantee, delivery, exchange, return, repair and maintenance; and mislead consumers regarding the extent of benefits for charitable causes.
- 5.2 If a presentation (such as a speech, documentary and newsreel) is substantially an advertisement, it should be clearly stated as an advertisement.
- 5.3 Claims
- (a) Advertisements should not misuse research results or quotations from technical and scientific publications.
 - (b) Statistics should not be so presented as to imply a greater validity than they really have.
 - (c) Scientific terms should not be misused; scientific jargon and irrelevancies should not be used to make claims appear to have any scientific basis which they do not possess.

6. Safety

- 6.1 Advertisements should not show a disregard for safety. In particular:
- (a) Advertisements should not contain any visual presentation or any description of dangerous practices or of situations which show a disregard for safety, unless justifiable on educational or social grounds;
 - (b) Special care should be taken in advertisements directed towards or depicting children and young people. Refer to Appendix C for specific guidelines; and
 - (c) Consumers should not be encouraged to drink and drive.

7. Portrayal of persons

- 7.1 All persons should be portrayed in a manner respectful of their dignity. No person should be commoditised.

8. Children and young people

- 8.1 Advertisements should not exploit the natural credulity of children or the lack of experience of young people, and should not strain their sense of loyalty.

- 8.2 Advertisements addressed to or likely to influence children or young people should not contain anything that might result in harming them mentally, morally or physically.
- 8.3 Advertisements should not promote a lifestyle that is promiscuous or that denigrates or is detrimental to family values. For more guidance see Appendix C.

9. Social values

- 9.1 Advertisements should not:
 - (a) Downplay the importance of patriotism and national unity;
 - (b) Misinterpret national policies and goals for the benefit of any individual;
 - (c) Distort the perception of Singaporeans and the quality of life in Singapore;
 - (d) Distort the perceptions of citizens' influence in national issues;
 - (e) Discredit or be derogatory to Singapore as a democratic country or in any other way.
- 9.2 Advertisements should not promote or condone rude and inconsiderate behaviour. Advertisements should not downplay the importance of having a caring and compassionate attitude for the less fortunate members of the community.
- 9.3 Advertisements should not adopt or encourage a confrontational approach to resolving societal conflicts or differences. Advertisements should not exploit or fuel conflicts relating to national problems and controversial policies or issues.
- 9.4 Advertisements should be handled sensitively to minimise misinterpretation of intentions on ethnic issues. Advertisements should not jeopardise inter-ethnic understanding or discriminate against any ethnic group or religion, or downplay the importance of mutual dependence amongst all groups.

10. Family values

- 10.1 Advertisements should not:
 - (a) Downplay the importance of the family as a unit and foundation of society;
 - (b) Undermine the perception of the family as a place of comfort and security;
 - (c) Discredit mutual love, affection and support amongst family members.
- 10.2 Advertisements should not encourage inconsiderate and disrespectful conduct amongst family members.

10.3 Advertisements should not denounce or discourage the responsibilities of honouring, supporting and providing for one's parents and grandparents in their old age.

10.4 Advertisements should not undermine the willingness among family members to stand by one another through ups and downs.

10.5 Advertisements should not erode or downplay the importance of communication amongst family members in building trust and understanding.

11. Non-denigration

11.1 Advertisements should not unfairly attack or discredit other products, organisations or professions directly or by implication.

12. Non-exploitation of goodwill or intellectual property

12.1 Advertisements should not make unjustifiable use of the name, initials, logo and/or trade and service marks of any firm, company or institution.

12.2 Advertisements should not take unfair advantage of another firm, person or institution's goodwill in its name, trade name or other intellectual property, or the goodwill earned by other's advertising and promotion campaigns.

13. Non-imitation

13.1 Advertisements should not be so similar in general layout, copy, slogans, visual presentation, music or sound effects to other advertisements or promotions as to be likely to mislead or confuse.

13.2 Advertisers should comply with paragraph 2 in Article 10 of the ICC Code which states that:

"Where an international advertiser has established a distinctive advertising campaign in one or more countries, other advertisers should not unduly imitate this campaign in the other countries where he operates, thus preventing him from extending his campaign within a reasonable period of time to such countries."

14. National Symbols

14.1 Attention is drawn to the provisions governing the use of the Singapore Arms and Flag, and the National Anthem. Details may be obtained from the offices of the Prime Minister or the Ministry of Information, Communications and the Arts.

III. GUIDELINES

1. *Matters of fact*

- 1.1 All descriptions, claims and comparisons that relate to matters of objectively ascertainable facts should be capable of substantiation. Advertisers and advertising agencies are required to hold such substantiation ready for immediate production without delay to ASAS upon request.

2. *Use of research results*

- 2.1 When a factual claim in an advertisement is said to be supported by the results of independent research, the advertiser and sales promoter should be able to show that those responsible for the research accept the advertisement as an accurate account of the research.

3. *Use of testimonials*

- 3.1 Advertisements should not contain or refer to any testimonial or endorsement unless it is genuine and related to the personal experience of the party who provided the testimonial or endorsement.
- 3.2 Testimonials or endorsements that are obsolete or otherwise no longer applicable should not be used.
- 3.3 Particular care should be taken to ensure that testimonials based on fictitious characters are not framed so as to give the impression that real people are involved.
- 3.4 Testimonials or endorsements that are exceptional experiences (i.e. which do not reflect the experience that an average user of the product would ordinarily expect to have) should not be used. Advertisers and advertising agencies are required to show substantiation that such testimonials or endorsements do indeed reflect the typical experience of ordinary users.
- 3.5 Except as provided in this clause 3.5, no advertisement shall use any testimonial to support a claim (whether generally or by any individual) that would be prohibited or unacceptable under any provision or Appendix of this Code. ASAS may, on a case by case basis, permit such testimonials to be used, if ASAS is satisfied, in its sole discretion, that such use would not be unfair or misleading. As a condition to permitting such testimonials to be used, ASAS may also require revisions to the advertisement to include such disclaimers and qualifications as ASAS deems fit.

4. Expression of opinion

- 4.1 This Code places no constraint upon the free expression of opinion, including subjective assessments of the quality or desirability of products, provided always that:
- (a) It is clear what is being expressed is an opinion;
 - (b) It does not mislead consumers about any objectively ascertainable facts; and
 - (c) The advertiser is prepared to explain, without delay, when requested to do so, why he believes his expression of opinion conforms to the Code.

5. Quotation of prices

The following provisions apply to any indication of cost in an advertisement.

5.1 Clarity

If reference is made in an advertisement to more than one product, it should be clear to which product or version any quoted price relates.

5.2 Obligation to honour price advertised

If a product is illustrated, and a price quoted in conjunction with the illustration, advertisers should ensure that what is illustrated can be purchased for the price shown.

5.3 Truthfulness

If the price quoted does not include the product in its entirety (for example a lamp without its lamp shade), this fact and the additional price should be stated with no less prominence than the price itself.

5.4 Goods and Services Tax ("GST")

All prices should include GST where it applies, in accordance with published laws.

6. Associated purchases

- 6.1 If a product cannot be purchased without purchasing other product(s) from the advertiser or promoter, this fact must be stated with no less prominence than the product itself.

7. Use of the word “free”

- 7.1 When a product is advertised or promoted as being “free”, incidental costs, which will necessarily be incurred by the consumer in acquiring it, should be clearly stated.
- 7.2 If the incidental cost that has to be incurred for acquiring the free product exceeds what it would normally cost to acquire the product from another source, the product should not be described as free.
- 7.3 Advertisers should not seek to recover the cost of the product that they describe as free in any manner, including:
 - (a) Imposing additional fees they would normally not charge;
 - (b) Inflating any incidental expenses they may legitimately recover; or
 - (c) Altering the composition or quality, or increasing the price, of any other product which they require to be bought as a pre-condition of the consumer obtaining the “free” product.
- 7.4 Except in the context of a free trial, the word “free” should not be used if payment for a product is only deferred.
- 7.5 A trial may be described as free, although the consumer is expected to pay the cost of returning the goods, provided that the advertisement or the promoter has made clear his obligation to do so.
- 7.6 An offer that extends a product without cost for the purchase of another on a continuous basis should not claim that the product is free.

8. Use of the word “discount”

- 8.1 When a product is being advertised or promoted as to be sold at a discount (or similar description such as a bargain), the discounted price must be lower than its usual price and cannot be offered indefinitely. The word “discount” should not be used in the situation where the reduced price has become or would be reasonably perceived by the consumers as the usual price.

9. Comparisons

- 9.1 Advertisements containing comparisons should not violate the principles of fair competition.
- 9.2 Where a comparison is made between the respective cash values or prices of goods that are not identical, the advertiser should clearly indicate that this is the case.

- 9.3 All comparative advertisements should be so designed that they are clear and fair, and there is no likelihood of the consumer being misled as a result of the comparison. The basis of comparison should be the same for the products being compared and the list of items used in the comparison should not be so chosen to provide an unfair advantage to the product advertised.

10. Availability of products

- 10.1 An advertiser should ensure that there is adequate supply of his products to meet foreseeable demand generated by his advertisement or promotion. He should make clear any limitations of the product's availability unless such limitation is inherent in the nature of the product (e.g. theatre tickets).
- 10.2 Products that cannot be supplied should not be advertised as a way to assess potential demand.

11. Bait advertising

- 11.1 Advertisers should not seek to entice consumers into a retailer's premise with no real prospect of selling the advertised or promoted goods at the price offered.

12. Switch selling

- 12.1 It will be taken as prima facie evidence of misleading and unacceptable bait advertising for the purpose of switch selling if an advertiser's or promoter's salesmen seriously disparage or belittle the cheaper article advertised or indicate unreasonable delay in obtaining delivery or otherwise put difficulties in the way of its purchase.

