

# **The Consumer World**

## **Unit 3: Advertising and the Code of Practice**

## Student's File CW 3.1

### The Code of Practice

1 The general principle which will govern all television advertising is that it should be legal, clean, honest and truthful. It is recognised that this principle is not peculiar to the television medium, but is one which applies to all reputable advertising in other media in Hong Kong. Nevertheless, television, because of its greater intimacy within the home, gives rise to problems which do not necessarily occur in other media and it is essential to maintain a consistently high quality of television advertising.

2 Advertising material shall be clearly identifiable as an advertisement, and an advertising magazine shall be described as such when being broadcast.

3 The detailed rules set out below are intended to be applied in the spirit as well as the letter and should be taken as laying down the minimum standards to be observed.

4 The following definition applies in this code of practice unless the contrary intention appears:

"Advertisement" means

- (a) any broadcast material designed to advance the sale of any particular product or to promote the interests of any organisation, commercial concern or individual; whether by means of words, sound effects (including music) and/or of visual presentation and whether in the form of direct announcements, slogans, descriptions or otherwise, as well as any promotional reference in the course of a programme to any goods or services;
- (b) for the purpose of this code of practice the term advertisement does not include:
  - (i) station identifications approved by the Broadcasting Authority;
  - (ii) announcements in the public interest as the Broadcasting Authority may require to be broadcast under clause 23(2) of the First Schedule to the Licence to Broadcast;
  - (iii) material for the promotion of the licensee's station and programme services allowed under clause 23(4)(b) of the First Schedule to the Licence to Broadcast;
  - (iv) mandatory sponsor identifications as required under this code of practice;
  - (v) material connected with charities and public appeals approved by the Broadcasting Authority and for which the licensee does not receive payment or other valuable consideration for their transmission;
  - (vi) references on television to the title of an event sponsored by a person

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### The Code of Practice

other than the licensee carrying the trade name or brand name of the sponsor and other incidental references to the trade name or brand name of the sponsor in a programme provided that

- (1) the licensee receives no consideration for such references,
- (2) no undue emphasis, whether aural or visual, is given to such references; and
- (3) the references do not obtrude on programme interest or entertainment.

(vii) incidental or natural references to goods or services in the course of a programme which are justifiable in programme context and do not obtrude on programme interest or entertainment; and

(viii) factual aural and/or visual references to prize(s) of a sponsor/donor in connection with contest programmes as permitted under Appendix IV - Supplementary Standards on Programme Sponsorship.

5 (Deleted)

6 All advertising matter must comply with the laws of Hong Kong.

7 It is therefore the responsibility of licensees to ensure that the following practices are observed in the preparation and televising of all advertising matter:

- (a) the content, presentation and placement of all advertising matter must comply with the Code of Practice relating to Programme Standards. Particular care and good judgement should be exercised in respect of advertisements to be televised during times when large numbers of children or adolescents may be likely to be viewing. All advertisements televised during such periods must conform to the principles stated and must especially avoid taking advantage of the natural credulity and sense of loyalty of children;
- (b) advertising matter shall be presented with courtesy and good taste and disturbing or annoying material such as blatant sound effects, persistent repetition, and words and phrases implying emergency should be avoided; every effort shall be made to keep the advertisement in harmony with the content and general tone of the programme in which it appears;
- (c) advertising matter shall contain no claims intended to disparage competitors, competing products or other industries, professions, or institutions. No matter shall be included which in any way departs from truth as to the composition, character, or action of a product or its suitability for the purposes for which it is recommended. No untruthful implications should be imported into any advertising matter. Statements should not be

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used in respect of any products that they are 'the best', 'the most successful', 'safest', 'quickest', or containing any similar use of superlative adjectives unless the truthfulness of such statements is adequately substantiated. The supplementary standards on factual claims and best-selling claims set out in Appendix I are also to be complied with. The licensee shall have his responsibility under this subparagraph discharged if he did not know and had no reason to suspect that the claims made were false or misleading and could not, with reasonable diligence, have ascertained that the claims were false or misleading; and

- (d) the same or substantially the same advertisement should not be broadcast contiguously. The Broadcasting Authority shall determine whether an advertisement is substantially the same as another advertisement.

