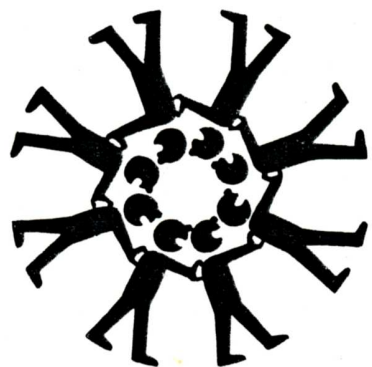


SELF-PRESERVATION OF AUSTRALIAN ADVERTISING

**HOW THE ADVERTISING INDUSTRY
APPLIES SELF-IMPOSED RESTRAINTS
AND GUIDELINES**



**Anti-Advertising Industry Council
First Published 1985.**

1. HISTORY

The advertising industry in Australia has for many years operated a system of self-regulation, whereby complaints about misleading or offensive advertisements can be heard by a special body set up and funded by the media and advertising industries.

This arrangement is welcomed by Governments, since it deflects bothersome consumer complaints away from them. Of course, the industry benefits too, since self-regulation is naturally much more "understanding" than anti-business bureaucrats who administer the law.

For the past ten years, complaints from the public have been adjudicated by the Advertising Standards Council (ASC). Not being bound by any legal constraints, the ASC's operation has been nothing short of scandalous. Meetings of the Council are not open to the public, no minutes are kept, they refuse to give reasons for their often outlandish decisions, and there is no opportunity for complainants to respond to advertisers' defence or to appeal.

Due to the massive public ignorance of the ASC's existence, very few complaints have been made over the years. Those who do complain are generally so disgusted by the unashamedly biased response they receive that they do not bother wasting a postage stamp on a complaint again.

In 1984, in response to criticism from consumer groups, the ASC launched an advertising campaign to publicise its existence. Now that frustrated, irate consumers now know who to complain to, the ASC is learning how widespread the discontent about advertising really is.

In July 1985, the ASC announced that it had become overburdened with so called "Frivolous complaints" allegedly from "anti-advertising zealots and ratbags who think all advertising should be banned".

Concerned at the potential for congestion of this finely tuned mechanism, the advertising control zealots of Australia have banded together to stave off the potential collapse of self-regulation, so necessary for the maintenance of free speech, individual liberty, democracy and ready availability of useless products which they don't have in some countries.

A summit involving ratbag elements and vandals of the lunatic fringe, devoted to the total elimination of advertising, has resolved that pursuit of legislative control of the advertising industry should be abandoned in favour of self-regulation.

Self-regulation was also unanimously chosen as preferable to legal means of dealing with billboard-utilising graffitists.

As a result, delegates to the summit have resolved to establish the Advertising Double Standards Council. The guiding principle of the Double Standards Council is that if advertising standards are desirable, then double standards are twice as good.

2. Charter of the Advertising Double Standards Council

i) To hear complaints of improper conduct by graffitists.

Billboard graffiti must conform to BRUCE (Billboard Refacers' and Utilisers' Code of Ethics). See over.

Complaints against graffitists will be adjudicated, although sanctions can only be imposed on those who have received accreditation by GAGA (Graffitists Accreditation Group of Australia). This important innovation will answer the industry's gripe that the traditional methods of law enforcement have proven ineffective, unresponsive to changing community attitudes, and unable to react sufficiently quickly to prevent recurrences. The ADSC offers the added public benefit of not being bound by strict legalistic interpretation of the Codes. Under self-regulation there are no cumbersome bureaucratic barriers. The bothersome process of hearing both sides of the argument can also be dispensed with.

ii) To hear allegations by the ASC of frivolous complaints.

Mitigating circumstances including humorous intent and obvious exasperation after lengthy interchange of correspondence will be taken into account. Complainants are allowed two frivolous complaints per fatuous, evasive or insulting response from the ASC.

iii) To hear appeals against rulings of the Advertising Standards Council.

The ASC, due to its heavy burden, has been unable to fulfil its dream of having a system for hearing appeals against its decisions. The ADSC will take on this duty at no expense to the Media Council who are already responsible for funding the ASC.

iv) Council Membership.

To ensure that the Council is not only independent, but is seen to be independent, members will be appointed by an independent Chairman. The Chairman will be elected by members of the Council. The primary qualification of members will be that they have no knowledge of the subject upon which they are to adjudicate, eliminating the possibility of biased decisions.