13. Protection of privacy and exploitation of the individual

- 13.1 Advertisements should not explicitly portray or refer to any person or his property unless his prior permission has been obtained.
- 13.2 The depiction in advertisements and sales promotions of the President and members of his family is prohibited.
- 13.3 Advertisements and sales promotions should not manipulate (such as through electronic morphing) any persons or his property to create a misleading or untruthful presentation.
- 13.4 Advertisements should not reproduce National Registration Identity Card (NRIC) or passport numbers in their entirety.

14. Guarantees

- 14.1 Advertisements may contain the word “guarantee”, “guaranteed”, “warranty” or “warranted” or words having the same meaning only if the guarantee or warranty referred to improves the consumer’s legal right.
- 14.2 The full terms of the guarantee as well as the remedial action open to the purchaser should be clearly set out in the advertisements, or should be available for the purchaser to inspect before they are committed to purchase. Any substantial limitations should be spelled out in the advertisement.
- 14.3 The period of the guarantee must be clearly stated in the advertisement.

15. Identification of advertisers

- 15.1 The identity of the advertiser should always be clearly stated.
- 15.2 Mail orders, direct response, exhibition, trade promotion and on-line advertisements should state clearly the permanent address of the advertiser.

16. Charitable Causes

- 16.1 Advertisements claiming that the purchase of a product will support some charitable cause should not mislead as to the share of proceeds that will go to charity.

17. Legibility of Disclaimers

- 17.1 Disclaimers have to be legible to the unaided eye of the target viewer. As a general rule of thumb, disclaimers should not be in a font size smaller than the smallest font used to make affirmative claims in an advertisement, subject to a minimum font size of 8.

IV. APPENDICES

APPENDIX A

Identification of Advertisements

1. There is an obligation on all concerned with the preparation and/or publication of an advertisement to ensure that anyone who looks at the advertisement is able to see, without reading it closely, that it is an advertisement and not editorial matter.
2. Where an advertisement appears together with other subject matter and has the potential of being wrongly perceived, the following guidelines should apply:
 - (a) The word "ADVERTISEMENT" should stand alone and should appear on top of every page in such size and weight of type as to be easily seen;
 - (b) If the advertisement occupies part of a page, it should be separated from any adjacent matter by a distinct border;
 - (c) By-lines naming employees of the medium's owners should not be used. It is, however, permissible to publish by-lines naming experts or well-known public figures; and
 - (d) Particular care should be taken wherever the size and font in the advertisement is the same as or closely resembles that of the editorial matter.
3. Where paid-for space, material or programming is in the style of the normal editorial, material or programming, whether paid for by the same or different advertisers, particular care is needed to ensure that no part can be mistaken for the normal editorial, material or programming matter.
4. As a general rule, where an advertisement, a series of advertisements, or a supplement paid for by the same organisations under the same control extends over more than one page, it should normally be headed in bold letters with the words "Advertisement" or "Advertising Feature".
5. No guidance can cover every case. It may not be enough merely to follow to the letter what is said above. It may also be necessary to look again at each advertisement to see whether it is clearly distinguishable from the usual content of the medium in which it appears, and if not, to take steps to ensure that it is.

APPENDIX B

“Sales” advertisements

1. Comparative prices

If a price comparison is made between a reduced price and a higher price quoted for goods of the same description, then the higher price must have been charged for a period of 28 consecutive days in the previous six months, unless a notice disclaiming this is displayed.

2. Description of “sales” and goods

- 2.1 Claims or implications in an advertisement that goods are being “liquidated”, or that they are “damaged” or “salvaged” stock, or of similar description, should not be accepted without adequate verification. Such expressions should not be used to describe any “sale” unless they may properly be applied to the goods advertised.
- 2.2 Expressions such as “by order - must be sold” are not acceptable unless an order has been made by the court, Official Receiver or Liquidator.
- 2.3 If “Liquidator’s Prices” are mentioned, the name and address of the Liquidator should be provided. Expressions such as “3-Day Liquidation Sale” or “Liquidator’s Prices” are not acceptable where there is no liquidation in the legal sense to support the claim.
- 2.4 If expressions such as “Bankrupt Stock”, “Bankrupt Sale”, “Bankrupt Prices” are used, evidence of the bankruptcy should be provided. In the absence of such evidence, the advertisement should not be accepted.
- 2.5 If expressions such as “Damaged by fire”, “Damaged by water”, “Salvaged Stock” are used, confirmatory evidence should be required to show the date and place of the occurrence, and that the actual goods to which the expressions are applied were involved.
- 2.6 The description “Clearance Sale” or similar expressions are not acceptable in advertisements except for an established trader, i.e., one who has carried on business continuously for a period of at least six months in Singapore.

3. Name and address of itinerant advertisers

- 3.1 The name and permanent address of itinerant advertisers should be included in their advertisements.
- 3.2 Their advertisements are not acceptable unless they have provided media with the following information:

- (a) In the case of a limited company, the registered address;
- (b) Where the advertiser is trading in a name other than his own, the registration number under the Business Registration Act;
- (c) When the advertiser is not a limited company or registered business, his own name and a verifiable permanent address.

APPENDIX C

Children and Young People

1. The way in which children perceive and react to advertisements depends on their age, experience and the context in which the message is delivered. ASAS will take these factors into account when assessing advertisements.
2. Advertisements addressed to or featuring children should contain nothing that is likely to result in their physical, mental or moral harm. In particular, they should not be:
 - 2.1 encouraged to enter strange places to talk to strangers. Care is needed when they are asked to make collections, enter schemes or gather labels, wrappers, coupons and the like;
 - 2.2 shown in hazardous situations or behaving dangerously in the home or outside except to promote safety. Children should not be shown unattended in street scenes unless they are old enough to take responsibility for their own safety. Pedestrians and cyclists should be seen to observe the Highway Code.
 - 2.3 shown using or in close proximity to any dangerous substance or equipment without direct adult supervision.
 - 2.4 encouraged to copy any practice that might be unsafe for a child.
3. Advertisements addressed to or featuring children should not exploit their credulity, loyalty, vulnerability or lack of experience:
 - 3.1 They should not be made to feel inferior or unpopular for not buying the advertised product;
 - 3.2 They should not be made to feel that they are lacking in courage, duty or loyalty if they do not buy or do not encourage others to buy a particular product;
 - 3.3 It should be made easy for them to judge the size, characteristics and performance of any product advertised and to distinguish between real-life situations and fantasy;
 - 3.4 Parental permission should be obtained before they are committed to purchasing complex and costly goods and services.
 - 3.5 They should not be encouraged to make a nuisance of themselves to parents, teacher or others;

- 3.6 They should not be shown to be disrespectful to adults or behaving in a way that is culturally, socially or morally unacceptable;
 - 3.7 Advertisements should not make a direct appeal to children to purchase unless the product is one that would be likely to interest children and that they could reasonably afford. Mail order advertisers should take care when using youth media to promote products that are unsuitable for children;
 - 3.8 Advertisements should not exaggerate what is attainable by an ordinary child using the product being advertised or promoted;
 - 3.9 Advertisements should not actively encourage children to eat excessively throughout the day or to replace main meals with confectionery or snack foods; and
 - 3.10 Advertisements should not exploit the susceptibility of children towards charitable appeals and should explain the extent to which their participation will help in any charity-linked promotions.
4. All advertisements related to children should not encourage excessive purchases in order to participate in events.

APPENDIX D

Interactive Advertisements

1. This appendix applies to commercial communications over the Internet and on-line services.
2. The particular nature of Internet and electronic networks is one in which international communication is facilitated in a free, loosely-regulated context. In addition to the principles in the Code, the Singapore government regulates such communication in laws and regulations with which the advertiser should familiarise himself.
3. Advertisers should clearly indicate to system users whether or not their services are free of charge, and should not charge users unless such warning has been provided beforehand.
4. Advertisers should store consumer data no longer than is necessary to allow a proper handling of an order, unless otherwise agreed by the consumer.
5. Advertisers who offer products or services should provide a message of confirmation to the user on the purchase and allow the consumer to review the purchase.
6. Advertisers should not transmit messages that contain pornographic, violent, racist or sexist content.
7. Advertisers should not unduly imitate advertising campaigns of other advertisers.
8. Commercial messages should only be posted to news groups, forums, bulletin boards or blogs that bear some relation to the content of the commercial message. Off-topic commercial messages are only appropriate when the conference administrator or systems operator has specifically made such messages allowable.

APPENDIX E

Direct Marketing

1. Direct marketing involves offering goods or services to consumers where the consumer does not need to visit any retail establishment or middleman prior to purchase or to meet face-to-face. Advertisers, promoters and all others involved in handling responses, via the mail, fax or the internet, must observe the Code.
2. Advertisements should clearly state the full name and address of the advertisers so that such information can be retained by the consumer. A separate address, for example, a P.O. Box number may also be given on the coupon for orders.
3. The name of the advertiser should be prominently displayed at the address given in the advertisement. Temporary accommodation addresses may not be used.
4. Unless obvious from the context, the advertisements should include:
 - 4.1 The main characteristics of the product or service;
 - 4.2 The amount and quantity of any transport or transport charges;
 - 4.3 Any GST payable, unless the advertisement is addressed exclusively to the trade;
 - 4.4 A statement that goods can be returned, if applicable;
 - 4.5 Any limitation to the offer and any conditions that affect its validity; and
 - 4.6 The estimated delivery time. Consumers should be advised of orders which cannot be fulfilled within 30 days. Those who have paid in advance should be offered a refund but if they prefer to wait, they should be given a firm dispatch date or fortnightly progress report.
5. Advertisers should take particular care with packaging that may fall into the hands of children.

