

# **About regulation**

As the UK's independent regulator for advertising across all media, our work includes acting on complaints and proactively checking the media to take action against misleading, harmful or offensive advertisements, sales promotions and direct marketing.

If we judge an ad to be in breach of the UK Advertising Codes, it must be withdrawn or amended and the advertiser must not use the approach again. In 2011 we considered 31,458 complaints about 22,397 cases and we actively checked thousands of ads. Our work led to 4,591 ads being changed or withdrawn.



# **Annual Report** archive

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For ASA news, including our weekly rulings, press releases, research and reports.





#### Make a complaint

Find out what types of ads we deal with and how to make a complaint.





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#### Our framework

The UK advertising regulatory system is a mixture of

- · self-regulation for non-broadcast advertising [read more] and
- co-regulation for broadcast advertising [read more].

Broadly this means that the system is paid for by the industry, which also writes the rules, but those rules are independently enforced by the ASA. For TV and radio advertising, we regulate under a contract from Ofcom.

The UK Advertising Codes are written by two industry committees: the Committee of Advertising Practice writes the UK Code of Non-broadcast Advertising, Sales Promotion and Direct Marketing and the Broadcast Committee of Advertising Practice (BCAP) writes the UK Code of Broadcast Advertising.

The system is a sign of a considerable commitment by the advertising industry to uphold standards in their profession. All parts of the advertising industry - advertisers, agencies and media - have come together to commit to being legal, decent, honest and truthful in their ads.

Find out more about how the Advertising Codes are written and who writes them: www.cap.org.uk.

Find out more about our funding.

## Regulating ads

As well as acting on complaints, we carry out many other regulatory activities to make sure advertising stavs within the rules. For example, the ASA actively checks ads in all media and regularly conducts surveys of advertisements published by sectors in there is either unsatisfactory compliance with the Codes or where there are societal concerns about that sector.

And together with CAP, we work to support the industry to help them get their ads right before they are published. For example by providing guidance, pre-publication advice and training for the industry.

#### What happens before an ad is published?

The Advertising Codes require that all claims must be substantiated before being published or aired.

#### Pre-clearance for TV and radio advertising

The vast majority of TV and radio ads are pre-cleared before they are broadcast.

Under their licences broadcasters must take reasonable steps to ensure that the ads they broadcast are compliant with the UK Code of Broadcast Advertising.

To help them do this, the broadcasters have established and funded two pre-clearance centres:

- Clearcast for television commercials
- The Radio Advertising Clearance Centre (RACC) for radio ads.

#### Non-broadcast advertising

There are many millions of non-broadcast ads published every year in the UK, so it would be impossible to pre-clear every one of them. For example there are more than 30 million press advertisements and 100 million pieces of direct marketing every year.

However, lots of advice and guidance is available through CAP Advice and Training. This includes free bespoke prepublication advice from Copy Advice and online resources that advertisers, agencies and media can use to check the latest positions on hundreds of different advertising issues.

You can also sign up for Insight, CAP's advice newsletter here.

#### Regulation after an advertisement has appeared

Even though many steps are taken to ensure ads are in line with the Codes before they are aired or published, consumers have the right to complain about ads they have seen, which they believe to be misleading, harmful or offensive.

The ASA can act on just one complaint. We don't play a numbers game: our concern is whether the Codes have been breached.

Find out more about our complaints process:

# Consumers

Industry

# **Sanctions**

Transparency

If we have judged an ad to be in breach of the Codes, then the ad must be withdrawn or amended. The vast majority of advertisers comply with the ASA's rulings and they act quickly to amend or withdraw an ad that breaks the Codes. We have a range of effective sanctions at our disposal to act against the few who do not and ensure they comply with the rules.

Find out more about our sanctions.

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