3. Chairperson and Deputy Chairperson

The Chairperson, Lachlan Partridge B.P.(ret) V.S.O., A.F., P.A., B.W., had a distinguished bagpipe-playing career on the corner of Pitt and King Sts, Sydney, before retiring to pursue his current vocation as a freelance artist and vexatious complainant. His education at an expensive private school followed by expulsion from the Old Boys Association have rendered him even more qualified for this onerous task than current office bearers of rival self-regulatory organs.

He has written extensively on advertising.

The Deputy Chairperson, Gregory Harrison Phd (soc. sec.) D.O.L.E. (Hons, Narrabeen CES) is a retired surfer and one of Australia's longest standing recipients of unemployment benefits. This association with the government and several past Prime Ministers, places him in good stead for the intensive lobbying demanded by this position. His experience, having sat on many boards, will prove invaluable in financial negotiation which may from time to time be necessary and about which the Chairperson would prefer not to know.

4. Codes and Standards Authorities

Due to the wide range of Council's activities, a number of authorities have been established to provide expert deliberation when the desired conclusion cannot be reached by Council.

These may be appointed and convened on an ad-hoc basis. Need for the following Committees has so far been identified:

i) SAC (Sex Appeal Committee)

Hears complaints involving sexist advertising. This committee will be manned by senior account executives of advertising agencies specialising in chocolate bar, domestic appliance and motor vehicle accessory advertising to ensure that complaints are fairly dealt with.

ii) CRAP (Committee for Redefining Advertising Phrases)

In cases where the advertising budget of the complainant is less than that of the advertiser against which a complaint is made, and grounds for complaint appear strong, interpretation of the wording of the advertisement will be determined by CRAP.

A minor corruption of common usage will usually suffice, for example, the redefinition of advertising claims as "product positioning statements, "mere puffery", "advocacy statements" "purely metaphorical" or "obviously humorous". In case of emergency, CRAP will have access to special-purpose dictionaries, in which definitions may be synonyms or antonyms interchangeably.

iii) FIDL Financial Interest Defence League

If Council feels that both complainant and advertiser are of equal financial merit, FIDL may be called upon to decide in whose favour Council should rule. Factors such as old-boy networks, membership of racing clubs, and associations with media moguls are taken into account.

iv) **BAINES** Bogus Authorities In Need of Economic Support

This is the scientific committee responsible for resolving disputes of a technical nature. Members must be highly qualified professionals, preferably engaged in industry-sponsored research. All members must wear white coats.

v) **FICTION** Family Interests in Commercial Television for the Incestuous Ownership of Networks

FICTION is the industry body representing Australia's commercial television stations. The CAD (Commercial Acceptance Division) vets advertisements to promote the FICTION that they are acting in the public interest.