APPENDIX F

Medicinal and Related Products and Advertisements Containing Health Claims

1. Preamble

- 1.1 This section supplements the general provisions of the Code contained in Section III. Special care should be taken by advertisers to ensure that the spirit as well as the letter of those provisions is scrupulously observed.

2. Interpretation

- 2.1 The word “product” in this section is to be taken as referring also to treatments and courses of treatment and to medical devices, except where the context does not permit, or is expressly provided otherwise.

3. Scope

- 3.1 This section of the Code applies to the following categories of advertisement:
 - 3.1.1 Those for medicines, medical and surgical treatments and medical devices.
 - 3.1.2 Those for toilet and other products which claim or imply therapeutic or prophylactic qualities.
 - 3.1.3 Those for any product advertised, whether wholly or in part, upon the basis that it may improve, restore or maintain the user's health or his physical or mental condition.
- 3.2 Individual advertisements published by or under the authority of a Government Ministry or Department, and advertisements addressed to registered medical or dental practitioners, pharmacists, registered medical auxiliaries or nurses, either directly or through publication in their respective professional journals, are excluded from the application of such of the restrictions within this section of the Code as are from time to time considered by ASAS to be inappropriate, bearing in mind the source of the advertisement and the professional qualifications of those to whom it is addressed; provided always that such advertisements conform in every respect to the provisions of Sections I and II of this Code.
- 3.3 There shall not appear in any advertisement of any food for sale the words “recommended by the Medical Profession” or any word or words or pictorial representations that may imply or suggest that the food is recommended, prescribed or approved by medical practitioners.

4. Impressions of professional advice or support

- 4.1 Claims of medical or other professional support for any other product whether in copy or illustration, or otherwise, should be substantiated and the extent of such support should not be exaggerated in any way.
- 4.2 Detailed evidence should be held ready for supply to ASAS in support of any reference to tests, whether carried out by the advertiser or otherwise.
- 4.3 Reference to tests, trials, research, doctors' preference or prescribing habits or the use of the product or treatment in hospitals, clinics and the like may only be used if they are fully substantiated. References to tests or trials conducted in a named professional or official organisation are permissible only if authorised and approved by the authority of the hospital or other organisation concerned. Moreover, they are acceptable only if the study and findings have been openly published in a peer-reviewed scientific or medical journal.
- 4.4 Where reference is made in an advertisement to a test or other research that has been carried out other than by an independent organisation or without independent medical supervision, this fact should be clearly indicated. Moreover, such test or research is acceptable only if the study and findings have been openly published in a peer-reviewed scientific or medical journal.
- 4.5 Professional journals should not be named or quoted without permission, and references to such journals should not give any unjustified impression of professional support. Only peer-reviewed journals may be quoted in this regard.
- 4.6 References to doctors, dentists, nurses and the like contained in any advertisement should refer only to those registered in Singapore unless it is made clear that the person referred to is not registered, and are acceptable only when the relevant Professional Body confirms in writing that such reference does not contravene their ethical code.
- 4.7 Advertisements should not refer to any "College", "Hospital", "Clinic", "Institute", "Laboratory", or similar establishment unless there exists a bona-fide establishment corresponding to the description used, which is under the regular and effective supervision of a registered medical practitioner or other person holding an appropriate recognised qualification. Such reference will also clearly state if the establishment is connected in any way with the product being advertised.
- 4.8 No address, title or description that implies that a product is from any hospital or official source, or is other than a proprietary product, is acceptable for advertising unless substantiation is available from the advertiser.

- 4.9 Where non-medical professionals are involved, and where words are those likely to give rise to confusion with medical professionals, an explanation such as a footnote should be included. Where the term Dr. or Doctor appears, the footnote should include the words “not a medical doctor” or equivalent.

5. Unacceptable general claims

5.1 Cure

- 5.1.1 No advertisement should employ any word, phrase or illustration that claims or implies the cure of any ailment, illness or disease, as distinct from the relief of its symptoms.

5.2 Diagnosis, prescription or treatment by correspondence

- 5.2.1 No advertisement should contain any offer to diagnose, advise, prescribe or treat by correspondence.

- 5.2.2 No advertisement should refer to any skill or service relating to treatment of any ailment, disease, injury or condition affecting the human body so as to induce any person to seek the advice of the advertiser or any person referred to in the advertisement.

5.3 Prevention of ageing

- 5.3.1 No advertisement should contain any claim to provide rejuvenation, that is to prevent, retard or reverse the physiological changes and degenerative conditions brought about by, or associated with, increasing age.

5.4 Appeals to fear, and exploitation of credulity

- 5.4.1 No advertisement should cause those who see it unwanted anxiety lest they are suffering (or may, without responding to the advertiser's offer, suffer) from any disease or condition of ill health; or falsely suggest that any product is necessary for the maintenance of health or the retention of physical or mental capacities, whether by people in general or by particular groups.

5.5 Conditions requiring medical attention

- 5.5.1 No advertisement should offer any product for any condition which needs the attention of a registered medical or other qualified practitioner. See the list of diseases in Appendix G to which no or only limited reference may be made.

5.6 Encouragement of excess

5.6.1 No advertisement should encourage, directly or indirectly, indiscriminate, unnecessary or excessive use of products within the scope of this section of the Code.

5.7 Exaggeration

5.7.1 No advertisement should make exaggerated claims, in particular through the selection of testimonials or other evidence unrepresentative of a product's effectiveness, or by claiming that it possesses some special property or quality that is incapable of being established.

5.8 Refund of money

5.8.1 Advertisements of medicinal products, other than appliances, should not contain any offer to refund money to dissatisfied users.

5.9 Testimonials

5.9.1 No advertisements should contain any testimonial that conflicts with the provisions of Appendix F clause 4.3 of the Code. Testimonials given by doctors or other qualified practitioners who are not registered in Singapore are unacceptable as this is a direct contravention of the Medical Registration Act and indirect contravention of the professional code of ethics.

5.10 "Non-content claims"

5.10.1 No advertisement should rest on claims that a product does not contain a given ingredient which is in common use in competitive products in any way which may give the impression that the ingredient is generally unsafe or harmful.

6. Unacceptable claims: particular products

6.1 Diseases and conditions to which reference may not be made

6.1.1 Particular attention is drawn to the diseases and conditions listed in Appendix G and the provisions contained therein.

6.2 Abortifacients

6.2.1 Advertisements should not claim or imply that any products, medicines or treatments offered therein will induce miscarriage.

6.3 Analgesics

6.3.1 Advertisements for analgesics should not make exaggerated claims about the speed with which a product can relieve pain.

6.3.2 Advertisements should not make exaggerated claims or implications about the certainty and speed with which the product can relieve the symptoms of the common cold or influenza, or reduce a fever or a raised body temperature.

6.4 Anti-perspirants and deodorants

6.4.1 Advertisements should make no claim for products taken by mouth that claim body deodorants effect.

6.4.2 Advertisements for anti-perspirants should not make exaggerated claims to keep skin dry either absolutely, or for a specific period.

6.5 Antiseptics, germicides and disinfectants

6.5.1 No advertisement for any products in these categories should claim or imply:

- (a) That it offers complete protection against diseases, or the danger of infection.
- (b) That it is a substitute for cleanliness.

6.5.2 Advertisements should not exaggerate the dangers of the presence of germs in the normal domestic situation.

6.6 Bust developers

6.6.1 Advertisers for preparations and devices purporting to promote enlargement of the breasts are not acceptable. Similarly, the substitution of non-specific words for enlargement like "bust toning", or "bust improvement" is not acceptable unless the advertisement clearly shows how this differs from enlargement per se.

6.6.2 Exercise and courses, including exercise that may have an incidental effect on the bust line, may not be advertised in such a way as to place predominant emphasis on any effect of improving, increasing or enlarging the bust line.

6.6.3 Every advertisement of a product, service or other activity that purports to alter the shape or appearance of the breasts or the bust line shall contain the following disclaimer:

"There is no scientific proof that any non-surgical treatment currently available can enlarge breasts."

Such disclaimer shall be in such placement, font and weight as to be clearly legible.

6.7 Contraceptives, birth control

- 6.7.1 There is no objection under the Code to the advertising of contraceptive methods, either in general or particular, provided a reference is made in appropriate cases to the fact that certain methods are available only on prescription.
- 6.7.2 The effectiveness or safety of particular methods in comparison with others should not be exaggerated.
- 6.7.3 Condom advertisements should also adhere to the following:
 - (a) Should be in good taste
 - (b) Should not promote promiscuity
 - (c) May include pack shots provided they are not suggestive or offensive
 - (d) Should not have erotic settings
 - (e) Should not include superlative claims
 - (f) Should focus on the protective function rather than the pleasure-enhancing aspect of condoms

6.8 Corns

- 6.8.1 Products for the removal of corns may be advertised subject to medical approval of the product for this purpose.

6.9 Cosmetics

- 6.9.1 Claims that a product contains ingredients with special properties should be supported by acceptable evidence that the ingredients are beneficial for the purpose referred to.
- 6.9.2 Advertisements should not contain any claim or implication that any preparation will promote rejuvenation (i.e. remove, reverse or retard the physiological and degenerative conditions brought about by or associated with increasing age) of the skin or muscles, or that hormones or vitamins remove or delay the formation of wrinkles.
- 6.9.3 Claims that a cosmetic product has a particular physiological effect should be backed by evidence specifically directed at establishing this within the context of established scientific knowledge. When the effect claimed is of a novel unique kind, such substantiation should include data from practical trials, on human subjects, of adequate rigour in both design and execution, and also subject to the provisions of clauses 4.3, 4.4 and 4.5 of this Appendix.

