

INTERNATIONAL ADVERTISING LAW AND REGULATIONS QUESTIONNAIRE

This INTA Questionnaire on International Advertising Law and Regulations is an INTA cross-committee effort, led by the Advertising Subcommittee of the Commercialization of Brands Committee.

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IMPORTANT: This resource is for informational purposes only. It is intended for use only as a starting point regarding the basic advertising legal and regulatory framework in each country. This resource is not intended as, nor should it be relied upon as, substantive legal advice. It is not a substitute for obtaining legal advice from a qualified local practitioner in each jurisdiction. This resource is not intended to be comprehensive and cover all applicable laws and regulations relating to advertising and marketing. Other local, city, state, national, or multinational laws and regulations may apply. The questionnaires comprising this resource were completed and verified during the period of 2021-2023. Neither INTA nor the participating attorneys or firms warrant or guarantee the completeness or accuracy of this information.

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Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Argentina
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Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	<p>Choose an item.</p> <p>No. Although there is no general or specific law, provisions related to advertising are incorporated in different relevant laws:</p> <p>National Constitution (Section 42) – Decree No. 274/2019 on Fair Trade Practices and False Advertising (Section. 11, 15) – Civil and Commercial Code (Section. 1101) – Law No. 24,240 on Consumer Protection (Section. 8) - Criminal Code (Section. 159) - Law No. 26,522 on Audiovisual Communication Services (Section 81 and related) – Law No. 26.485 on Comprehensive Protection for Women - Decision 4980/2005 of the National Administration of Drugs, Food and Medical Technology – Food Code</p>
Website link to law, statute, or code	<p>National Constitution: http://servicios.infoleg.gob.ar/infolegInternet/anexos/0-4999/804/norma.htm</p> <p>Decree 274/2019: https://www.boletinoficial.gob.ar/detalleAviso/primera/205888/20190422</p> <p>Civil and Commercial Code: http://servicios.infoleg.gob.ar/infolegInternet/anexos/235000-239999/235975/norma.htm</p> <p>Law 24,240: http://servicio.s.infoleg.gob.ar/infolegInternet/anexos/0-4999/638/texact.htm</p> <p>Criminal Code: http://servicios.infoleg.gob.ar/infolegInternet/anexos/15000-19999/16546/texact.htm</p> <p>Law 26,522: http://servicios.infoleg.gob.ar/infolegInternet/anexos/155000-159999/158649/norma.htm</p> <p>Law No. 26,485:</p> <p>http://servicios.infoleg.gob.ar/infolegInternet/anexos/150000-154999/152155/norma.htm</p> <p>Decision 4980/2005 of the National Administration of Drugs, Food and Medical Technology:</p> <p>http://www.anmat.gov.ar/webanmat/Legislacion/NormasGenerales/Disposicion_ANMAT_4980-2005.pdf</p> <p>Food Code:</p> <p>https://www.argentina.gob.ar/anmat/codigoalimentario</p>

Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	Secretary of Internal Trade of the Ministry of Productive Development National Agency for Consumers Defense Courts
Website link to government agency or other authority	Secretary of Internal Trade: https://www.argentina.gob.ar/produccion/organigrama/comercio-interior National Agency for Consumers Defense https://www.argentina.gob.ar/produccion/defensadelconsumidor Courts: www.pjn.gob.ar
Does the agency/authority possess criminal enforcement powers?	<input type="text" value="Choose an item."/> Yes (Section 159 of the Criminal Code)
Does the agency/authority possess civil enforcement powers?	<input type="text" value="Choose an item."/> Yes
Are case decisions publicly available?	<input type="text" value="Choose an item."/> Yes
Website link to decisions	If Yes, insert website link to decisions here: http://jurisprudencia.pjn.gov.ar/documentos/jurisp/index.jsp

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	National Agency of Policies for the Development of the Internal Market -NPIM-. National Consumers Defense Agency -NADC-. Council of Advertising Regulation - CONARP (Private agency)
Website link to organization	NPIM: https://www.argentina.gob.ar/produccion/conflictos-entre-empresas NADC: https://www.argentina.gob.ar/produccion/defensadelconsumidor CONARP: http://www.conarp.org.ar/codigo.html
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	Choose an item. They do not possess criminal enforcement powers.
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	Choose an item. They do not possess civil enforcement powers. However, they possess power to impose administrative sanctions and fines. Government agencies have the power to refer matters to the Court.
Are case decisions publicly available?	Choose an item. Government agencies may order the publication of decisions in the Argentine Official Gazette and in the most relevant Argentine newspapers.
Website link to decisions	If Yes, insert website link to decisions here: Although the Argentine Official Gazette does not have a special section to access the decisions -given that they are published as they arise-, the website in which they are usually shown is: https://www.boletinoficial.gob.ar/