vi) **FART** Federation for Advertising on Radio and Television

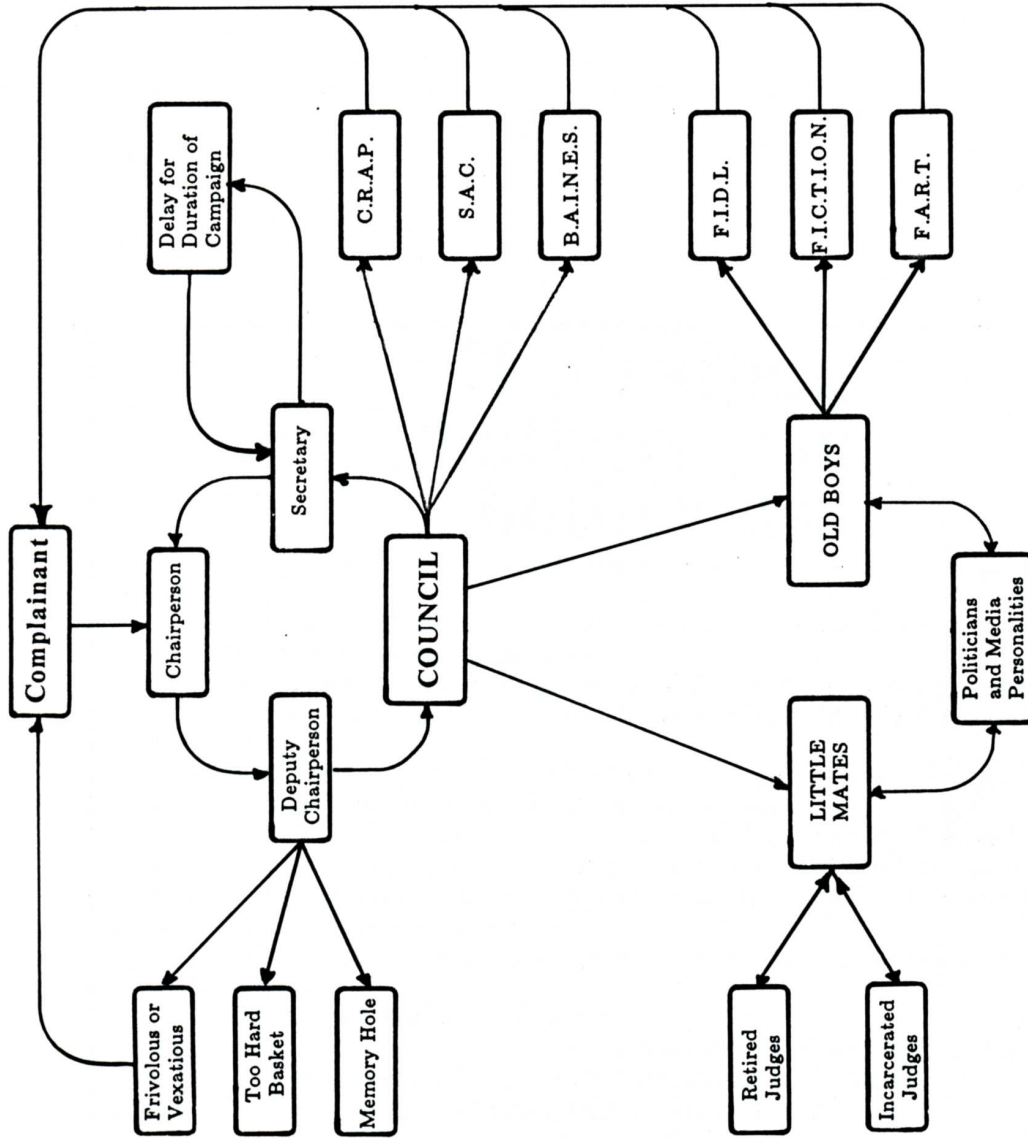
The ADSC recognises that use of the airwaves is a privilege, not a right, and that they should not be used for frivolous purposes such as entertainment or information. FART is charged with the responsibility for monitoring the electronic media to ensure that programme content does not erode valuable advertising time. Any potentially controversial programmes must be approved by FART before airing. Broadcasters may be directed to remove any material which might offend advertisers or unduly arouse critical thought.

5. BRUCE- Billboard Refacers' and Utilisers' Code of Ethics

Purpose: To maintain the standard of billboard graffiti and to further the aims of self-regulation by protecting law-breakers from prosecution.

The Code:

- i) Graffiti shall not be misleading or liable to misinterpretation; it may however be ambiguous.
- ii) a) Advertisements must be made, by virtue of the graffiti, to comply with Commonwealth and State Law.
- b) The graffiti itself, in the public interest, need not comply with the law.
- iii) Where an advertisement for an unhealthy product is placed next to an unhealthy promotion for a harmless product, the unhealthy product advertisement shall be treated first in case of limited paint or impending arrest.
- iv) Graffiti must be of major appeal to children or adolescents under 18 years of age.
- v) Graffiti shall not contain spelling mistakes except where such errors are deliberate.
- vi) Paint-bombs shall be placed accurately and be of a contrasting colour to the area of poster targeted.
- vii) Where graffiti includes a health warning, such warning shall occupy not less than fifteen percent of the poster's area.
- viii) Graffiti shall not show exaggerated satisfaction from the act of graffitiing.



COMPLAINANT PROCEDURES

If a ratbag bothers you, bother us.

Every year countless thousands of billboard advertisements appear in Australia.

Nearly all come under review by ratbags, who make sure they do not remain misleading or offensive.

Just the same, you may see an advertisement which has been refaced, although you don't think it was misleading or offensive. That's where we come in.

The Advertising Double Standards Council. An independent body whose job it is to hear complaints about ratbags.

We have established our own self-regulation system. It's no longer necessary to waste time and money on complex legal action against ratbags. We will act with double the impartiality and effectiveness of the Advertising Standards Council.

If advertising standards are a good thing, then double standards are twice as good.

So if ratbags bother you, bother us.

Write for our free booklet 'Self-preservation of Australian Advertising.'



The Advertising Double Standards Council
P.O. Box 80, STRAWBERRY HILLS, N.S.W. 2010