- 6.9.4 When any specific physiological or biological effect is attributed to the inclusion of a particular ingredient or ingredients in a cosmetic, substantiation should address the need adequately to distinguish between the effect(s) caused by the ingredient(s) concerned and those caused either by other elements in the formulation of the cosmetic, or by its mode of application.
 - 6.9.5 It should not be claimed that products which confer a cosmetic benefit through their (partial) absorption by the skin offer any systemic nutritive benefit i.e. that they amount to foods within the meaning of the Sale of Food Act (Chapter 283).
 - 6.9.6 All advertisements for cosmetics should conform to the requirements of clause 5.3 above (Prevention of ageing) of this Appendix.
 - 6.9.7 Advertisements for cosmetics that are intended to prevent or delay particular skin changes caused by environmental factors, or to repair skin damage so caused, may reasonably draw attention to the appearance of premature ageing that such environmental factors can produce if not effectively combated.
 - 6.9.8 Statements relating to changes in the structure or renewal rate of skin cells should not exaggerate the effect of such changes on the general appearance of the skin.
- 6.10 Depilatories
- 6.10.1 Advertisements for “electric pencils” and similar products, offered for lay use, are unacceptable, as are claims for products the effectiveness of which is claimed to be based upon their “radioactive” properties.
- 6.11 Gargles
- 6.11.1 Antiseptic gargles should not be presented as cough treatments.
- 6.12 Hay fever and other allergic conditions
- 6.12.1 Advertisements referring to hay fever or other allergy causing coughs, sneezing or catarrh may not suggest that the product will clear up the condition itself unless it contains appropriate antigens or is universally effective against the condition or allergy. Claims for products that do not contain antigens should be limited to the temporary relief of symptoms.
- 6.13 Hair and Scalp Products
- 6.13.1 See Appendix I.

6.14 Headaches

- 6.14.1 Advertisements should not claim or imply that the product advertised is suitable for the treatment of serious, frequent or regular attacks.
- 6.14.2 Advertisements should not encourage people to take medicines of any kind before a headache so as to prevent it.
- 6.14.3 No products may be advertised as a course of treatment for headaches.

6.15 Hearing aids

- 6.15.1 Where an advertisement states the price of a hearing aid, the advertiser should specify the upper and lower limits of his overall price range.
- 6.15.2 The names of hearing aids should not in themselves exaggerate the product's effectiveness (e.g. such names as "Magic Sound" and "Miracle Ear" are not acceptable).
- 6.15.3 Advertisements for hearing aids on rental basis are subject to the rules applying to the hire of domestic appliances.

6.16 Hearing aid exhibitions

- 6.16.1 Advertisements for such exhibitions should only be accepted where the organiser has given an undertaking:
 - (a) That he will ensure the presence of at least one registered dispenser at all times throughout the period the exhibition is open.
 - (b) That he will offer for inspection a comprehensive range of models of hearing aids.
 - (c) That he will make available for purposes of testing at least one pure tone and one speech audiometer.
- 6.16.2 The full name and address of the advertiser's head office should be prominently stated in any advertisement for a hearing aid show or exhibition, and no impression should be given that such events are other than commercially promoted.

6.17 Height increase courses

- 6.17.1 Advertisements for products or courses of treatment purporting to increase height are not acceptable.
- 6.17.2 This ruling does not apply to advertisements for "elevator" shoes and similar products.

- 6.17.3 General courses of physical development, one consequence of which may be to increase the apparent height through improvement of posture, may not be advertised in such a way as to place predominant emphasis upon increasing height.
- 6.18 Herbal, homeopathic and acupuncture remedies
- 6.18.1 For the purpose of this Code, claims made for herbal and homeopathic products and acupuncture treatment will be assessed in the light of expert opinion. No claims will be acceptable in advertisements by non-orthodox practitioners, or for products based upon their principles, which would not be allowed to orthodox practitioners or products based upon orthodox principles. Nor should any advertisement by or for non-orthodox products or practitioners seek to cast doubt on, or claim superiority to, orthodox practitioners or products.
- 6.19 Hormones and cell extracts
- 6.19.1 Advertisements addressed to the general public should not contain any exaggerated claim to efficacy based merely upon the fact that a product includes hormones or animal cell extracts.
- 6.20 Hypnosis, hypnotherapy, psychology, psychoanalysis or psychiatry
- 6.20.1 Advertisements addressed to the general public should be restricted to visiting card particulars only; i.e. name, address, and telephone number, hours of consultation, description of professional status, e.g. hypnotherapist.
- 6.21 Indigestion remedies
- 6.21.1 References to nausea, lack of appetite or aversion from food, which may well be symptoms of more serious conditions, are unacceptable in connection with claims for indigestion remedies.
- 6.22 Laxatives
- 6.22.1 Laxatives should not be advertised for habitual or indiscriminate use, for the relief of abdominal pain or backache, for any benefit to complexion or appearance, or for the relief of indigestion, other than abdominal discomfort owing to constipation.
- 6.23 Piles (Haemorrhoids)
- 6.23.1 Advertisements should not contain any offer of products for the treatment of haemorrhoids unless the directions for use on the container itself or its labels include advice to the effect that persons who suffer from haemorrhoids should consult a doctor.

6.24 Polyunsaturated fats

6.24.1 Advertisements addressed to the general public for food products (or food supplements) containing polyunsaturated fats or polyunsaturated fatty acids should not contain any claim that the inclusion of such fats in the diet or substitution for other fats of different chemical constitution offers any specific health benefit.

6.25 Procaine

6.25.1 No advertisement should contain any claim for slowing down the process of ageing based upon a product's procaine or any other content.

6.26 Protein claims

6.26.1 Protein claims in food advertising must conform to the Food Regulations.

6.26.2 Reference to proteins in other advertisements should avoid giving any impression that their inclusion in non-food products offers any nutritive benefit.

6.27 Rheumatic and allied pains

6.27.1 Advertisements may not refer to any medicines, products, appliances or devices in terms calculated to induce their use for the treatment of any form of arthritis, or chronic or persistent rheumatism.

6.27.2 There is no generally accepted evidence that copper bangles (or other objects to be worn or carried) can alleviate rheumatic or muscular pains and such claims for them are not acceptable.

6.27.3 Bath additives may be offered to encourage the taking of hot baths for their soothing effect on muscular pains or stiffness, but no claim should be made, such as references to spa water, which suggests that the additives themselves provide any medical benefit.

6.28 Slimming

6.28.1 Advertisements for any product or treatment offered as a means of, or aid to, slimming whether in the sense of weight loss or figure control, should conform to the detailed guidance in Appendix H.

6.29 Toothpaste and other similar products

6.29.1 Prevention of decay

- (a) Fluoride toothpaste. Certain formulations containing fluoride have been shown by independent medical research to reduce the incidence of tooth decay in children. Claims made for such products should not exaggerate the results or applicability of such research. Claims as to the effectiveness of such products should be related to the need to brush the teeth regularly.
- (b) Other toothpaste. Claims may indicate that regular brushing with the toothpaste may help fight tooth decay.

6.29.2 Hygiene

- (a) Bad breath. It should not be claimed that any toothpaste or other product will completely destroy bacteria causing mouth odour or that it will provide long-lasting freedom from mouth odour.
- (b) Food particles. No advertisement for toothpaste or tablets intended to clean the teeth should suggest that the product would remove all food particles from the teeth or gums. It should not be claimed that tablets could take the place of brushing after meals.

6.30 Vitamins, pro-vitamins and minerals

6.30.1 No advertisement for a product containing vitamins, pro-vitamins or minerals should make any claim:

- (a) That there is evidence of general or widespread vitamin or mineral deficiency.
- (b) That a full varied and properly prepared diet needs to be supplemented by vitamin or mineral products.
- (c) That good looks and good health are better maintained or that irritability and lack of energy can be avoided merely through the consumption of additional vitamins or minerals.
- (d) That the application of vitamins to the skin, hair or nails is in any way beneficial.
- (e) That the inclusion of vitamins in suntan lotions has any effect either in promoting suntan or preventing sunburn.

6.30.2 No advertisement addressed to the general public is acceptable for a vitamin preparation that contains folic acid in quantities that may cause it to have the effect of masking the symptoms of pernicious anaemia.

6.30.3 Iron preparations: products offered for the symptoms of nutritional iron deficiency should provide an appropriate dosage of iron.

APPENDIX G

Diseases to which no reference, or only limited reference, may be made in advertisements

Advertisements may not refer to any medicine, products, appliance or device in terms likely to lead to its use for treatment of any of the following:

A

Ageing, except for prevention of photo aging

Aids (Autoimmune Deficiency Syndrome)

Alopecia (baldness)

Amenorrhoea

Anamiasis, other than that caused by dietary deficiency

Arterio-sclerosis

Artery troubles

Arthritis

Asthma, except for products advertised solely for the alleviation of an attack of asthma, and the advertisement should contain a recommendation that sufferers should seek medical advice.