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	<p>Choose an item.</p> <p>No. Although there is no general or specific law, provisions for advertising to Children are incorporated in relevant laws. If Yes, please identify: Law No. 26,061 on Integral Protection of the Rights of Girls, Boys and Adolescents (Section 22) – Law No. 26,522 on Audiovisual Communication Services (Sections 68, 81).</p>
Website link to law, statute, regulations, or code	<p>Law 26,061: http://servicios.infoleg.gob.ar/infolegInternet/anexos/110000-114999/110778/norma.htm</p> <p>Law 26,522: http://servicios.infoleg.gob.ar/infolegInternet/anexos/155000-159999/158649/norma.htm</p>
Which Government agency or other authority enforces the law, statute, regulations, or code?	<p>The National Agency for Children, Adolescents and Family of The Ministry of Justice and Human Rights - NCAF-</p> <p>The Federal Council for Children, Adolescents and Family -CCAF-</p> <p>The Official Prosecutor of the Rights of Children and Adolescents -PRCA-.</p> <p>Courts</p>
Website link to government agency or other authority	<p>NCAF: https://www.argentina.gob.ar/derechoshumanos/proteccion/ninos-ninias-adolescentes www.pjn.gov.ar</p> <p>CCAF: https://www.argentina.gob.ar/desarrollosocial</p> <p>PRCA: N/A</p> <p>Courts: www.pjn.gob.ar</p>
Website link to decisions by agency or other authority	N/A
Is there a self-regulatory organization overseeing advertising to children?	<p>Choose an item.</p> <p>Yes</p>
Name of self-regulatory organization	Council for Advisory on Audiovisual Communication and Children - CONACAI
Website link to organization	http://www.consejoinfancia.gob.ar/institucional/
Website link to organization decisions	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Choose an item.) Yes	National Food Institute of the National Administration of Drugs, Foods and Medical Technology -NFI- National Institute of Viticulture -NIV- National Communications Entity -NCE-	Choose an item. NFI: https://www.argentina.gob.ar/anmat NIV: https://www.argentina.gob.ar/inv NCE: https://www.enacom.gob.ar/	Choose an item. NFI: https://www.argentina.gob.ar/normativa/nacional/ley-24788-1997-42480 http://www.anmat.gov.ar/boletin_anmat/principal.asp NIV: http://servicios.infoleg.gob.ar/infolegInterneto/anexos/60000-64999/60510/norma.htm https://www.argentina.gob.ar/jefatura/innovacion-publica/expedientes NCE: https://www.enacom.gob.ar/normativas
Beauty Care / Cosmetics and Fragrances	Yes	National Administration of Medicines, Food and Medical Technology	https://www.argentina.gob.ar/anmat	http://servicios.infoleg.gob.ar/infolegInterneto/anexos/105000-109999/109568/texact.htm http://www.anmat.gov.ar/boletin_anmat/principal.asp

Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	National Communications Entity	https://www.enacom.gob.ar/	http://servicios.infoleg.gob.ar/infolegInterneto/anexos/155000-159999/158649/norma.htm https://www.enacom.gob.ar/normativas
CBD and/or Marijuana	Choose an item No ¹		Choose an item. N/A	Choose an item. N/A
Dietary/Health Supplements and Vitamins	Yes	National Administration of Medicines, Food and Medical Technology	https://www.argentina.gob.ar/anmat	http://www.anmat.gov.ar/webanmat/Legislacion/NormasGenerales/Disposicion_ANMAT_4980-2005.pdf http://www.anmat.gov.ar/boletin_anmat/principal.asp
Environmental / Energy (including Oil & Gas)	Yes	Environmental: Ministry of Environment and Sustainable Development. Energy: Energy Division of the Ministry of Economy National Communications Entity	Environmental: https://www.argentina.gob.ar/ambiente Energy: https://www.argentina.gob.ar/economia/energia	Although the official agencies for these specific industries have not issued a particular regulation for advertising, there are several regulations in Argentina that are indirectly applicable. NCE: http://servicios.infoleg.gob.ar/infolegInterneto/anexos/155000-159999/158649/norma.htm CONARP: http://www.conarp.org.ar/codigo.html

¹ In Argentina, local regulations enable the medical and scientific research on the medicinal, therapeutic and / or palliative use of the cannabis plant and its derivatives. Likewise, the Government regulates and controls self-cultivation for these purposes. Considering this restrictive use, there are no regulations regarding the advertising on CBD and/or Marijuana.

Fashion, textile, luxury goods	Choose an item. No	N/A	Choose an item. N/A	Choose an item. N/A
Financial and insurance services	Choose an item. Yes	Financial services: Central Bank of the Argentine Republic - CBAR- National Commission of Financial Assets - NCFA- Insurance services: National Superintendency of Insurance -NSI-	CBAR: https://www.bcra.gob.ar NCFA: https://www.argentina.gob.ar/cnv NSI: https://www.argentina.gob.ar/superintendencia-de-seguros	CBAR: https://www.bcra.gob.ar/Pdfs/Texord/t-pusf.pdf NCFA: https://www.cnv.gov.ar/sitioWeb/Content/assets/files/TOC2013.pdf NSI: http://servicios.infoleg.gob.ar/infolegInterneta/anexos/20000-24999/20965/texact.htm
Food and Agriculture	Choose an item. Yes	National Food Institute of the National Administration of Drugs, Foods and Medical Technology. Ministry of Agriculture, Cattle Raising and Fishing –MACF-	Choose an item. https://www.argentina.gob.ar/anmat MACF: https://www.argentina.gob.ar/agricultura	Choose an item. http://www.anmat.gov.ar/webanmat/Legislacion/NormasGenerales/Disposicion_ANMAT_4980-2005.pdf https://www.argentina.gob.ar/anmat/codigoalimentario http://www.anmat.gov.ar/boletin_anmat/principal.asp

