

Australian Association of National Advertisers (AANA): Code of Ethics Review

Submission from the Outdoor Media Association

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The Outdoor Media Association

The Outdoor Media Association (OMA) is the national peak industry body that represents 80% of Australia's traditional and digital Out of Home (OOH) media display companies and production facilities. Part of the role of the OMA is to help develop policy and regulation for outdoor advertising that is fair and equitable to governments, the community and the industry. The industry's aim is to deliver high quality, well-designed and innovative signs that provide economic and utility benefits to a range of stakeholders including citizens, governments and other commercial partners.

OMA response to AANA Code of Ethics Review Discussion Paper

01 DOES THE CODE OF ETHICS CONTINUE TO MEET ITS STATED OBJECTIVES? IF NOT, WHY NOT?

Yes.

02 DO THE CURRENT OBJECTIVES NEED TO BE AMENDED? IF SO, WHAT ARE THE OBJECTIVES THAT THE CODE OF ETHICS SHOULD ADDRESS?

The OMA supports the objectives of the AANA Code of Ethics which are set to ensure advertisements are legal, decent, truthful and honest; and have been prepared with a sense of obligation to the community.

03 THE AANA WELCOMES COMMENTS ON STEPS THAT COULD BE TAKEN TO SIMPLIFY AND STREAMLINE THE CURRENT CODE AND PRACTICE NOTES TO PROVIDE CLARITY FOR CONSUMERS AND REDUCE REGULATORY BURDEN.

The OMA would support a more accessible version of the AANA Code of Ethics. For instance, it would help to consolidate the Code and the Practice Notes and include hyperlinks to relevant examples/determinations into one single source document.

We would also suggest publishing a Plain Language Version of the Code, which may be helpful for the general public and encourage a deeper understanding as well as more trust in the self-regulatory system.

04 SHOULD THE SUBSTANTIVE PROVISIONS OF THE CODE OF ETHICS, PRACTICE NOTE AND INDUSTRY PRACTICE NOTES BE INCORPORATED INTO FEWER DOCUMENTS?

Yes, the documents should be combined for ease of access, as mentioned in question 3.

The Practice Notes are a valuable addition as they provide further information about the interpretation of the Code. The Practice Notes could be strengthened by the inclusion of visual examples as well as links to relevant determinations of the Ad Standards Community Panel. This would also help people understand the connection between the AANA and Ad Standards.

05 ARE THERE ANY OTHER COMMENTS ON THE CONTENTS AND STRUCTURE OF THE CODE, PRACTICE NOTE OR INDUSTRY PRACTICE NOTES?

No.

06 ARE THERE ANY COMMENTS ON THE INTRODUCTION OF INDUSTRY PRACTICE NOTES IN ADDITION TO THE PRACTICE NOTE, AND/OR THEIR CONTENT AND STRUCTURE?

The OMA is supportive of the platform neutral self-regulatory model.

07 SHOULD THE CODE OF ETHICS AND PRACTICE NOTES CONTINUE TO EVOLVE OUTSIDE OF FORMAL PUBLIC REVIEWS?

What is most important is that the documents align with the decisions made by the Ad Standards Community Panel. Where the Community Panel changes its stance on an existing issue, it should be reflected in the Practice Notes. Advertisers, creative agencies and publishers should be informed about this change before a negative determination is made.

We find that reviews without consultation, whether these are industry or public reviews, have a tendency to result in unwanted changes for the parties involved and affected by the review.

08 ARE ANY CHANGES REQUIRED TO SECTION 1 OF THE CODE OF ETHICS? IF YES, PLEASE GIVE REASONS.

No.

09 ARE ANY CHANGES REQUIRED TO SECTION 2.1 OF THE CODE OF ETHICS? IF YES, PLEASE GIVE REASONS.

No.

010 ARE ANY CHANGES REQUIRED TO THE PRACTICE NOTES FOR SECTION 2.1? IF YES, PLEASE GIVE REASONS.

Yes. We would welcome additional clarification around gender stereotypes. Especially in terms of educational resources targeted at marketers and agencies who are creating the content for these advertisements.

011 ARE ANY CHANGES REQUIRED TO SECTION 2.2 OF THE CODE OF ETHICS? IF YES, PLEASE GIVE REASONS.

No.

012 ARE ANY CHANGES REQUIRED TO THE PRACTICE NOTES FOR SECTION 2.2? IF YES, PLEASE GIVE REASONS.

No.