Auditory system, and structural or organic ailment

B

Barber's rash (sycosis)

Backache (where the reference is to chronic or persistent)

Bleeding disease

Blood, disorder or disease

Breasts, disease of, or development

C

Cancer

Carbuncles

Cardiac symptoms, heart troubles

Cataract

Cerebral disorders or disease

Conception and pregnancy

Controlled drug addiction

Convulsions (fits)

Circulatory conditions, except minor conditions such as chilblains, restless legs

D

Dermatitis (see Skin disease)

Diabetes

Diseased ankles

Disseminated (or multiple) sclerosis

E

Ears, any structural or organic defect of the auditory system

Enlarged glands

Epilepsy

Erysipelas

Eyes, any structural or organic defect of the optical system

F

Fits (convulsions)

Frigidity

Fungal infections, except athlete's foot

G

Gallstones

Gingivitis

Glands, enlarged, or glandular conditions

Glaucoma

Goitre

H

Heart troubles, cardiac symptoms

Haemorrhagic disease

Hypertension, or symptoms thereof

I

Impetigo

Impotence

Indigestion, where the reference is to chronic or persistent

Infections, except for relief of symptoms

Infertility

Insanity

Insomnia, where the reference is to chronic or persistent

K

Kidneys, disorders or disease of the

L

Lazy eye

Leg troubles

Leprosy

Leucorrhoea

Leukaemia

Liver, disorders or disease

Locomotor ataxia

Lupus

M

Menopausal ailments, except minor associated conditions

Menstrual disorders

Migraine

Multiple (or disseminated) sclerosis

O

Obesity or overweight, see Appendix H -
Slimming

Osteoarthritis

P

Paralysis

Pernicious anaemia

Phlebitis

Prolapsed

Psoriasis, except for temporary relief

Purpura

Pyorrhoea

R

Rheumatism (and backache) where the
reference is to chronic or persistent, to
include "except for relief of symptoms"

Rheumatoid arthritis

S

Scabies

Sexual weakness and loss of Libido

Skin diseases, except those of minor and
specified nature

Seborrhoea

Sexual function

Squint

Sycosis (barber's rash)

T

Thrombosis

Tuberculosis

U

Ulcers (all except mouth ulcers)

Urinary infections

V

Varicose veins (except where the reference
is confined to relief by elastic stockings)

Vascular disorders or diseases

Venereal diseases

Verrucae of the feet

W

Whooping cough, except for the alleviation
of symptoms

APPENDIX H

Advertising for Slimming Products and Services

1. *Introduction: What is slimming?*

- 1.1 Publishers must ensure that all advertising offered for publication in either a weight loss or a figure control platform is vetted by the appropriate media body before publication.
- 1.2 When a new product or new formulation is introduced or when new claims are made for an existing product, full substantiation for all new claims should be submitted at the same time as the copy or illustrations for the proposed advertisement. Independent testimony from published journals/reports will be required as to any physiological effects claimed. Testimonials from users of a product do not constitute substantiation.
- 1.3 The advertiser must ensure that his audience is entirely clear which of the possible ways of achieving "slimness" is provided or helped by his product. The word "slim" is used, so far as human beings are concerned, to cover quite different basic situations: losing weight, and controlling the figure so as to achieve an impression of slimness either by the strengthening of muscles or by the wearing of garments.

2. *Weight Loss*

- 2.1 General Principles
 - 2.1.1 References to weight loss in what follows are to be taken as referring also to weight limitation and control.
 - 2.1.2 There may be many reasons for being overweight, either medical or physical. Dieters should be advised, in either the advertisement or packaging, to consult their doctors before embarking upon a slimming course.
 - 2.1.3 Obesity is a condition sometimes requiring qualified medical attention and treatment. No claims referring to obesity should be made in advertisements directed to the public (See Appendix G)
 - 2.1.4 The only way for a person to lose weight, other than temporarily, is by taking in less energy (calories) than the body is using, i.e. burning up the excess fat his body has stored. A diet is the only practicable self-treatment for achieving a reduction in this excess fat.

- 2.1.5 Diet plans, and aids to the dieting of the kinds dealt with below, are therefore the only products that may be offered in advertisements as capable of effecting any loss in weight. Claims that weight loss or slimming can be achieved wholly by other means are not acceptable in advertisements addressed to the public.
- 2.1.6 Temporary weight loss can be achieved by the expulsion of water from the body. This may not be represented in advertisements as a method of slimming.
- 2.1.7 The condition of being overweight in young people is sometimes associated with a defective action of the glands and they should be advised to consult their doctors before embarking upon a slimming diet.

2.2 Diet Plans

- 2.2.1 Evidence will be required from the advertiser to show that his suggested diet(s) will provide adequate amount of proteins, vitamins and minerals, and that the diet is capable of achieving the results claimed for it, when followed by the kind of person for whom it is intended.
- 2.2.2 No claim, direct or indirect, should be made in any advertisement for a diet that it contains any ingredient that in itself has the property of hastening the process of weight loss. There is no ground for supposing that any specific foods have particular properties that speed up the metabolic processes which cause excess fat to be "burnt-up" and thus weight to be lost.
- 2.2.3 Advertisements for "crash" diets are unacceptable.

2.3 Aids to dieting - General

- 2.3.1 Diet aids, such as foods, food substitutes, or appetite depressants, may not be advertised except in terms that make clear that they can only be effective when taken in conjunction with or as part of a calorie-controlled diet. Such effectiveness should be clearly substantiated with results of human trials that can take into account the placebo effect, i.e., the trials should be independently conducted double-blind placebo-controlled trials published in peer-reviewed scientific or medical journals. Due prominence should also be given in all advertisements to the part played by the diet.
- 2.3.2 Any diets provided in conjunction with diet aids, whether on packaging, in advertisements or otherwise, must conform to the advice given above on diet plans. Details of the diets proposed should therefore be enclosed, with appropriate substantiation, when clearance of advertising is being sought.

2.3.3 Advertisements for diet aids should also conform to the advice given above as to the non-acceptability of certain claims for the individual effectiveness of specific foods or other diet ingredients.

2.4 Foods

2.4.1 Advertisements for food offered as diet aids should give a quantitative statement of the ingredients contained in it on which the claim of special suitability is based.

2.4.2 Particular care should be taken to ensure that advertisements for meal substitutes do not imply that these products are effective if consumed in addition to normal meals rather than instead of them.

2.5 Appetite Depressants

2.5.1 Advertisements for appetite depressants should make clear how they work and will only be regarded as acceptable when adequate evidence has been provided by advertisers that the product is safe and effective at the level of consumption suggested. Adequate substantiation is detailed in clause 2.3.1 of this Appendix.

2.5.2 Claims for the effect of appetite depressants should not be expressed in terms of food equivalent e.g. equal to two eggs and ham.

2.6 Weight loss products in general

2.6.1 No "weight loss" product should be advertised on the basis of claims of weight loss in spite of no change (or even an increase) in the amount of food eaten, thus tending to remove due emphasis from the primary importance of maintaining a balanced calorie-controlled diet.

3. **Figure control**

3.1 General Principles

3.1.1 Figure control may be achieved in two ways: exercise and garments (e.g. corsets)

3.1.2 It is possible by exercise to add strength to muscles and thus to aid their ability to decrease bulges where muscles are slack. An improvement in posture may also benefit the figure. Exercise may be active or passive.

3.2 Exercise

3.2.1 No claims will be accepted for exercise-based products on the basis that they may also lead to weight loss except where such weight loss is clearly identified as the result of the use of calories in such exercise. Diet sheets or diet aids distributed together with exercises or other

aids will not be taken as any grounds for allowing weight loss claims to be made.

- 3.2.2 Exercise only operates slowly to improve muscle tone. Claims for exercise products therefore should not suggest dramatic improvements over short periods.
- 3.2.3 Some strenuous exercise programmes may impose additional demands on physical exertion, sometimes beyond the ability of some individuals. Advertisements for such products may be required to include advice to purchasers to check with a doctor the advisability of their undertaking the exercises proposed.
- 3.2.4 The effect of this category of product may not be described by the use of the word "slim". Where the name of the product itself, or of the manufacturer, contains the word slim, either alone or in combination, particular care should be taken in the copy to avoid any misunderstanding by the suggestion of possible weight-loss benefits.

3.3 Garments

- 3.3.1 Advertisers of corsets and similar products should always take particular care to ensure that no hint or suggestion occurs in either copy or illustration that might lead a reader to suppose that these products make any contribution to weight loss. Nor should there be any suggestion that they confer any permanent, physiological benefits comparable to those afforded by exercise.
- 3.3.2 The effect of this category of product may not be described by the use of the word slim (unless so qualified as to make sure the true effect plain). Where the name of the product itself, or of the manufacturer, contains the word "slim" either alone or in combination, particular care should be taken in the copy to avoid any misunderstanding by the suggestion of possible weight-loss benefits.

4. **Combined methods**

4.1 Slimmer clubs

- 4.1.1 The purpose of these clubs is fundamentally to provide psychological support for those who find difficulty in sticking to a diet. Advertisements for such clubs are acceptable provided the advertisements do not make claims inconsistent with the advice in this code.

4.2 Clinics and health clubs

- 4.2.1 Insofar as any clinic or club offers treatment aimed at the achievement of weight loss or figure control, any claims made must conform to the advice given in this Code.

4.2.2 Many clubs and clinics offer treatments other than those for weight loss or figure control. Such treatments should not be referred to in advertisements in contexts that may suggest that they have any weight loss or figure control effect.

4.3 Courses

4.3.1 Some advertisers offer “slimming courses” which consists of books, records, tapes or other media containing advice on how best to achieve either weight loss or figure control. Advertising for such courses should conform to the relevant advice given in the Code depending upon the methods recommended.

4.3.2 Advertisements for courses should make clear that what is offered is advice in the form of a book, record, tape or other media.

5. General claims

5.1 Use of the word “slim”

5.1.1 Claims as to uniqueness, novelty or a greater degree of efficacy than other products should not be made unless there is adequate substantiation for the product’s difference in significant respects from other available slimming products. Care should be taken not to suggest that given methods “cannot fail, must work”. Because of the enormous variations between individuals in terms of weight, build and physical condition as well as in psychological preparedness, the most that can be claimed for any method is a high probability of success.

5.2 Vitamins, pro-vitamins, minerals and related oral supplements

5.2.1 These have no effect on slimming.

5.2.2 Well balanced diets are not deficient in vitamin or trace mineral elements. However, it is possible that certain slimming diets, particularly “crash” diets and poorly planned diets may contain less than the recommended daily requirements of vitamins and minerals. Consequently, vitamin/mineral supplements may be offered to safeguard against such deficiencies but it must be made clear they do not contribute to weight reduction.