Gambling and Gaming 3	Yes	Secretary of Internal Trade of the Ministry of Productive Development ²	https://www.argentina.gob.ar/produccion	https://www.boletinoficial.gob.ar/detalleAviso/primera/205888/20190422
Healthcare/Medical (services)	Yes	Medical associations ³	Among other jurisdictions: Province of Buenos Aires: https://colmed1.org.ar/ Province of Córdoba: https://cmpec.org.ar/	Among other jurisdictions: Province of Buenos Aires: http://www.colmed5.org.ar/old/anunciospublicidad/anunciospublicidad.htm Province of Córdoba: https://cmpec.org.ar/wp-content/uploads/2019/12/Reglamento-de-Publicidad-y-Anuncios-Medicos.pdf
Legal	Choose an item. Yes	Bar associations ⁴	Choose an item. Among other jurisdictions: - City of Buenos Aires https://www.cpacf.org.ar/index.php - City of Córdoba https://www.abogado.org.ar/	Choose an item. Among others jurisdictions: - City of Buenos Aires https://www.cpacf.org.ar/inst_td_b_publicidad.php -City of Córdoba https://www.abogado.org.ar/images_db/noticias_archivos/3115-%20Ley%20de%20Colegiaci%C3%B3n%20Obligatoria%20-%20Estatutos.pdf
Medical Devices/Equipment	Yes	National Administration of Medicines, Food and Medical Technology	https://www.argentina.gob.ar/anmat	http://www.anmat.gov.ar/webanmat/Legislacion/NormasGenerales/Disposicion_ANMAT_4980-2005.pdf
Pharmaceuticals	Yes	National Administration of Medicines, Food and Medical Technology	https://www.argentina.gob.ar/anmat	http://www.anmat.gov.ar/webanmat/Legislacion/NormasGenerales/Disposicion_ANMAT_4980-2005.pdf

² Also, gambling and gaming matters are regulated by regulations of each province

³ Advertising for healthcare/medical services in Argentina is regulated by particular provisions issued by jurisdictional medical associations such as those from the city of Buenos Aires and Córdoba.

⁴ Advertising for legal services in Argentina is regulated by particular provisions issued by jurisdictional bar associations such as those from the city of Buenos Aires and Córdoba.

Tobacco	Yes	Ministry of Health - MH-	MH: https://www.argentina.gob.ar/salud	http://servicios.infoleg.gob.ar/infolegInternet/anexos/180000-184999/183207/norma.htm
		National Communications Entity -NCE-	NCE: https://www.enacom.gob.ar/	NCE: http://servicios.infoleg.gob.ar/infolegInternet/anexos/155000-159999/158649/norma.htm
Private right of action for false advertising				
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)		Choose an item. If Yes, please identify: Decree No. 274/2019 on Fair Trade Practices and False Advertising. Law No. 24,240 on Consumer Protection		
Website link to law, statute, or code		https://www.boletinoficial.gob.ar/detalleAviso/primera/205888/20190422 http://servicios.infoleg.gob.ar/infolegInternet/anexos/0-4999/638/texact.htm		
Other resources		Association or Organization	Website Link	
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country		Council of Advertising Regulation	http://www.conarp.org.ar/	
		Argentine Association of Advertising	http://www.aapublicidad.org.ar/	
		National Advertising Council	http://www.consejopublicitario.org/	
		Argentine Chamber of Advertisers	https://www.linkedin.com/company/c-mara-argentina-de-anunciantes-caa-/?originalSubdomain=ar	

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Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Republic of Armenia
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Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	Yes If Yes, please identify: RA LAW ON ADVERTISING
Website link to law, statute, or code	https://www.arlis.am/DocumentView.aspx?DocID=168265 https://www.translation-centre.am/pdf/Translat/HH_orenk/1996/HO-55_30041996_10122020_en.pdf

Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	<p>According to Article 24 of the RA Law On Advertising</p> <ol style="list-style-type: none"> 1. The authorised public administration body of the Republic of Armenia carrying out supervision over compliance with the legislation on advertising shall be established as prescribed by the Government of the Republic of Armenia. 2. The National Commission on Television and Radio of the Republic of Armenia shall be the authorised public administration body of the Republic of Armenia carrying out supervision over compliance with the legislation on advertising in the field of television and radio. <p>According to the Government decision No. 917 of October 1, 2001:</p> <ol style="list-style-type: none"> 3. the authority of the authorized body of the state administration of the Republic of Armenia carrying out supervision over compliance with the legislation on advertising in terms of external advertising is assigned to: <ol style="list-style-type: none"> a) the Mayor of Yerevan - in the city of Yerevan. b) the governors - in the regions of the Republic of Armenia. 4. The authority of the state administration body of the Republic of Armenia carrying out supervision over compliance with the legislation on the interstate and national highways of the Republic of Armenia is assigned to the Ministry of Territorial Administration and Infrastructure of the Republic of Armenia. 5. the authority of the authorized body of the state administration of the Republic of Armenia carrying out supervision over compliance with the legislation on advertising with regard to social advertising is assigned to the Ministry of Education, Science, Culture and Sports of the Republic of Armenia.

Government Regulatory Agency or Similar Authority	<p>6. The competences of the authorized body of the state administration of the Republic of Armenia carrying out supervision over compliance with the legislation on advertising for infant and early-age children's milk-mixtures, any food that is not infant's milk-mixtures for babies up to 6 months old and related products, drugs, medical equipment and therapeutic methods, medical assistance and service, pharmacy activities, is assigned to the health and labor inspection body of the Republic of Armenia with regard to advertising of drug production, donation of human organs and tissues, blood or its components, and transfusion medical aid.</p> <p>7. The authority of the authorized body of the state administration of the Republic of Armenia carrying out supervision over compliance with the legislation on advertising, in terms of the implementation of advertising of Internet lottery and Internet winning games, is assigned to the State Revenue Committee of the Republic of Armenia.</p>
Website link to government agency or other authority	<ol style="list-style-type: none"> 1. https://www.gov.am/am/ 2. http://tvradio.am/ 3. https://www.yerevan.am/am/ https://www.gov.am/am/regions/ 4. https://mtad.am/ 5. https://escs.am/am 6. https://www.hlib.am/ 7. https://www.petekamutner.am/
Does the agency/authority possess criminal enforcement powers?	<p>Yes</p> <p>A criminal proceeding can be initiated by the Police, Investigation agencies, Prosecutor office. Other agencies can provide information based on which the mentioned authorities can initiate criminal proceedings.</p>
Does the agency/authority possess civil enforcement powers?	<p>Yes</p> <p>Moreover, in the case of offences related to advertising, the administrative responsibility is of great importance, which is fully regulated by the RA Code of Administrative Offences.</p> <p>https://www.arlis.am/DocumentView.aspx?DocID=167042</p>
Are case decisions publicly available?	<p>Yes</p>
Website link to decisions	<p>If Yes, insert website link to decisions here:</p> <p>http://www.datalex.am/?app=AppCaseSearch&case_id=13229323905401613</p> <p>http://www.datalex.am/?app=AppCaseSearch&case_id=38562071809972818</p> <p>There may be other cases that you can find on the official website: http://www.datalex.am/</p>

