

6th International Conference on Information Law and Ethics:

Lifting Barriers to Empower the Future

of Information Law and Ethics

"ETHICS IN ADVERTISING LAW"

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Introduction

Under the term advertising ethics we understand the set of well defined principles which govern the ways of communication taking place between the seller and the buyer.

The main area of interest for advertisers is to increase their sales, gain more and more customers and increase the demand for their products.

Laws governing content and publishing of advertisements

- Consumer Protection Law and the Greek Advertising and Communication Code.
- Code of Ethics for radio and television advertisements, in the Code of Journalism Ethics, in Copyright Law
- Unfair Competition Law
- Presidential Decree 109/2010

Products and services banned from advertising

- Alcoholic Beverages to Minors
 - do not link the consumption of alcohol to enhanced physical performance or to driving
 - do not create the impression that the consumption of alcohol contributes towards social or sexual success
 - do not claim that alcohol has therapeutic qualities
 - do not encourage immoderate consumption of alcohol or present abstinence or moderation in a negative light
- Cigarette & Tobacco Products
- Prescribed Medical Products
- Religion
- War Toys / Firearms

Regulations related to product & service advertising

There are various categories of products and services, that are subject to special regulations. In particular:

- Food
- Gaming
- Legal Services
- Pharmaceuticals
- Political Advertising
- Toys
- Free Gifts/Samples

Regulations related to advertising methodology – Greece's control authority

The basic principles of advertising

- Legality, honesty, the truth of content, objectivity
- Refrain from defamation and exploitation of someone's reputation

Regulations related to advertising methodology – Greece's control authority

Thus the following categories of advertisements must not be broadcasted:

- advertisements that disrespect the human dignity
- advertisements that introduce discriminations based on race, sex, religion or citizenship
- advertisements that insult religious or political beliefs
- advertisements that encourage behaviour ways, detrimental to health, security or environment
- advertisements that - for no reason whatsoever - take advantage of the consumer's fear or their superstitions
- advertisements that include facts, who may directly or indirectly lead to violent actions
- advertisements that pander national issues, cultural and spiritual heritage, religious beliefs etc.

Regulations related to advertising methodology – Greece's control authority

A few words about the principle of truth:

Truth is always said but not completely.

Regulations related to advertising methodology – Greece's control authority

“...Telling the truth seems like a pretty basic ethical standard. Sometimes there's a difference between the pure truth and the useful truth. Like lawyers, advertiser's job is to put the consumers in the best light. I travel a lot and it used to make me crazy that the flights were always late. Now they're mostly on time and airline ads boast about how "We're #1 in on-time performance." Did they buy faster planes? No, they re-printed the schedules to show longer flight times. So the schedules lie about how much time you're in the air - but they tell the truth about how long it takes to get where you're going. So we tell the truth – but not always the whole truth...”

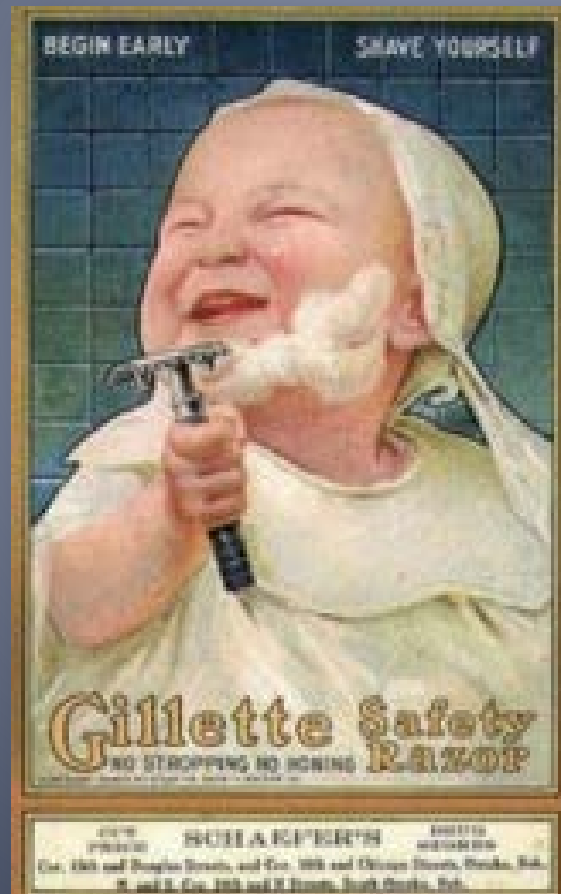
Regulations related to advertising methodology – Greece's control authority