5.3 Illustrations

5.3.1 Where there is any claim or implication that a person depicted in an illustration has benefited from the product or service being offered, that illustration must conform to the advice given in clause 5.1 above.

5.3.2 Other illustrations of individuals should not be presented in such a way as to suggest that the subject has enjoyed any particular benefit of the kind discussed above.

5.4 Products, the efficacy of which for slimming (weight reduction or figure control) has not yet been adequately substantiated, may not be advertised.

5.4.1 The following are instances of products and methods for which slimming (weight loss or figure control) claims are not acceptable:

- (a) Massage or vibrator machines;
- (b) Inflatable garments;
- (c) Sauna and Turkish baths, or related wrap treatments;
- (d) Products based upon osmosis;
- (e) Bath essences, soaps;
- (f) Products claiming to increase the metabolic rate of the body;
- (g) Diuretics laxatives;
- (h) Hypnosis.

5.4.2 It will not be regarded as sufficient to validate the advertising of any of these categories of product as efficacious in themselves for weight or figure control, that a diet plan or dieting aids or an exercise scheme or treatment is offered with them.

APPENDIX I

Hair and Scalp Products

1. *Claims relating to baldness, hair loss, hair growth, etc.*

- 1.1 No advertisement, unless approved by the relevant government authority should contain any claim or implication that:
 - (a) Baldness can be prevented or its progress retarded;
 - (b) Hair loss or thinning of the hair can be arrested or reversed;
 - (c) Hair growth can be stimulated or improved;
 - (d) Hair roots can be fed or nourished; or
 - (e) The hair itself can be strengthened or its health, as distinct from its appearance, improved.
- 1.2 Every advertisement of a product (except certain registered medicinal products) or service that purports to affect baldness, hair loss or hair growth shall contain the following disclaimer:

“There is no scientific proof that any product (except certain registered medicinal products) or service can retard hair loss or promote hair growth.”

Such disclaimer shall be in such placement, font and weight as to be clearly legible.

This disclaimer may be waived for registered medicinal products that have been approved for the treatment of hair loss by the Health Sciences Authority.

2. *Dandruff, greasy hair and other hair or scalp conditions*

- 2.1 Advertisements for a product or treatment offered for the control of dandruff or greasy hair should not contain any claim or implication that either condition can be permanently prevented, and should plainly state that effective control is dependent upon regular use. Nor should such advertisements contain any exaggerated claim or implication as to effectiveness.
- 2.2 No advertisement should contain any offer of a product or treatment of any condition of the hair or scalp which may be a symptom of a systemic disease or malfunction.

- 2.3 No advertisement should contain any offer of a medicated product or treatment for any condition of the hair scalp (other than those covered by clause 2.1 above) unless it is stated either in the advertisement itself, or in the directions for use supplied with the product, that any person suffering from the condition that the product or treatment is intended to alleviate, should consult a doctor.
- 2.4 In consumer advertising, unfamiliar words should not be used for common conditions such that consumers may be in any way confused or worried. Thus, by way of example, seborrhoea, pityriasis and alopecia should not be used in place of excess grease, dandruff and baldness.

3. *Wigs, hairpieces, etc.*

- 3.1 Advertising for wigs, hairpieces and other ways of adding hair to the consumer's own should be so drafted as to make quite clear the nature of the product or process being offered and in particular should avoid any copy or illustration that might suggest the re-growth of hair or the arrest of the retarding of the balding or thinning process. Claims that such products or processes are undetectable, permanently or absolutely secure are unacceptable.

4. *Individual treatment*

- 4.1 No advertiser should offer individual diagnosis, prescription or treatment by post for any condition of the hair or scalp.
- 4.2 Advertisers offering individual treatment at their premises are required to restrict their advertisements, except as provided in clause 4.4 below, to visiting card particulars, i.e., name, address, telephone number and hours of business with a brief general indication of their business, e.g. hair treatment, trichologist, etc. No illustrations are permissible.
- 4.3 No mention may be made in any advertisement covered by clause 4.2 above of:
 - (a) Any condition of which treatment is offered;
 - (b) The methods of treatment employed; and
 - (c) The effects claimed for any such treatment.
- 4.4 The restrictions in clause 4.2 and 4.3 above apply to all advertisements in newspapers, magazines or the cinema, to posters, signs and unsolicited material sent or delivered directly to the consumer. Advertising material that has been requested may go beyond these restrictions, provided that in all other respects it conforms to the requirements of the other clauses in this Appendix.

5. *Hair transplantation*

5.1 No advertisement is acceptable from any establishments offering hair transplant.

6. *Hair thickeners*

6.1 Hair thickeners, that is to say products that temporarily coat the individual strands of hair with a substance that thereby lends bulk, may be advertised provided that it is abundantly clear that the thickening that takes place is artificial and in no way conduces to any permanent improvement in the health or thickness of the hair or its rate of growth. Particular care must be taken to avoid offending the provisions of clause 1.1 of this Appendix.

7. *Cosmetics*

7.1 Provided that advertisements for hair creams, brilliantine, shampoos, hair fixatives, hair lotions, hair dye and similar products do not contravene any of the advice in any section of the Code, they are not subject to any additional restrictions. It should be noted that the restriction on diagnosis and advice by post does not apply to the giving of the advice on the suitability of hair colorants or other cosmetics.

7.2 Products offered for the mending of split ends of hair should contain no claims that suggest that their action is other than of transient effect.

8. *Advertisers offering products or treatments in more than one of the above categories*

8.1 Where an advertiser offers a range of products and treatments for various conditions of the hair and scalp, he should take particular care to ensure that they are clearly differentiated in any advertisement. In particular, it is not permissible for any advertiser to circumvent the intentions of the paragraph dealing with individual treatments by linking the availability of such treatments to an offer of the other products or treatments or cosmetics devices, advertising for which is permitted in less restricted terms.

APPENDIX J

Financial Services and Products

1. Explanation

- 1.1 Advertisements addressed to the general public for capital or financial products or services, or financial information should take special care to ensure that the public are fully aware of the nature of any commitment into which they may enter as a result of responding to the advertisement.
- 1.2 Unspecified advertisements, that is to say those which are limited to indicating in general terms the availability of investment opportunities, are not acceptable unless explanatory material concerning the facilities or opportunities available will be provided free of charge for those who request them.

2. Details of benefits

- 2.1 Advertisements that contain details, including those given by way of example, of the benefits that may accrue through investing in a given investment should be understood easily and must not take advantage of people's inexperience or gullibility.

3. Growth rates and rates of return

- 3.1 Where an advertisement contains any forecast or projection of a specific growth rate, or a specific rate of return, it should make clear the basis upon which the forecast or projection is made; whether reinvestment of income is assumed; whether account has been taken and if so how, of the incidence of any taxes or duties; and whether the forecast or projected return will be subject to any deductions, either upon premature realisation or otherwise.
- 3.2 Where growth or return is indicated through the use of money equivalents, the net annual rate that is assumed should be cited in effective percentage terms, and should be calculated upon the same basis as any quoted in the support of the claim.
- 3.3 When any advertisement quotes past experience in support of a forecast or projected growth rate it should not mislead in relation to present prospects and should indicate the circumstances and the period of such experience in such a way that the reliability of the forecast or the projected growth rate can fairly be assessed.
- 3.4 All advertisements making claims whether specific or not as to growth rate of return should include a note, to be given due prominence, to the effect that past experience is not necessarily any guide to the future.

- 3.5 Where rates of return are expressed as gross the tax position should be clearly explained.

4. *Moneylender advertisements*

- 4.1 Advertisers submitting loan advertisements must provide a copy of their Moneylender's Licence issued by the Registrar of Moneylenders to the advertising department of the relevant media owner.
- 4.2 Advertisements must carry the name of the moneylending business/company.

5. *The nature of the contract*

- 5.1 The type of contract forming the basis of the product or service advertised (and especially any charges, expenses or penalties) should be made clear, and wherever the nature of the investments underlying the contract or to which it is linked is material to its choice, a fair description of investment objectives and of such investments should be given.

6. *Tax*

- 6.1 Where a claim is made in an advertisement as to the return offered by a given investment, and the achievement or maintenance of the return quoted is dependent in part upon the assumed effects of tax or duty, the advertisement should make it clear that no undertaking can be given that the fiscal system may not be revised with consequent effect upon the return offered.
- 6.2 The phrases tax-free, tax-paid and others making similar claims, should not be used without qualifications as to the particular tax(es) and/or duties involved. In particular the advertiser should state as clearly as possible what liabilities may arise and by whom they will be paid.

7. *Other restrictions*

- 7.1 Where an advertiser reserves the right under certain circumstances to defer requests for repayment of any sum invested for which in normal circumstances immediate repayment might be demanded by the investor the maximum period during which repayment may be withheld should be stated in the advertisement.
- 7.2 Where investors are offered planned withdrawal of capital as an income equivalent, e.g. by cashing in unit trusts, the advertiser should ensure that the effect of such withdrawals upon capital invested is clearly explained.
- 7.3 Advertisements that may lead to the employment of money in anything the value of which is not guaranteed should indicate that the value of the investment can go down as well as up. Where values are guaranteed sufficient detail should be included to give the readers a fair view of the nature of the guarantee.

