

## SNAPSHOT

- Outdoor Media Association (OMA) members only display political advertising that complies with all applicable regulations.
- OMA members include authorisation details in political advertisements to inform voters of the source of the advertisement.
- OMA members will not display political advertising that misleads or deceives people about how to cast a vote.
- OMA members will not knowingly display political advertising that amounts to defamation.
- OMA members are committed to ensuring the content of political advertising aligns with community standards, and only display advertising that complies with The Australian Association of National Advertisers (AANA) *Code of Ethics*.
- The 'blackout period' on political advertising does not apply to Out of Home (OOH) advertising.
- There is no legal requirement for the content of political advertising to be factually correct. As such, complaints about political advertising should be made to the local Member of Parliament, the advertiser, or the person, political party or group responsible for a particular advertisement.

**VERSION: May 2023**

## 01 WHICH LAWS REGULATE POLITICAL ADVERTISING?

Federal elections, including non-broadcast election advertising, are regulated by the Australian Electoral Commission (AEC) under the provisions of the *Commonwealth Electoral Act (Cth) 1918* (The Act).

The Act is intended to ensure a fair and free election outcome, and covers the big issues of concern about political advertising. This includes misleading and deceptive conduct and ensuring that political advertising is properly authorised so that voters know who is responsible for them.

There are no laws related to general political advertising that do not pertain to electoral matters.

## 02 IS CONTENT IN POLITICAL ADVERTISING REGULATED?

The Act is not intended to regulate the content of political messages contained in electoral advertising, but it does ensure voters are not misled or deceived about how to cast a vote.

There is no legal requirement for the content of political advertising to be factually correct, and no agency takes responsibility for ensuring the accuracy of claims or the appropriateness of content of political advertising.

Ad Standards does not make decisions in relation to political advertising, including in relation to the AANA Code of Ethics, as it does not want to make decisions that could be construed as political.

Despite this lack of regulation, the OMA Code of Ethics affirms: "OMA members only endorse political advertising that complies with regulations and aligns with community standards outlined in the AANA Code of Ethics".

## 03 WHY DO AUTHORISATION DETAILS NEED TO BE INCLUDED?

The federal government along with each state requires authorisation details to be included in electoral advertising to make it easy for complainants to take legal action rising from publication of the material — eg if someone wants to bring a claim for defamation.

## 04 DOES THE MEDIA BLACKOUT APPLY TO OOH?

No. The election advertising blackout in the lead up to an election only applies to radio and television broadcasters. It does not include Out of Home, online services or print media. For further information visit [www.acma.gov.au/election-blackout-periods](http://www.acma.gov.au/election-blackout-periods)

## 05 HOW CAN I COMPLAIN ABOUT THE CONTENT OF A POLITICAL ADVERTISEMENT?

Complaints are often made regarding the accuracy or truth of statements made in political advertising.

In general, complainants are suggested to contact their local Member of Parliament, the advertiser, or the person, political party or group responsible for a particular advertisement with any complaints.

**For further information please contact OMA:**

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