

## 01 PURPOSE

Under the Outdoor Media Association (OMA) *Code of Ethics*, all OMA members must comply with the Australian Association of National Advertisers (AANA) *Code of Ethics* and other relevant self-regulatory codes that cover advertising content.

While most other self-regulatory codes are silent on political advertising, the OMA has developed the following Policy to provide a framework for OMA members for the display of political advertising.

## 02 SCOPE

This Policy applies to any advertising considered to be political advertising.

Ad Standards generally regards political advertising as being “*advertising that attempts to influence or comment upon a matter which is currently the subject of extensive political debate.*”

Political advertising may include:

- Advertising about a particular party, representative or candidate.
- Advertising about political and community issues, and Government policies.
- Advertising undertaken by Government, political parties, interest groups or lobby groups (although not all such advertising is considered political, as it may instead be considered educational or informational).
- Election advertising, which is generally regarded as political advertising with design or content that “*is intended or likely to affect voting in an upcoming election*”, or is connected to an election.

## 04 REGULATIONS

The regulations applied to political advertising are confined to proper authorisation and information regarding casting a vote.

There is little regulation regarding the content of political advertising. The content of political advertising falls outside the charter of the Ad Standards. 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.

The authorities that oversee political advertising, and may provide further assistance, are Australian Communications and Media Authority (ACMA), the Australian Electoral Commission (AEC) and the Commonwealth or relevant State/Territory Electoral Commission.

### 4.1 Authorisation

OMA members must only endorse advertising that is properly authorised according to the rules of the AEC.

The AEC is responsible for ensuring that election advertising is properly authorised to ensure voters have information regarding the source of the advert. Election advertising must be properly authorised at all times (not only during the lead-up to an election). The authorisation that must be part of all printed matter should contain:

- Name of the person who authorised the advertisement.
- Street address of the person who authorised the advertisement.
- Name and place of business of the printer.

For digital signage, the OMA recommends that members provide the same authorisation as a static Out of Home (OOH) advertisement, excluding the name and place of business of the printer.

All states in Australia require that OOH political advertising display the name of the person who authorised the advertisement. Requirements to include the street address and details of the printer vary between states.

For further information, contact the Commonwealth or relevant State/Territory Electoral Commission.

## 03 OMA POLITICAL ADVERTISING POLICY

Clause 3.8 of 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*”.

To achieve this, OMA members will:

- 3.1 Only display political advertising that is properly authorised.
- 3.2 Not display political advertising that contains any misinformation about how to cast a vote.
- 3.3 Not knowingly display political advertising that amounts to defamation.
- 3.4 Only endorse political advertising that complies with the AANA *Code of Ethics*.

If an OMA member has any concerns about displaying a political advertisement, they will seek advice from the OMA in accordance with the OMA *Advertising Content Policy*.

### For further information please contact OMA:

## 4.2 Information on how to cast a vote

Under the *Commonwealth Electoral Act 1991*, it is an offence for political advertising to provide false or misleading information on the way in which to cast a vote.

## 4.3 Blackout period

According to the *Broadcasting Services Act 1992*, an election advertising blackout period is observed for “all electronic media” advertising from midnight on the Wednesday before an election until the end of polling day. During this time, political advertising cannot be broadcast on Television or Radio. However, this blackout is not applied to Print or Online advertising, and there is no precedence for applying it to digital OOH.

## 4.4 Defamation

As of 2007, defamation is no longer noted as an offence under the *Commonwealth Electoral Act 1918*. Candidates may seek redress under the applicable statutory or common law.

The Act previously stated: *A person shall not make or publish, or authorise to be made or published, a false and defamatory statement about the personal character or conduct of a candidate.*

This was not considered an offence if it was established that the defendant believed on reasonable grounds that the relevant statement was true.

## 4.5 Complaints

Complaints are often made regarding the accuracy or truth of statements made in political advertising. As noted above, Ad Standards considers complaints about political and election material to be outside the charter of the Board.

Complainants are advised 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 more information visit:

Ad Standards “Political and election advertising”:  
[www.adstandards.com.au/process/theprocesssteps/specificproductsandissues/politicalandelectionadvertising](http://www.adstandards.com.au/process/theprocesssteps/specificproductsandissues/politicalandelectionadvertising)

ACMA “Election and political matter guidelines”:  
[www.acma.gov.au/theACMA/political-matter-tv-content-regulation-i-acma](http://www.acma.gov.au/theACMA/political-matter-tv-content-regulation-i-acma)

AEC “Electoral Backgrounder: Electoral advertising”:  
[www.aec.gov.au/About\\_AEC/Publications/backgrounders/electoral-advertising.htm](http://www.aec.gov.au/About_AEC/Publications/backgrounders/electoral-advertising.htm)