APPENDIX K

Advertising for Alcoholic Drinks

1. Children should not be portrayed in advertisements for alcoholic drinks; however, in a scene where it would be natural for them to be present (e.g. in a family situation), they may be included, provided that it is made clear that they are not drinking alcoholic beverages.
2. Advertisements should not be directed at young people or in any way encourage them to start drinking. Anyone shown drinking should be obviously over 18.
3. Advertisements should not emphasise the stimulant, sedative, or tranquillising effects of any drink.
4. Advertisements should not give the general impression that:
 - (a) A drink is being recommended mainly for its intoxicating effect; or
 - (b) Drinking is necessary for social success or acceptance.
5. Advertisements should not depict activities or locations where drinking alcohol would be unsafe or unwise. In particular, advertisements should not encourage or condone the consumption of alcohol while operating machinery, driving, engaging in any activity relating to water or heights, or any other activity that requires concentration in order for the job to be done safely.
6. Advertisements should never encourage over-indulgence and excessive consumption.

APPENDIX L

Environmental Claims

1. The basis of any claim should be explained clearly and should be qualified where necessary. Unqualified claims can mislead if they omit significant information.
2. Claims such as “environmentally friendly” or “wholly biodegradable” should not be used without qualification unless advertisers can provide convincing evidence that their product will cause no environmental damage. Qualified claims and comparisons such as “greener” or “friendly” may be acceptable if advertisers can substantiate that their product provides an overall improvement in environmental terms either against their competitors’ or their own previous products.
3. Where there is significant division of scientific opinion or where evidence is inconclusive this should be reflected in any statements made in the advertisements. Advertisers should not suggest that their claims command universal acceptance if it is not the case.
4. If a product has never had a demonstrably adverse effect on the environment, advertisers should not imply that the formulation has been changed to make it safe. It is legitimate however, to make claims about a product whose composition has been changed or has always been designed in a way that omits chemicals known to cause damage to the environment.
5. The use of extravagant language should be avoided, as should bogus and confusing scientific terms. If it is necessary to use a scientific expression, its meaning should be clear.

APPENDIX M

Employment and Business Opportunities

1. Advertisers should distinguish clearly between offers of employment and business opportunities.
2. Homework schemes require participants to make articles, perform services or other facilities at or from home. Advertisements for homework schemes and business opportunities should contain:
 - 2.1 The name and contact details of the advertisers;
 - 2.2 Where possible, a clear description of the work involved and the extent of investors' commitments, including any financial investment; the support available should not be exaggerated; and
 - 2.3 No unrepresentative or exaggerated earning figures.

APPENDIX N

Motoring

1. Advertisements for motor vehicles, fuel or accessories should avoid portraying or referring to practices that encourage anti-social behaviour.
2. Advertisers should not portray speed in a way that might encourage motorists to drive irresponsibly or to break the law.
3. Vehicles should not be depicted in dangerous or unwise situations in a way that would encourage irresponsible driving. Their capabilities may be demonstrated on a track or circuit provided it is clearly not in use on a public highway.
4. Care should be taken in cinema advertisements and those in electronic media where the moving image may give the impression of exceptional speed. In all cases where vehicles are shown in normal driving circumstances on the public road they should be seen not to exceed speed limits.
5. When making environmental claims for their products, advertisers should conform with the Appendix on Environmental Claims.(Appendix L)
6. Prices quoted should correspond to the vehicles illustrated. For example, it is not acceptable to feature only a top-of-the-range model alongside the starting price for that range.
7. Safety claims should not exaggerate the benefit to consumers. Advertisers should not make absolute claims about safety unless they hold evidence to support them.

APPENDIX O

Others

1. “Chartered” status

- 1.1 “Chartered” is a professional designation identifying membership of an institution with a Royal Charter from the British Crown, and should only be used by duly qualified members of that institution. Other members of the same profession should not be described as “chartered”.

2. Commemorative and other items produced in limited edition

- 2.1 The number of articles to be produced in any limited edition should be stated in all advertising and promotional material containing any claim that the edition is limited. Where an edition is limited by the number of persons applying within a given period of time, it should be described as an edition limited by time, and the advertiser should offer to inform all purchases of the number of articles eventually produced.
- 2.2 Advertisements for articles made of precious metal should state the amount and the fineness of the metal involved in the pieces on offer.
- 2.3 Advertisements that make claims about the investment potential of the articles on sale should not make any unsubstantiated guarantee of any future increase in value.

3. Property advertising

- 3.1 Advertisements for real property located locally or abroad, whether for sale or for rent, should not mislead or exaggerate on such matters as:
 - 3.1.1 the land itself and any buildings erected or to be erected thereon;
 - 3.1.2 the physical nature - including furnishings and amenities - and appearance of buildings and flats, and their surroundings;
 - 3.1.3 the legal title and formalities;
 - 3.1.4 rights and easement of any kind;
 - 3.1.5 planning, building and sanitary requirements;
 - 3.1.6 taxes, rates and other costs; and
 - 3.1.7 the price, terms of payment and load facilities.

4. Matchmaking advertising

- 4.1 Advertisements should not guarantee marriages.
- 4.2 Advertisements will be restricted to the classified section in print publications.
- 4.3 Advertisements should not contain visuals.
- 4.4 Exemption
 - 4.4.1 Dating agencies accredited with the Ministry of Community, Youth and Sports are exempt from clause 4.2 and 4.3 above. ASAS also will consider, at its discretion, granting exemptions from clause 4.2 and 4.3 on a case-by-case basis.

APPENDIX P

Statutes and statutory instruments with special relevance to advertising and related trading practices

This table should not be taken to be an exhaustive list of legislation and statutory instruments relevant to advertising and related trading practices.

Acts of Parliament can be found on the Singapore Statues Online website (statutes.agc.gov.sg).

A

Accountants Act, Cap 2 (s56)

- Accountants (Public Accountants) Rules
www.acra.gov.sg

Sets up body responsible for accountants and rule making, which includes restrictions on advertising

Architects Act, Cap 12 (s10)

- The Schedule (Code of Professional Conduct and Ethics) Part I
www.boa.gov.sg

Sets up body responsible for architects; and contains power for restrictions on advertising

B

Banking Act, Cap 19 (s4A, 4B, 5)

www.mas.gov.sg

Restriction on deposit-taking business and soliciting deposits, and use of the word bank

Betting Act, Cap 21 (s3(e), 6)

www.spf.gov.sg

Prohibits advertisement of common betting-house

Broadcasting Act, Cap 28 (s6, 9)

- Audiotext Code of Practice
- Broadcasting (Class Licence) Notification
- Internet Code of Practice
- Radio Programme Sponsorship Code
- Television Programme Sponsorship Code
www.mda.gov.sg

Regulates broadcast programmes, including advertising

Building Control Act, Cap 29 (s49)

- Building Control (Advertisement) Regulations
- Building Control (Outdoor Advertising) Regulations
www.bca.gov.sg

Controls outdoor advertising

C

Casino Control Act 2006 (s200)

Authority may make regulations relating to casino advertising

Charities Act, Cap 37 (s33, 35)

www.charities.gov.sg

Requirements for advertising or sales campaign by professional fund raiser

Chit Funds Act, Cap 39 (s5)

www.mas.gov.sg

Restricts the use of the words “chit” or “chit funds” in advertisements

Co-Operative Societies Act, Cap 62

www.mcys.gov.sg

Prohibits advertising of financial services to members of the public through the mass media

Common Gaming Houses Act, Cap 49 (s4, 5)

www.spf.gov.sg

Advertising relating to gambling may offend provisions of this Act.

Companies Act, Cap 50 (s401)

www.acra.gov.sg

Prohibits false and misleading statements made regarding a corporation’s capital in advertisements

Consumer Protection (Fair Trading) Act, Cap 52A (2nd Schedule, No. 14)

www.mti.gov.sg

Making representations in an objective form without stating that it is an advertisement is specified as an unfair practice.

Consumer Protection (Trade Descriptions and Safety Requirements) Act, Cap 53 (s2, 7, 10, 20)

www.mti.gov.sg

Prohibits, inter-alia, misleading statements about goods and services made in advertisements.

Copyright Act, Cap 63 (s139, s261C)

www.ipos.gov.sg

Governs copyrights in all matters, including advertising material in all media.

Currency Act, Cap 69 (s20)

www.mas.gov.sg

Provides restrictions on the use of photographs, drawing or design of notes in advertisements, etc.

Customs Act, Cap 70 (s82)

www.customs.gov.sg

Restricts advertising regarding duty free shops to licensees only.

D

Defamation Act, Cap 75

Governs the law relating to libel and slander and other malicious falsehoods.

Dentists Act, Cap 76 (s26)

www.sdc.gov.sg

Sets up body responsible for dentists and contains power for restrictions on advertising.

E

Electricity Act, Cap 89A (s82)
www.ema.gov.sg

Prohibits a person from advertising or otherwise hold himself out as an electrical worker or as a licensed electrical worker.

Employment Agencies Act, Cap 92
• Employment Agency Licence Conditions
www.mom.gov.sg

Establishes a system of licensing of employment agencies, and enables the government to make regulations for proper conduct, including regulations to control advertising by agencies.

Endangered Species (Import and Export) Act 2006 (s4)
www.ava.gov.sg

Prohibits advertisement of endangered species.

F

Films Act, Cap 107 (s22, 31)
• Guidelines on Promotional Materials for Films and Videos
www.mda.gov.sg

Regulates advertising of films.

Finance Companies Act, Cap 108 (s4)
• Finance Companies (Advertisements) Regulations
www.mas.gov.sg

Controls advertising by finance companies.

Financial Advisers Act, Cap 110 (s21, 25)
www.mas.gov.sg

Regulates written communications (including advertisements) of financial advisers and life insurance brokers

G

Gas Act, Cap 116A (s11)
www.ema.gov.sg

Prohibits a person from advertising or otherwise hold himself out or conduct himself in any way or by any means as a gas service worker

Goods and Services Tax Act, Cap 117a
• Goods and Services Tax (General) Regulations
www.iras.gov.sg

Price to include GST in advertisements

H

Health Products Act 2007
• Health Products (Medical Devices) Regulations
www.hsa.gov.sg

Regulates advertisement of health products

Housing Developers (Control and Licensing) Act, Cap 130 (s6, 22)
• Housing Developers Rules
www.ura.gov.sg

Provides for the control, licensing, and advertisements of licensed housing developers.