8

#### **Alcoholic Liquor**

- (d) the advertising of alcoholic liquor also requires special consideration and is subject to the following conditions:
  - (i) such advertising should be directed only to the adult audience and no children or adolescents should be allowed to participate in the presentation of these advertisements;
  - (ii) such advertisements should not be screened in proximity to children's programmes; or at other times when television programmes, in the opinion of the Broadcasting Authority, are designed for and directed to young people;
  - (iii) the licensee shall not broadcast between the hours of 4:00p.m. and 8:30p.m. each day any liquor advertising or broadcast between these hours any material in respect of which the licensee has invited, offered or accepted sponsorship or any form of commercial promotion for any liquor product;
  - (iv) advertisements which attempt to present drinking as a desirable new experience or which portray drinking as indispensable to popularity and success will not be permitted; and
  - (v) the presentation of alcoholic liquor as prizes in isolation for television contests will not be permitted.

## Student's File CW 3.1 (cont...)

### The Code of Practice

#### Unacceptable Products and Services

- (j) Advertisements for products or services coming within the recognized character of, or specifically concerned with, the following are not acceptable:
- (i) (Deleted)
  - (ii) (Deleted)
  - (iii) fortune-tellers and the like: this does not preclude advertisements for publications (whether printed or otherwise) or pre-recorded information services (whether voice or data) on subjects of general interest such as horoscopes, astrology, Chinese almanacs, fung-shui etc.;
  - (iv) undertakers or others associated with death or burial;
  - (v) unlicensed employment services, registries or bureaux,
  - (vi) organisations/companies/persons, seeking to advertise for the purpose of giving betting tips;
  - (vii) betting (including pools): this does not preclude advertisements for horse racing publications (whether printed or otherwise) and pre-recorded information services (voice or data) on horse racing provided that the advertisement does not encourage betting or contain any reference to betting tips. No advertisements for these items shall be shown within or in proximity to children's programmes;
  - (viii) (Deleted)
  - (ix) (Deleted)
  - (x) night clubs, dance halls, massage parlours, sauna houses, bath houses or similar establishments in which hosts or hostesses are employed for the primary purpose of attracting or entertaining customers or in which floor shows or other live performances or activities involving sexual behaviour of whatever nature are presented.

#### Imitation

- (m) advertisements which imitate or approximate unreasonably the name or advertising slogans of competitors to the knowledge of the licensee will not be permitted.

## Student's File CW 3.1 (cont...)

### The Code of Practice

#### Appendix V

#### **SUPPLEMENTARY STANDARDS ON MEDICAL PREPARATIONS AND TREATMENTS**

##### *Unacceptable Products or Services*

4 Advertisements for products or services coming within the recognised character of, or specifically concerned with, the following are not acceptable:

- (a) smoking cures;
- (b) clinics for the treatment of hair and scalp;
- (c) pregnancy testing services; and
- (d) clinical laboratory testing services.

##### *Prevention, Relief or Cure of Diseases or Conditions*

5 Advertisements on any course of treatment or medical preparation which is directly or by implication held out as being effective for the prevention, relief or cure of any disease or condition in so far as they are prohibited or restricted under section 3(J)(a) in the Undesirable Medical Advertisements Ordinance are not acceptable. Advertisements on medical preparations or treatments for the following are also prohibited:

- (a) the relief or cure of alcoholism and drug addiction;
- (b) cosmetic surgery and slimming or weight reducing measures involving the use of medical preparations; and
- (c) procuring miscarriage or abortion.

##### *Appeals to Fear or Exploitation of Credulity*

7 No spoken or pictorial representation shall be used which dramatises distress or morbid situations involving ailments or sickness or which conveys the suggestion that harmful consequences may result from the product advertised not being used. No spoken or pictorial representation of vivisection shall be allowed. No advertisement shall contain any manner which would lead persons to believe from the symptoms described that they are suffering from any serious ailment.

##### *Exaggeration*

10 No advertisement may make exaggerated claims, in particular through the selection of testimonials or other evidence unrepresentative of a product's effectiveness, or by claiming that it possesses some special property or quality which is incapable of being

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established. The following rules shall also be complied with:

- (a) Statements shall not be used in respect of any product or method of treatment that it is 'the most successful', 'safest', 'quickest' or similar use of superlative or comparative adjectives.
- (b) Except for Chinese homeopathic/herbal preparations, advertisements for products shall not be accepted if they contain claims that the product is 'centuries old' or 'known to the ancients' or similar claims.