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	<ol style="list-style-type: none"> 1. Central bank of Armenia 2. The National Commission of Television and Radio of the Republic of Armenia.
Website link to organization	<ol style="list-style-type: none"> 1. https://www.cba.am/en/sitepages/default.aspx 2. http://tvradio.am/
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	<p>Yes</p> <p>A criminal proceeding can be initiated by the Police, Investigation agencies, Prosecutor office. Other agencies can provide information based on which the mentioned authorities can initiate criminal proceedings.</p>
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	Yes
Are case decisions publicly available?	Yes
Website link to decisions	<p>If Yes, insert website link to decisions here: As a result of the search, it has not been found at the moment, but it is not excluded. You can find on the official website: http://www.datalex.am/</p>

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	<p>Yes</p> <p>If Yes, please identify: Article 14 of the Law of RA “On Advertising” establishes norms for protection of minors during the production, placement and distribution of advertising.</p>
Website link to law, statute, regulations, or code	https://www.arlis.am/DocumentView.aspx?DocID=168265
Which Government agency or other authority enforces the law, statute, regulations, or code?	This point is regulated by people authorised by the Government's decision.
Website link to government agency or other authority	-
Website link to decisions by agency or other authority	-
Is there a self-regulatory organization overseeing advertising to children?	No

Advertising to Children	
Name of self-regulatory organization	-
Website link to organization	-
Website link to organization decisions	-

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	Health and labor inspection body of the republic of Armenia / The National Commission of Television and Radio of the Republic of Armenia.	See below https://www.hlib.am http://tvradio.am/	Same as above https://www.arlis.am/DocumentView.aspx?DocID=168265 Part 1 of Article 15 of the RA Law on Advertising Part 8 of Article 57 of the RA Law on Television media
Beauty Care / Cosmetics and Fragrances	No		N/A	N/A
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	The National Commission of Television and Radio of the Republic of Armenia.	See below http://tvradio.am/	See below https://www.arlis.am/DocumentView.aspx?DocID=168265 Part 2 of Article 24
CBD and/or Marijuana	Yes	Specialists authorized by the Government	Same as above	See below https://www.arlis.am/DocumentView.aspx?DocID=165138 RA Criminal Code Article 393

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Dietary/Health Supplements and Vitamins	Yes	Health and labor inspection body of the republic of Armenia	See below https://www.hlib.am	See below https://www.arlis.am/documentview.aspx?docid=156231 Point 1.3
Environmental / Energy (including Oil & Gas) Fashion, textile, luxury goods	No		N/A	N/A
	No		N/A	N/A
Financial and insurance services	Yes	Central bank of Armenia	See below https://www.cba.am/en/sitepages/default.aspx	See below https://www.arlis.am/documentview.aspx?docid=133371
Food and Agriculture	Yes	Health and labor inspection body of the republic of Armenia	See below https://www.hlib.am	See below RA LAW ON FOOD SAFETY https://www.arlis.am/documentview.aspx?docid=121915 Article 14
Gambling and Gaming	Yes	State Revenue Committee of the RA	See below https://petekamutner.am/Default.aspx	See below https://www.arlis.am/documentview.aspx?docid=156231 Point 1.4
Healthcare/Medical (services)	Yes	Health and labor inspection body of the republic of Armenia	See below https://www.hlib.am	See below https://www.arlis.am/documentview.aspx?docid=156231 Point 1.3

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Legal	No		N/A	N/A
Medical Devices/Equipment	Yes	Health and labor inspection body of the republic of Armenia	See below https://www.hlib.am	See below https://www.arlis.am/documentview.aspx?docid=156231 Point 1.3
Pharmaceuticals	Yes	Health and labor inspection body of the republic of Armenia	See below https://www.hlib.am	See below https://www.arlis.am/documentview.aspx?docid=156231 Point 1.3
Tobacco	Yes	Health and labor inspection body of the republic of Armenia	See below https://www.hlib.am	See below https://www.arlis.am/DocumentView.aspx?DocID=168265 Part 2 of Article 15 of the RA Law " On Advertising and https://www.arlis.am/DocumentView.aspx?docID=139759
Private right of action for false advertising				
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	Yes If Yes, please identify: Articles 21, 22, 23 of the Law RA "On Advertising" make it possible to sue for false or misleading advertising. Article 270 of the Criminal Code establishes the regulation of deliberate false advertising.			
Website link to law, statute, or code	https://www.arlis.am/DocumentView.aspx?DocID=168265 https://www.arlis.am/DocumentView.aspx?DocID=165138			

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country		

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Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Australia
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Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	Yes If Yes, please identify: <i>Competition and Consumer Act 2010</i> (Cth) incorporating the Australian Consumer Law
Website link to law, statute, or code	www.legislation.gov.au/Details/C2020C00352

Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	Australian Competition and Consumer Commission (ACCC)
Website link to government agency or other authority	www.accc.gov.au
Does the agency/authority possess criminal enforcement powers?	Yes
Does the agency/authority possess civil enforcement powers?	Yes
Are case decisions publicly available?	Yes
Website link to decisions	If Yes, insert website link to decisions here: The availability of case decisions involving the ACCC will depend upon the action taken. For example: (a) Federal Court of Australia (see www.fedcourt.gov.au/digital-law-library/judgments) (b) www.accc.gov.au/public-registers (c) www.accc.gov.au/media/media-releases

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	Ad Standards implements the Australian Association of National Advertisers (AANA) Code of Ethics (www.aana.com.au) Ad Standards manages the complaint resolution process of the advertising self-regulation system for AANA.
Website link to organization	www.adstandards.com.au

Self-Regulatory Organizations	
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	Yes Ad Standards can refer matters to the ACCC or other government agency
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	Yes Ad Standards can refer matters to the ACCC or other government agency
Are case decisions publicly available?	Yes
Website link to decisions	If Yes, insert website link to decisions here: See: (a) www.adstandards.com.au/cases (b) www.adstandards.com.au/codes-and-cases/industry-jury-case-reports (c) www.adstandards.com.au/codes-and-cases/determination-summaries

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	Yes If Yes, please identify: See: <ul style="list-style-type: none"> • <i>Competition and Consumer Act 2010</i> (Cth) incorporating the Australian Consumer Law • AANA Code for Advertising and Marketing Communications to Children • Responsible Children's Marketing Initiative (RCMI; regulated by AANA) • Quick Service Restaurant Initiative for Responsible Advertising and Marketing to Children (QSRI; regulated by AANA) • *From 1 November 2021, the AANA Food and Beverages Advertising Code (Advertising for Food or Beverages Products; Advertising to Children) will apply • Food Standards Australia and New Zealand Code (FSANZ Code) • Australian Communications and Media Authority (ACMA) - see <i>Children's Television Standards 2009</i> (Cth) • Fair Trading/Consumer Affairs departments within each relevant State or Territory • Standards Australia including labelling requirements for products for children
Website link to law, statute, regulations, or code	www.legislation.gov.au/Details/C2020C00352

Advertising to Children	
	<p>www.aana.com.au/content/uploads/2014/05/AANA-Code-For-Marketing-Advertising-Communications-To-Children.pdf</p> <p>www.aana.com.au/wp-content/uploads/2020/06/Responsible-Childrens-Marketing-Initiative-March-2018.pdf</p> <p>www.aana.com.au/wp-content/uploads/2020/06/QSR-Initiative-for-Responsible-Advertising-and-Marketing-to-Children-March-2018.pdf</p> <p>www.aana.com.au/self-regulation/codes-guidelines/food-and-beverages-code/</p> <p>www.foodstandards.gov.au/Pages/default.aspx</p> <p>www.acma.gov.au/ads-during-childrens-tv</p> <p>www.business.gov.au/products-and-services/fair-trading/fair-trading-laws (for State and Territory department websites)</p> <p>www.standards.org.au/</p>
Which Government agency or other authority enforces the law, statute, regulations, or code?	<ul style="list-style-type: none"> • ACCC • Ad Standards (for AANA) • Various Federal, State or Territory agencies
Website link to government agency or other authority	<p>For ACCC and Ad Standards, see above</p> <p>For State and Territory agencies, see www.business.gov.au/products-and-services/fair-trading/fair-trading-laws</p>
Website link to decisions by agency or other authority	For ACCC and Ad Standards, see above
Is there a self-regulatory organization overseeing advertising to children?	Yes
Name of self-regulatory organization	AANA as implemented by Ad Standards
Website link to organization	<p>www.aana.com.au</p> <p>www.adstandards.com.au</p>
Website link to organization decisions	https://adstandards.com.au/issues/childrens-code-determination-summary

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry? **	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	Alcohol Beverages Advertising Code (ABAC) Ad Standards Australian Communications and Media Authority (ACMA) FSANZ	See below www.abac.org.au/ www.adstandards.com.au/issues/alcohol-advertising www.acma.gov.au/ads-alcohol-tobacco-or-therapeutic-goods www.foodstandards.gov.au/Pages/default.aspx	See below www.abac.org.au/adjudication/ www.adstandards.com.au/cases www.acma.gov.au/investigations-and-compliance N/A
Beauty Care / Cosmetics and Fragrances	Yes	Therapeutic Goods Administration (TGA)	See below www.tga.gov.au/	See below https://www.tga.gov.au/regulatory-decisions-notice
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	Australian Communications and Media Authority (ACMA)	See below www.acma.gov.au/	See below www.acma.gov.au/investigations-and-compliance
CBD and/or Marijuana	Yes	TGA	Same as above	See below www.tga.gov.au/medicinal-cannabis-news-and-updates

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry? **	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		FSANZ (Hemp)	www.foodstandards.gov.au/Pages/default.aspx	N/A
Dietary/Health Supplements and Vitamins	Yes	TGA	Same as above	See below www.tga.gov.au/regulatory-decisions-notice
Environmental / Energy (including Oil & Gas)	Yes	Australian Energy Regulator (AER)	See below www.aer.gov.au	See below www.aer.gov.au/publications/enforcement-matters
Fashion, textile, luxury goods	Yes	ACCC	Same as above	Same as above
Financial and insurance services	Yes	Australian Securities and Investments Commission (ASIC)	See below www.asic.gov.au/	See below www.asic.gov.au/about-asic/asic-investigations-and-enforcement/asic-enforcement-outcomes
Food and Agriculture	Yes	Ad Standards	See below Same as above	See below Same as above