Human Organ Transplant Act, Cap 131A (s15)
www.moh.gov.sg

Prohibits advertisements relating to buying or selling of organs or blood.

I

Indecent Advertisements Act, Cap 135

Controls advertisements of treatment of sexually transmitted diseases, infirmities relating to sexual intercourse, and aphrodisiacs.

Innkeepers Act, Cap 139 (s7)

Provides for exhibition of statement of innkeeper's liability; and advertisement in newspapers of intended sales of certain goods.

Insurance Act, Cap 142 (s25, 35T)

www.mas.gov.sg

Regulates the insurance businesses, including powers to regulate advertising.

Internal Security Act, Cap 143 s(20, 25)

www.mha.gov.sg/isd/main.htm

Prohibits printing etc. of subversive documents and publications; posting of placards.

L

Land Surveyors Act, Cap 156 (s10)

www.sla.gov.sg

Sets up body responsible for land surveyors; and contains power for restrictions on advertising.

Legal Profession Act, Cap 161

- Legal Profession (Publicity) Rules

www.lawsociety.org.sg

Sets up body responsible for lawyers; contains power for restrictions for advertising.

M

Massage Establishment Act, Cap 173 (s9)

www.spf.gov.sg

Regulates, inter-alia, the display and publication of advertisement of massage establishments.

Media Development Authority of Singapore Act, Cap 172 (s17)

- Code of Practice for Market Conduct in the Provision of Mass Media Services
www.mda.gov.sg

Sets up body responsible for media development.

Medical Registration Act, Cap 174 (s17, 64, 65)

www.moh.gov.sg

Sets up body responsible for medical practitioners; contains power for restrictions on advertising.

Medicines (Advertisement and Sale) Act, Cap 177

www.moh.gov.sg

Prohibits certain advertisements relating to medical matters.

Medicines Act, Cap 176 (s49-53)

- Medicines (Medical Advertisements) Regulations
www.moh.gov.sg

Prohibits, inter-alia, certain advertisements relating to medical matters.

Miscellaneous Offences (Public Order and Nuisance) Act, Cap 184 (s11)

www.spf.gov.sg

Prohibits the affixing of advertisements at public and private properties; and prohibits operation of advertising by gramophones, loudspeakers without permission, etc.

Money-Changing and Remittance Businesses Act, Cap 187 (s5, 6)

www.mas.gov.sg

Prohibits advertisements by unlicensed money changers and remittance businesses.

Moneylenders Act, Cap 188 (s12, 13)

www.ip.to.gov.sg

Governs advertising by moneylenders. Penalises, inter-alia, the harassment of debtors.

N

National Emblems (Control of Display) Act, Cap 196

Regulates advertisements which feature the state flag, state crest, National Anthem or flags of other countries

National Registration Act, Cap 201 (s13)

www.ica.gov.sg

Prohibits inter-alia the reproduction of an identity card.

P

Parliamentary Elections Act, Cap 218 (s2, 61, 70, 78, 78A-B, 78E, 79)

• Parliamentary Elections (Election Advertising) Regulations
www.elections.gov.sg

Prohibits canvassing on Polling Day, and dissuasion from voting.

Penal Code, Cap 224

www.spf.gov.sg

Provides for offences relating to documents, currency notes, banks notes,

defamation, religion, public health, safety, convenience, decency and morals, coin and government stamps, armed forces, public tranquillity, public servants, against the state, etc.

Pharmacists Registration Act, Cap 234

www.spb.gov.sg

Sets up body for pharmacists; contains power for restrictions on advertising.

Police Force Act, Cap 235 (s86)

www.spf.gov.sg

Prohibits unauthorised advertisements of security services.

Presidential Elections Act, Cap 240A (s42, 59, and 60)

Regulates advertising in relation to presidential elections including the prohibition to canvass by various means on polling day

Private Hospitals and Medical Clinics Act, Cap 248 (s22)

• Private Hospitals and Medical Clinics (Publicity) Regulations
www.moh.gov.sg

Provides guidelines on advertising and publicity for private hospitals, medical and dental clinics, nursing homes and clinical laboratories.

Private Investigation and Security Agencies Act, Cap 249 (s5)

www.spf.gov.sg

Prohibits advertising by unlicensed private investigators

Professional Engineers Act, Cap 253 (s9)

• Professional Engineers (Code of Professional Conduct and Ethics) Rules
www.peb.gov.sg

Sets up body for engineers; contains power for restriction on advertising.

Public Utilities Act, Cap 261 (s40)

www.pub.gov.sg

Prohibits a person from advertising or otherwise hold himself out as a water service worker or as a licensed water service worker.

R

Rapid Transit Systems Act, Cap 263A (s45)

- Rapid Transit Systems (Advertisements on Trains) Regulations

www.lta.gov.sg

Regulates advertising on railway premises

Road Traffic Act, Cap 276 (s140)

www.spf.gov.sg

Provisions to restrict the use of vehicles and animals, of sandwichmen and other persons on roads for the purposes of advertisement of such a nature or in such a manner as to be likely to be a source of danger or to cause obstruction to traffic.

S

Sale of Drugs Act, Cap 282 (s26)

www.hsa.gov.sg

Provisions to prohibit or regulate the sale, advertisement for sale, or importation of specified drugs.

Sale of Food Act, Cap 283 (s17, 40, 56)

- Food Regulations
- Sale of Food (Prohibition of Chewing Gum) Regulations

www.ava.gov.sg

Contains certain requirements as to advertising and labelling of food.

Securities and Futures Act, Cap 289 (s251, 282L, 300, 341)

- Securities and Futures (Licensing and Conduct of Business) Regulations
- Securities and Futures (Offers of Investments) (Business Trusts) (No. 2) Regulations
- Securities and Futures (Offers of Investments) (Collective Investment Schemes) Regulations
- Securities and Futures (Offers of Investments) (Shares and Debentures) Regulations

www.mas.gov.sg

Restrictions on advertisements relating to securities and futures.

Singapore Arms and Flag and National Anthem Act, Cap 296

www.mica.gov.sg

Regulates the use, display, and advertising of the Singapore Arms, Flag and performance of the national Anthem.

Singapore Totalisator Board Act, Cap 305A (s16)

www.singtote.gov.sg

Specifies that certain advertisements relating to totalisator agencies are not unlawful

Smoking (Control of Advertisements and Sale of Tobacco) Act, Cap 309

www.hsa.gov.sg

Prohibition on advertisements relating to smoking.

Street Works Act, Cap 320A

- Street Works (Advertisements on Road Structures, Road Related Facilities and Public Streets) Regulations

www.lta.gov.sg

Contains regulations on advertisements on road structures, road related facilities and public streets

T

Telecommunications Act, Cap 323 (s26)

- Code of Practice for Provision of Premium Rate Services
 - Telecom Competition Code
 - Telecommunications (Dealers) Regulations
- www.ida.gov.sg

Regulates the advertising of telecommunication products and services through rules and codes or practice.

Trade Marks Act, Cap 332

www.ipos.gov.sg

Governs law relating to trade marks.

Traditional Chinese Medicine Practitioners Act, Cap 333A (s24)

- Traditional Chinese Medicine Practitioners (Practice, Conduct and Ethics) Regulations
- www.tcmpb.gov.sg

Regulates advertising by traditional chinese medicine practitioners.

Travel Agents Act, Cap 334 (s28)

- Travel Agents Regulations
- www.stb.gov.sg

Regulates advertising by travel agents.

U

Undesirable Publications Act, Cap 338

www.mda.gov.sg

Prevents the distribution or reproduction of obscene or objectionable publications.

V

Vandalism Act, Cap 341 (s2)

www.spf.gov.sg

Provides for exemplary punishment for acts of vandalism which includes writing, drawing, painting, display of advertisements on public/private property, etc.

W

Weights and Measures Act, Cap 349 (s16, 18)

www.spring.gov.sg

Lays down requirements for weights and measures on labels and packs and gives power to make specific regulations.

APPENDIX Q

Advertising for Audiotex Services

1. Introduction: What are Audiotex Services?

- 1.1 Audiotex services are interactive telecommunication services offered via a telephone service. Typically, the services use a 1-900 number in which customers are charged a premium over and above the normal connection charges.
- 1.2 Such service providers offer, among other things, information, ring tone downloads and friendship services or chatlines.
- 1.3 Some of these services, particularly those offering chatlines have been abused by men who prey on schoolgirls.
- 1.4 The following rules governing the advertising of such services have been drawn up principally to protect the interest of these schoolgirls.

2. Guidelines

- 2.1 Advertisements for chat and similar interactive services must be clear and unambiguous that such services are available.
- 2.2 Advertisers should clearly indicate to system users whether or not their services are free of charge, and should not charge users unless such warning has been provided beforehand. Advertisements should indicate the cost of the services.
- 2.3 Where an advertisement does not specifically mention the availability of chat, that service must not be made available on the 1-900 number. That is, a service provider offering ring-tone downloads must not also make available a chat services as an option when customers call the advertised 1-900 number.
- 2.4 Advertisements for chatline and related services must include the company's name and office number.
- 2.5 Chatline advertisements should always include:
 - (a) the legal age limit for callers
 - (b) warnings on the dangers of meeting up with strangers encountered through chatlines.
- 2.6 Where an advertisement gives the website address (uniform resource locator or url) for non-chat services, that page must not contain links or 1-900 numbers to chat services.
- 2.7 Advertisements for chatlines and related services should not contain lewd or sexually suggestive material.