### **Appendix VI**

#### **ADVERTISING AND CHILDREN**

##### *Guide to Standards*

##### 1 *The Viewing Child*

No product or service may be advertised and no method of advertising may be used, in association with a programme intended for children or which large numbers of children are likely to see, which might result in harm to them physically, mentally or morally, and no method of advertising may be employed which takes advantage of the natural credulity and sense of loyalty of children.

In particular:

- (a) No advertisement which encourages children to enter strange places or to converse with strangers in an effort to collect coupons, wrappers, labels, etc., is allowed. The details of any collecting scheme must be submitted for investigation to ensure that the scheme contains no element of danger to children;
- (b) No advertisement for a commercial product or service is allowed if it contains any appeal to children which suggests in any way that unless the children themselves buy or encourage other people to buy the product or service they will be failing in some duty or lacking in loyalty towards some person or organisation whether that person or organisation is the one making the appeal or not;
- (c) No advertisement is allowed which leads children to believe that if they do not own the product advertised they will be inferior in some way to other children or that they are liable to be held in contempt or ridicule for not owning it;
- (d) No advertisement dealing with the activities of a club is allowed without the submission of satisfactory evidence that the club is carefully supervised in the matter of the behaviour of the children and the company they keep and that there is no suggestion of the club being a secret society;
- (e) While it is recognised that children are not the direct purchaser of many products

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### The Code of Practice

over which they are naturally allowed to exercise preference, care should be taken that they are not encouraged to make themselves a nuisance to other people in the interests of any particular product or service. In an advertisement offering a free gift, a premium or a competition for children, the main emphasis of the advertisement must be on the product with which the offer is associated;

- (f) If there is to be a reference to a competition for children in an advertisement, the published rules must be submitted for approval before the advertisement can be accepted. The value of prizes and the chances of winning one must not be exaggerated; and
- (g) To help in the fair portrayal of free gifts for children, an advertisement should, where necessary, make it easy to see the true size of a gift by showing it in relation to some common object against which its scale can be judged.

#### 2 *Good Manners and Behaviour*

- (b) Children seen in advertisements should be presented in such a manner as to set a good example of behaviour and manners;



**Student's File CW 3.3** 20 "Bad Ads" (Listening Two)

Now listen to recordings from the TV of 20 advertisements and parts of programmes that have been reported to you as possibly breaching the Code of Practice. Listen to the advertisements, take notes on them, and then decide if there is any problem or not. The first has been done as an example for you. Give exact references to the Code in every case.

1. Advert for: Horse Money

Nature of product: Racing Magazine

Problem? probably OK - though may be said to encourage betting I need to know what time it was shown [8.j.vii]

2. Advert for: \_\_\_\_\_

Nature of product: \_\_\_\_\_

Problem? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

3. Advert for: \_\_\_\_\_

Nature of product: \_\_\_\_\_

Problem? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

4. Advert for: \_\_\_\_\_

Nature of product: \_\_\_\_\_

Problem? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_



**Student's File CW 3.3 (cont...)**

20 "Bad Ads" (Listening Two)

5. Advert for: \_\_\_\_\_

Nature of product: \_\_\_\_\_

Problem? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

6. Advert for: \_\_\_\_\_

Nature of product: \_\_\_\_\_

Problem? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

7. Advert for: \_\_\_\_\_

Nature of product: \_\_\_\_\_

Problem? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

8. Advert for: \_\_\_\_\_

Nature of product: \_\_\_\_\_

Problem? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Student's File CW 3.3 (cont...)**

20 "Bad Ads" (Listening Two)

9. Advert for: \_\_\_\_\_

Nature of product: \_\_\_\_\_

Problem? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

10. Advert for: \_\_\_\_\_

Nature of product: \_\_\_\_\_

Problem? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

11. Advert for: \_\_\_\_\_

Nature of product: \_\_\_\_\_

Problem? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

12. Advert for: \_\_\_\_\_

Nature of product: \_\_\_\_\_

Problem? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Student's File CW 3.3 (cont...)**

20 "Bad Ads" (Listening Two)

13. Advert for: \_\_\_\_\_

Nature of product: \_\_\_\_\_

Problem? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

14. Advert for: \_\_\_\_\_

Nature of product: \_\_\_\_\_

Problem? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

15. Advert for: \_\_\_\_\_

Nature of product: \_\_\_\_\_

Problem? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

16. Advert for: \_\_\_\_\_

Nature of product: \_\_\_\_\_

Problem? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Student's File CW 3.3 (cont...)**

20 "Bad Ads" (Listening Two)

17. Advert for: \_\_\_\_\_

Nature of product: \_\_\_\_\_

Problem? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

18. Advert for: \_\_\_\_\_

Nature of product: \_\_\_\_\_

Problem? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

19. Advert for: \_\_\_\_\_

Nature of product: \_\_\_\_\_

Problem? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

20. Advert for: \_\_\_\_\_

Nature of product: \_\_\_\_\_

Problem? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## Student's File CW 3.4

### School Sponsorship

This section involves oral work. The topic is how far we should allow advertising and commercial sponsorship into schools? Can you imagine advertising in your classrooms and textbooks? You may be surprised to learn how common this is in the United States.