013 ARE ANY CHANGES REQUIRED TO SECTION 2.3 OF THE CODE OF ETHICS? IF YES, PLEASE GIVE REASONS.

No.

014 IN PARTICULAR, SHOULD THE AUDIENCE LIKELY TO VIEW THE ADVERTISEMENT BE A CONSIDERATION UNDER SECTION 2.3?

No. The OMA is supportive of the platform neutral self-regulatory model.

015 ARE ANY CHANGES REQUIRED TO THE PRACTICE NOTES FOR SECTION 2.3? IF YES, PLEASE GIVE REASONS.

Section 2.3 requires additional explanation and education around 'implied violence' in advertisements, especially when advertising movies and games containing mild to moderate violence. It is necessary to have distinct standards and clear limits to what is considered acceptable under this section of the code in order to minimise consumer complaints.

Section 2.3 should be updated in line with the Ad Standards Community Panel's stance on horror films, and include specific advice in relation to the recent breach determination for the film 'It'.

016 ARE ANY CHANGES REQUIRED TO SECTION 2.4 OF THE CODE OF ETHICS? IF YES, PLEASE GIVE REASONS.

No.

017 ARE ANY CHANGES REQUIRED TO THE PRACTICE NOTES FOR SECTION 2.4? IF YES, PLEASE GIVE REASONS.

No.

018 ARE ANY CHANGES REQUIRED TO SECTION 2.5 OF THE CODE OF ETHICS? IF YES, PLEASE GIVE REASONS.

No.

019 ARE ANY CHANGES REQUIRED TO THE PRACTICE NOTES FOR SECTION 2.5? IF YES, PLEASE GIVE REASONS.

Section 2.5 should be updated with additional information around the interpretation and determinations by the Ad Standards Community Panel. This is an area that agencies consistently seek to push the boundaries on, and it is unclear whether an advertisement would breach or not in this section of the Code. Therefore, we would welcome clearer guidelines in the Practice Note.

020 ARE ANY CHANGES REQUIRED TO SECTION 2.6 OF THE CODE OF ETHICS? IF YES, PLEASE GIVE REASONS.

No.

021 IN PARTICULAR, SHOULD THE AUDIENCE LIKELY TO VIEW THE ADVERTISEMENT BE A CONSIDERATION UNDER SECTION 2.6?

No.

022 ARE ANY CHANGES REQUIRED TO THE PRACTICE NOTES FOR SECTION 2.6? IF YES, PLEASE GIVE REASONS.

No.

023 ARE ANY CHANGES REQUIRED TO SECTION 2.7 OF THE CODE OF ETHICS? IF YES, PLEASE GIVE REASONS.

No.

024 ARE ANY CHANGES REQUIRED TO THE INDUSTRY PRACTICE NOTES FOR SECTION 2.7? IF YES, PLEASE GIVE REASONS.

No.

025 SHOULD THE PRACTICE NOTE AND INDUSTRY PRACTICE NOTES ASSOCIATED WITH SECTION 2.7 BE AMENDED TO PROVIDE MORE CLARITY ON THE DISCLOSURE REQUIREMENTS FOR INFLUENCERS, VLOGGERS AND BLOGGERS WHERE PAYMENT, PAYMENT IN KIND (E.G. FREE PRODUCT) OR ANY OTHER BENEFIT HAS BEEN RECEIVED? IF YES, PLEASE GIVE REASONS.

N/a.

026 ARE THERE ANY OTHER ISSUES, RULES OR STANDARDS THAT SHOULD BE INCLUDED IN THE CODE OF ETHICS? IF SO PLEASE, GIVE DETAILS.

No.

027 DO YOU KNOW OF ANY OTHER EVIDENCE-BASED RESEARCH WHICH COULD INFORM THE EVOLUTION OF THE CODE OF ETHICS? IF SO, PLEASE GIVE DETAILS.

The OMA will make the AANA aware of any relevant research that becomes available.

028 DO YOU HAVE ANY ADDITIONAL SUGGESTIONS OR COMMENTS ON THE REVIEW OF THE CODE OF ETHICS?

We would suggest a clearer connection between the AANA Code of Ethics and determinations issued by the Ad Standards Community Panel.

A better explanation of how the Community Panel reads and interprets the Code will help the OOH industry provide consistent guidelines on acceptable content for advertisers and agencies that OMA members work with.