

GET IT RIGHT THE FIRST TIME MISLEADING ADVERTISING

6 TIPS FOR CORRECT AD CONTENT AND PLACEMENT

Over half of the complaints to the ASA are about misleading advertising so it's an issue all advertisers should keep top of mind.

Following the advertising rules around truthful presentation ensures you give your customers clear information, help to prevent issues and support consumer trust in advertising.

Here are our **top tips** to communicate clearly with your customers:

1 BE UPFRONT WITH TERMS AND CONDITIONS

While it is common to have terms and conditions that qualify an offer – for example, a time or quantity limit – make sure this information or a link to it is clear in the advertisement.

2 QUALIFYING TEXT SHOULD BE OBVIOUS AND EASY TO READ

Disclaimers, asterisked, footnoted or small print information can be used to clarify a claim in an ad but not to hide important information or to contradict the claims they qualify.

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3 ENSURE YOUR PRICING IS CLEAR

If you include price information, make it clear what is included and what is not (on-road costs, etc).

4 TAKE CARE WITH EXAGGERATION; IT CAN BE OK

Any claims made about your product or service should be accurate and truthful. Obvious exaggerations that are unlikely to mislead are acceptable.

5 CAN YOU PROVE IT?

If you make a claim in an advertisement, you need to be able to support it with evidence, if challenged. If you can't prove it, you can't say it. The level of evidence needed depends on the type of product or service and the claim being made. For example, some health claims may require clinical trials.

6 IT IS THE REAL DEAL?

When you advertise the potential discounts available on your products or services, ensure they are the real deal and are genuine savings. Think about the overall impression that consumers might take away from your ad. Is this what you are actually offering?

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What are the rules around misleading advertising?

Rules to prevent misleading advertising are set out in the [Advertising Standards Code](#) under Principle 2: Truthful Presentation and cover things like accuracy, omission and the ability to substantiate claims. See also this [Guidance Note](#) about the type of evidence you need to respond to claims.

The rules apply to ads in all media. Some sectors have additional rules that you need to be aware of. For example, advertisers who make nutrient, nutrition or health claims about a food or beverage in an advertisement must adhere to the requirements of the Australia and New Zealand Food Standards Code, specifically [Food Standard 1.2.7](#).

Remember the spirit and intention of the Code

When interpreting the Codes, the ASA Complaints and Appeal Boards consider compliance with both the spirit and intention as well as the rules and principles of the Codes. When checking Code compliance, we think about what the consumer takes away from the advertisement rather than the intent of the advertiser.

Further help

We offer [industry training](#) on this topic, or you can contact the [AdHelp Information Service](#) for written information about the advertising rules and guidelines. For a more detailed look at the rules, head to the [Advertising Codes](#).