The oral presentation passages will tell you more.

### A

#### **Sponsor our team, please!**

In the United States most secondary education is locally-funded, and is, of course a heavy burden on local tax-payers, and schools are always under pressure to find ways to reduce costs and raise funds on their own. Of course, one can get some from students, parents and charitable groups, but the people who really have the money in our society are businessmen, and schools have accordingly approached them to get donations, fees and sponsorship.

Many US schools have their own radio programmes broadcast by students over the school's P.A. system during recesses, at lunch time and before and after school. Of course, this is a convenient way of passing on news, and people enjoy the music. As all broadcasting in the United States is commercial, the next step is to make a little money by accepting advertising.

If you watch almost any major sports you will find yourself receiving messages from advertisers. Maybe a tobacco company has sponsored the entire event, or perhaps it's just the players with famous logos and brand names printed on their sports clothes. There's no reason why schools should not do the same, then. So local businessmen are asked if they would like to help the basketball team - in return, of course, for various favours.

Student publications also need a bit of extra money. If prestigious magazines can carry advertising, it seems harsh to prevent schools from doing the same. The local lunch-time places and nearby shops catering to the youth market should be glad to get a chance to get their message over.

In the countryside, school buses are a part of life, and usually carry a lot of advertisements. Education and business are working together in the States.

## Student's File CW 3.4 (cont...)

### School Sponsorship

#### **B**

##### **Promotions in schools**

Here are some of the items that came in the school post the other day.

TOMATO COMPUTERS

Dear Principal,

We, as a company, are very concerned about the education of our young people, and we have recently established a Computer in Schools Project with the aim of making a contribution to the community. You are invited to apply to be one of the lucky schools that will receive twenty-five of our model 828 - T personal computer, one of the very foremost on the market. Along with these computers we will supply a range of services to help your students get the best use out of them, including introductions to our software range, membership of the Tomato Club, and many other advantages.

We look forward to receiving your reply.

Then there was a big poster advertising a wonderful competition.

HK Airlines

Write an essay on how travel helps the world and you could win one of the ten fabulous prizes, including a round-the-world airticket.

Open to all students

Next was a letter

##### **Home Publishing**

Dear Sir,

We have delivered to your school 450 copies of our magazine "Summer Fun".

We hope you will agree it is full of interesting and useful articles for your students, who will enjoy the many fine illustrations, competitions, free offers and suggestions for summer time. We will be happy to deliver more copies if you wish.

Finally there was another poster advertising yet another slogan writing competition. It was sponsored by a major department store in HK and was offering shopping voucher prizes, "to help students get ready for the school year."

The Principal threw all this into the waste-paper basket. Do you think she was right?

## Student's File CW 3.4 (cont...)

### School Sponsorship

#### C

##### Commercial teaching-kits

Educational materials are often expensive to make and buy, especially now that students have become used to computers and videos in school. Schools have also become more aware of copyright, and are reluctant to give a bad example to students. One answer is to get help from big corporations. They have the funds, facilities and know-how to produce excellent videos, worksheets, charts and so on. Big companies have Public Relations Departments to keep up the company image, and distributing such materials free to schools can be part of their image-building strategy.

Big chemical and pharmaceutical companies produce excellent materials on various aspects of science. Power companies produce teaching-kits on energy, the environment and the Earth's resources. The food giants and the mighty fast-food chains can help when it comes to nutrition, recipes and food science. Banks can tell you about how the financial system works. All this is useful, well-presented information. One has to ask, however, if there is a hidden agenda, a less public motive than just helping schools and maintaining a good image. Companies exist for only one purpose - and it is their manager's legal duty to share-holders to pursue it - profit. They must believe that these educational materials benefit them in concrete ways. Maybe it will be in sales later on. Maybe under a cover of objectivity, it enables industry to persuade us not to ask awkward questions: why are medical costs so high? How much harm do car exhaust fumes do to our health? Are we consuming too much fat? Is anything being done about global warming? Do credit card companies overcharge borrowers? You could hardly expect much objectivity from companies on these questions.