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry? **	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		Food Standards Australia New Zealand (FSANZ)	www.foodstandards.gov.au/Pages/default.aspx	https://www.foodstandards.gov.au/consumer/labelling/nutrition/pages/reviewsforhighlevelc3090.aspx
Gambling and Gaming	Yes	Various Federal, State and Territory legislation and regulations are applicable to gambling advertising as well as voluntary codes (see www.adstandards.com.au/issues/gambling-advertising)	See below www.adstandards.com.au/issues/gambling-advertising	N/A
Healthcare/Medical (services)	Yes	Australian Health Practitioner Regulation Agency (AHPRA)	See below www.ahpra.gov.au	See below www.ahpra.gov.au/Publications/Advertising-hub/Advertising-complaints/Unlawful-advertising.aspx
Legal	Yes	Advertising by the legal profession is regulated by each State and Territory through its respective legislation regulating the legal profession in that State or Territory.	See below See, for example, www.lawcouncil.asn.au www.lawcouncil.asn.au/policy-agenda/regulation-of-the-profession-and-ethics/australian-solicitors-conduct-rules www.liv.asn.au/getattachment/Professional-Practice/Ethics/Ethics-	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry? **	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
			Guidelines/20161117_GDL_ETH_Advertising_CouncilApproved_Final-(1).pdf.aspx	
Medical Devices/Equipment	Yes	TGA	Same as above	Same as above
Pharmaceuticals	Yes	TGA Medicines Australia	See below www.tga.gov.au/ www.medicinesaustralia.com.au	See below www.tga.gov.au/regulatory-decisions-notice www.medicinesaustralia.com.au/code-of-conduct/code-of-conduct-reports
Tobacco	Yes	Commonwealth Department of Health Ad Standards	See below www.health.gov.au/health-topics/smoking-and-tobacco-control/tobacco-advertising-bans	See below N/A www.adstandards.com.au/issues/health-and-safety-determination-summary **See also the key decision of the Australian High Court in 2012 regarding advertising of tobacco products and plain packaging: http://www7.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/HCA/2012/43.html

** Note that the listed agencies are the key agencies/organisations only, and that the laws and rules regulated by other agencies/organisations may apply.

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	<p>Yes</p> <p>If Yes, please identify:</p> <p><i>Competition and Consumer Act 2010</i> (Cth) incorporating the Australian Consumer Law.</p> <p>See also the Fair Trading/Consumer Affairs departments within each relevant State or Territory</p>
Website link to law, statute, or code	www.legislation.gov.au/Details/C2020C00352

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country	Advertising Council Australia	<p>The Advertising Council Australia is the peak body for Australia's leading agencies in the advertising industry.</p> <p>www.advertisingcouncil.org.au/</p> <p>www.advertisingcouncil.org.au/resources/codes-regulations</p>
	Federal Chamber of Automotive Industries	www.fcai.com.au/
	The Pharmacy Guild of Australia	www.guild.org.au
	Australian Electoral Commission	www.aec.gov.au/
	Commonwealth Department of Health (Infant Formula)	www1.health.gov.au/internet/main/publishing.nsf/Content/health-pubhlth-strateg-foodpolicy-apmaif.htm

Although every effort has been made to verify the accuracy of this resource, readers are urged to check independently on matters of specific concern or interest. The resource is not intended to replace legal advice.

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Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Austria
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Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	There is no general advertising law, statute, or code in Austria. However, most of the advertising law issues are dealt in the Austrian Act against Unfair Competition (" <i>Bundesgesetz gegen den Unlauteren Wettbewerb, UWG</i> "), which was amended in 2007 implementing the Unfair Commercial Practices Directive (2005/29/EG). The Modernisation Directive ("New Deal for Consumers") is due for implementation until 28 November 2021.
Website link to law, statute, or code	https://www.ris.bka.gv.at/Dokument.wxe?ResultFunctionToken=27308615-6a9e-4d4e-bd35-9fef2f9bdca6&Abfrage=Erv&Titel=&Quelle=&ImRisSeitVonDatum=&ImRisSeitBisDatum=&ImRisSeit=Undefined&ResultPageSize=100&Suchworte=uwg&Dokumentnummer=ERV_1984_448

Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	In Austria there is no government agency or other authority overseeing advertising regulations.
Website link to government agency or other authority	-
Does the agency/authority possess criminal enforcement powers?	-
Does the agency/authority possess civil enforcement powers?	-
Are case decisions publicly available?	-
Website link to decisions	-

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	<i>Österreichischer Werberat</i>
Website link to organization	https://www.werberat.at/default.aspx
Does organization possess criminal enforcement powers, or the power to refer	No

Self-Regulatory Organizations	
matters to a government regulatory agency that has criminal enforcement powers?	
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Are case decisions publicly available?	Yes
Website link to decisions	https://www.werberat.at/verfahrenliste.aspx