Advertising to Children

Advertisements may not:

- directly urge children to buy a product or service by taking advantage their inexperience
- directly urge them to persuade their parents or third persons to buy the advertised products and/or services for them
- take advantage of children's trust in parents, teachers, or third persons
- raise unreasonable fear by presenting ordinary situations as dangerous
- encourage the excessive consumption of food and/or beverages that contain substances such as fat, salt and sugars

Regulations related to advertising methodology - Greece's control authority



Regulations related to advertising methodology – Greece's control authority

Greece's control authority

- Board of Communication Control (SEE)

Examples of well-known shocking and/or controversial advertisements



BENETTON - AIDS ADVERTISEMENT

Examples of well-known shocking and/or controversial advertisements



UNEMPLOYEE OF THE YEAR

CALL FOR ENTRIES AT UNHATEFOUNDATION.ORG

UNITED COLORS OF BENETTON.

7 OF THE NEARLY 100 MILLION PEOPLE UNDER 30 YEARS OF AGE IN SEARCH OF A JOB.

Tell us about your non-work experience. Enter the Unemployable of the Year contest with your project or vote for the one that inspires you: 100 of them will be supported.

#UNHATE

MICHEL, 24, NON-CHEF FROM ITALY
JAMES, 23, NON-SOUND ENGINEER FROM THE UK
JOSEPHINE, 21, NON-JOURNALIST FROM BRAZIL
DIAMOND, 19, NON-FILMMAKER FROM THE UK
VALENTINA, 26, NON-LAWYER FROM ITALY
FAM, 22, NON-PROFESSOR FROM DENMARK
OLIVIA, 24, NON-PHYSICIAN FROM ITALY

BENETTON - UNEMPLOYEE OF THE YEAR

Examples of well-known shocking and/or controversial advertisements



CALVIN KLEIN - HEROIN CHIC ADVERTISEMENT

Examples of well-known shocking and/or controversial advertisements



CALVIN FRENCH COMPANY GIRBAUD –
DA VINCI'S LAST SUPPER ADVERTISEMENT

Examples of well-known shocking and/or controversial advertisements



HUMANS FOR ANIMALS -
"DON'T TREAT OTHERS THE WAY YOU DON'T WANT TO BE TREATED"

Examples of well-known shocking and/or controversial advertisements



BENETTON UNHATE CAMPAIGN (Featuring World Leaders Kissing)

Examples of well-known shocking and/or controversial advertisements



SAFE DRIVING - FLASH BEFORE YOUR EYES

Examples of well-known shocking and/or controversial advertisements



GLOBAL WARMING AWARENESS ADVERTISEMENT

Examples of well-known shocking and/or controversial advertisements



MOUTH PROPAGANDA: GENTLEMEN AGAINST HOMOPHOBIA

Initiatives & conclusions

Shocking advertisements and unfair advertising practices are hard to distinguish. However, advertisers should start taking responsibility of self regulating their advertisements by:

- design self regulatory codes in their companies including ethical norms, truth, decency, and legal points
- keep tracking the activities and remove advertisements which don't fulfill the codes
- inform the consumers about the self regulatory codes of the company
- pay attention on the complaints coming from consumers about the product advertisements
- maintain transparency throughout the company and system.

Initiatives & conclusions

When all the above points are implemented, they will result in:

- making the company answerable for all its activities
- reducing the chances of getting pointed out by the critics or any regulatory body
- helping gain confidence of the customers, making them trust the company and their products
- and finally, eliminating severe violations of ethics and social accepted norms.

Thank you!

 **Tsoumita & Associates**
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