## Student's File CW 3.4 (cont...)

### School Sponsorship

#### **D**

##### **Advertising and Education**

How much advertising should we allow into schools? Should we, for example, accept free gifts that carry logos and brand-names? In many countries such gifts are common. A soft-drink company may give everyone a plastic ruler. A sports shoe manufacturer targeting the teenage market may distribute thousands of useful plastic book covers, so the students can keep their exercise books neatly and be reminded frequently of the wonders of the company's lighter-than-air super-smart, and expensive runners. Teachers may not be such an exciting market, but still they consume a lot of red pens, so why not send them a box or two stamped with the name of clothing chain?

Classrooms need decorating, and there aren't many funds available for the purpose. Does it matter that the big useful calendar and bright attractive timetable, that everyone glances at at least ten times a day, has the name of a local computer company or book-shop on it?

Textbooks are quite a financial burden on students and their families. Most of them are updated and reprinted annually so it would be fairly easy to put a few colour page advertisements in - maybe just in the back. Who'd object if it meant a few dollars off the price of a book?

Do you agree or disagree with any of these examples? We allow commercialism to fill our homes, TV and radio pairing out advertisements, objects and clothes covered in logos lying all around, and mac advertisements jumping out at us from magazines and newspapers. So should we accept the same in schools? Or is there a difference?

## Student's File CW 3.4 (cont...)

### School Sponsorship

When your classmate is doing the presentation, make some helpful comments on the strengths and weaknesses of the presentation.

Consider:

- clarity of content
- grammar
- pronunciation
- volume
- eye-contact and expression
- intonation
- content
- interest

Put together the four presentations to make a list of all the ways companies try to have an impact on schools. Depending on the level of detail, you will probably find 9.

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_

## Student's File CW 3.4 (cont...)

### School Sponsorship

Now hold a discussion on the rights and wrongs of allowing advertising and commercialism in schools. Your discussion should last about 10 minutes.

Look at these questions AFTER your discussion and see if they can help you add any more points.

- Do the schools and students gain anything?
- Should schools be like the rest of society, or should they try to be different?
- Should schools prepare students for daily life, or they have a higher purpose?
- Can teachers minimise any ill-effects?
- Can the materials make students aware of consumerism, advertising techniques etc.?
- Do big business have unique resources for helping schools?
- Do schools seem to endorse and give their approval to products advertised in schools?
- How impressionable are young people?
- Should educational matters be strictly balanced and objective?
- Does commercialism damage young people?
- Would companies still help if there were many more safeguards and rules?
- Are schools active enough in making students aware of the problems of society?

## Student's File CW 3.5

You should now have enough material on this topic to do some writing.

### Here are three possible questions

1. Write a debate speech for or against the motion:

*Secondary schools should be encouraged to raise more funds commercially.*

2. You have seen a letter in the press arguing that HK schools should follow the example of many United States schools and develop mutually-profitable relations with the commercial world. Write a reply showing why you disagree with the proposal.
3. Some people believe that schools should establish a closer relationship with business. Discuss the arguments on either side, giving your own opinion.

### Notes.

If you choose (1), you need to argue strongly on one side. Use emphatic language, and call upon everyone to agree with you and support you.

Address them directly

- Plan:** State your position firmly.  
Develop exactly what you mean in a little more detail.  
Say you have 3(?) strong arguments. Give them one by one.  
Anticipate some main arguments of your opponents, and try to destroy them in advance.  
[My opponents may try to say....., but]  
Conclude by asking for support on this important matter.

If you choose (2), you need to be calmer, and use a slightly more rational tone.

- Plan:** Refer to the letter (invent a title and date).  
Summarise its main points.  
Conclude that there is some sense in the idea.  
Then point out that unfortunately there are a number of serious disadvantages and strong reasons not to allow commercialism to take over our schools.  
Say other solutions to funding must be found. Our children should occasionally be free of advertising pressure and turn their minds to better things.

**Student's File CW 3.5 (cont...)**

If you choose (3), you will be balanced until your final paragraph, when you will choose a side.

**Plan:** Picture a commercialised school/describe what commercialisation entails.

Ask whether this is good or bad.

Give arguments on one side.

Give arguments on the other side.

Conclude by taking one side of the argument.