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	<p>Austria has no specific advertising law, statute, regulations, or code regulating advertising to children. Following the Unfair Commercial Practices Directive Austria has implemented the corresponding “per se” prohibition in the “black list” (appendix) of the UWG. No. 28 of the “black-list” states that the inclusion in advertising of a direct solicitation to children to purchase the advertised products or to persuade their parents or other adults to purchase the advertised products for them is as an aggressive commercial practice.</p> <p>Children within the meaning of No. 28 are minors which have completed the age of 14.</p> <p>In Austrian advertising practice, the main questions relating to this provision are whether in individual cases there is a direct purchase solicitation or only an indirect purchase solicitation.</p> <p>With regard to advertising in TV, there are special regulations following the implementation of article 9 para 1 lit g of the Audiovisual Media Services Directive (AVMSD) in § 13 para 6 ORF-Act and § 36 AMD-Act. The main differences are that in addition to the direct inducement to purchase, there must also be an exploitation of the inexperience and gullibility of the minor.</p>
Website link to law, statute, regulations, or code	<p>https://www.ris.bka.gv.at/Dokument.wxe?ResultFunctionToken=27308615-6a9e-4d4e-bd35-9fef2f9bdca6&Abfrage=Erv&Titel=&Quelle=&ImRisSeitVonDatum=&ImRisSeitBisDatum=&ImRisSeit=Undefined&ResultPageSize=100&Suchworte=uwg&Dokumentnummer=ERV_1984_448</p> <p>https://www.ris.bka.gv.at/Dokumente/Erv/ERV_1984_379/ERV_1984_379.pdf</p> <p>https://www.ris.bka.gv.at/Dokumente/Erv/ERV_2001_1_84/ERV_2001_1_84.pdf</p>
Which Government agency or other authority enforces the law, statute, regulations, or code?	There is no government agency or other authority enforcing the law, statute, regulations, or code re the law to advertising to children. However, in most cases the Austrian Protection Association Against Unfair Competition

Advertising to Children	
	(https://www.schutzverband.at/) the Association for Consumer Information (https://vki.at/) and/or the Austrian Bundesarbeiterkammer https://www.arbeiterkammer.at are regularly enforcing cases of advertising to children.
Website link to government agency or other authority	-
Website link to decisions by agency or other authority	-
Is there a self-regulatory organization overseeing advertising to children?	Yes
Name of self-regulatory organization	Österreichischer Werberat
Website link to organization	https://www.werberat.at/default.aspx
Website link to organization decisions	https://www.werberat.at/verfahrenliste.aspx

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	No		Choose an item.	Choose an item.
Beauty Care / Cosmetics and Fragrances	No		Choose an item.	Choose an item.
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	No		Choose an item.	Choose an item.
CBD and/or Marijuana	No		Choose an item.	Choose an item.

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Dietary/Health Supplements and Vitamins	No		Choose an item.	Choose an item.
Environmental / Energy (including Oil & Gas)	No		Choose an item.	Choose an item.
Fashion, textile, luxury goods	No		Choose an item.	Choose an item.
Financial and insurance services	No		Choose an item.	Choose an item.
Food and Agriculture	No		Choose an item.	Choose an item.
Gambling and Gaming	No		Choose an item.	Choose an item.
Healthcare/Medical (services)	No		Choose an item.	Choose an item.
Legal	Yes	Austrian Bar Association OERAK	Choose an item. Österreichischer Rechtsanwaltskammertag - rechtsanwaelte.at	Choose an item.
Medical Devices/Equipment	Yes	Austromed Interessensvertretung der Medizinprodukteunternehmen	Choose an item. Kodex und Statuten der AUSTROMED - Erklärvideo	Choose an item.
Pharmaceuticals	Yes	Pharmig	Choose an item.	Choose an item.

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
			PHARMIG - Verband der pharmazeutischen Industrie Österreichs	Pharmig Verhaltenscodex PHARMIG
Tobacco	No		<input type="text" value="Choose an item."/>	<input type="text" value="Choose an item."/>

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	<p>In Austria, there is no private right of action to enforce false advertising. However, companies may enforce false advertising if the action is brought against a competitor under the Austrian UWG.</p> <p>Under the Austrian UWG lawsuits can be combined with applications for preliminary injunctions and, unlike in Germany, there is however no urgency requirement in Austria as long as claims under the UWG are brought within the limitation period of 6 months after the occurrence of the unfair advertising. Although there is no statutory urgency requirement, competitors are well advised not to wait until the end of the 6-months statute of limitation period for claims under the Austrian UWG.</p>
Website link to law, statute, or code	

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country	<i>Protection Association against Unfair Competition</i>	https://www.schutzverband.at/

Other resources	Association or Organization	Website Link

Contributor's name and law firm: [Dr. Martin Prohaska-Marchried](#) Taylor Wessing Austria

Verifier's name and law firm: [Ing. Mag. Rainer Schultes](#) GEISTWERT

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Bolivia
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Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	No If Yes, please identify: Bolivia does not have an advertising law, but it does have scattered regulations, such as: law for the defense of user’s and consumer’s rights; law for the promotion of healthy eating; law for control of the sale and consumption of alcoholic beverages; and law for the prevention and control of the consumption of tobacco products.
Website link to law, statute, or code	

Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	Vice Ministry of Defense of User and Consumer Rights of the Ministry of Justice.
Website link to government agency or other authority	www.justicia.gob.bo
Does the agency/authority possess criminal enforcement powers?	No
Does the agency/authority possess civil enforcement powers?	No
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here:

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	Bolivia does not have a self-regulatory organization overseeing general advertising disputes.
Website link to organization	
Does organization possess criminal enforcement powers, or the power to refer	No

Self-Regulatory Organizations	
matters to a government regulatory agency that has criminal enforcement powers?	
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here:

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	Yes If Yes, please identify: Bolivia does not have a specific law that regulates advertisement aimed for minors, but there are scattered rules, such as: law for the promotion of healthy eating (which is not valid at this time because its validity depends on the promulgation of a regulatory decree, which never happened) and law to control the sale and consumption of alcoholic beverages.
Website link to law, statute, regulations, or code	
Which Government agency or other authority enforces the law, statute, regulations, or code?	
Website link to government agency or other authority	
Website link to decisions by agency or other authority	
Is there a self-regulatory organization overseeing advertising to children?	No
Name of self-regulatory organization	
Website link to organization	

Advertising to Children	
Website link to organization decisions	

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	No		Choose an item.	Choose an item.
Beauty Care / Cosmetics and Fragrances	Yes	Ministry of Health / AGEMED	Choose an item.	Choose an item.
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Choose an item.		Choose an item.	Choose an item.
CBD and/or Marijuana	No		Choose an item. www.minsalud.gob.bo	Choose an item.
Dietary/Health Supplements and Vitamins	Yes	Ministry of Health / AGEMED	Choose an item.	Choose an item.
Environmental / Energy (including Oil & Gas)	No		Choose an item.	Choose an item.
Fashion, textile, luxury goods	No		Choose an item.	Choose an item.
Financial and insurance services	No		Choose an item.	Choose an item.

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Food and Agriculture	Yes	Ministry of Health /SENASAG	See below	Choose an item.
Gambling and Gaming	Yes	The Gambling Control Authority (AJ)	Choose an item.	Choose an item.
Healthcare/Medical (services)	Yes	Vice Ministry of Consumer Defense I think it is AGEMED (Ministry of Health)	Choose an item. www.justicia.gob.bo www.agemed.gob.bo	Choose an item.
Legal	No		Choose an item.	Choose an item.
Medical Devices/Equipment	Yes	Ministry of Health / AGEMED	Choose an item. www.agemed.gob.bo	Choose an item.
Pharmaceuticals	Yes	Vice Ministry of Consumer Defense/ AGEMED	See below	Choose an item.
Tobacco	Yes	Ministry of Health / AGEMED	Choose an item. www.minsalud.gob.bo	Choose an item.

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against	Yes If Yes, please identify:

Private right of action for false advertising	
others for false or misleading advertising (e.g., competitor lawsuits)	Bolivia does not have a specific law or code to regulate false or misleading advertisements, nevertheless, their Commercial Code does include some regulations in reference to unfair competition that include advertisement issues.
Website link to law, statute, or code	

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country		

Contributor's name and law firm: MARCOS MERCADO, Marxet legal

Verifier's name and law firm: PERLA KOZINER, Bufete Aguirre, Quintanilla, Soria & Nishizawa (BAQSN)

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Brazil
Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	<p>Yes</p> <p>If Yes, please identify:</p> <p>(i) Consumer Defense Code (Law n. 8078/90);</p> <p>(ii) Law No 9294/1996 (rules over the advertising of medicine, tobacco, pesticide, and alcoholic beverage);</p> <p>(iii) Law No 12546/2011 and Decree No 8262/2014 (both have banned cigarette advertising);</p> <p>(iv) Law No 4680/1965 (rules over the exercise of the profession of Advertiser and Propaganda Agent); and</p> <p>(v) Law No 9610/1998 (Brazilian Copyright Law)</p>
Website link to law, statute, or code	<p>http://www.planalto.gov.br/ccivil_03/leis/l8078compilado.htm</p> <p>http://www.procon.rj.gov.br/procon/assets/arquivos/arquivos/CDC_Novembro_2014_Inqles.pdf</p> <p>http://www.planalto.gov.br/ccivil_03/leis/l9294.htm</p> <p>http://www.planalto.gov.br/ccivil_03/ato2011-2014/2011/lei/l12546.htm</p> <p>http://www.planalto.gov.br/ccivil_03/ato2011-2014/2014/decreto/d8262.htm</p> <p>http://www.planalto.gov.br/ccivil_03/leis/l4680.htm</p> <p>http://www.planalto.gov.br/ccivil_03/leis/l9610.htm</p>
Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	<p>Advertising supervision in Brazil may be performed concurrently by federal, state, or local administrative bodies. As from a sanctioning standpoint, the National Consumer Secretariat (SENACON), is the federal body that coordinates the National Consumer Protection System without, however, hierarchical authority over state or local agencies, called PROCONs, which also have administrative sanctioning authority. In the civil sphere, the Federal and State Public Prosecutor's Office, the Public Defender's Office and the legally constituted and authorized consumer protection associations are also empowered to enforce the Consumer Defense Code, by filing public-interest civil actions.</p>

Government Regulatory Agency or Similar Authority	
Website link to government agency or other authority	https://www.defesadoconsumidor.gov.br/portal/a-senacon http://www.procon.rj.gov.br/ https://www.procon.sp.gov.br/ https://pge.rj.gov.br/ https://defensoria.rj.def.br/
Does the agency/authority possess criminal enforcement powers?	Yes
Does the agency/authority possess civil enforcement powers?	Yes
Are case decisions publicly available?	Yes
Website link to decisions	If Yes, insert website link to decisions here: http://www.procon.rj.gov.br/index.php/legislacao/listar/5/1

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	Brazilian Advertising Self-Regulation Council (CONAR)
Website link to organization	http://www.conar.org.br/
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Are case decisions publicly available?	Yes

Self-Regulatory Organizations	
Website link to decisions	<p>If Yes, insert website link to decisions here:</p> <p>http://www.conar.org.br/</p>

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	<p>Yes</p> <p>If Yes, please identify: Law No 11265/2006 and Decree No 9579/2018.</p>
Website link to law, statute, regulations, or code	<p>https://www2.camara.leg.br/legin/fed/lei/2006/lei-11265-3-janeiro-2006-540144-normaatualizada-pl.html</p> <p>http://www.planalto.gov.br/ccivil_03/_ato2015-2018/2018/decreto/D9579.htm</p>
Which Government agency or other authority enforces the law, statute, regulations, or code?	The supervision on advertising to children follows into the same detailed above for general overseeing advertising regulations.
Website link to government agency or other authority	N/A
Website link to decisions by agency or other authority	N/A
Is there a self-regulatory organization overseeing advertising to children?	No
Name of self-regulatory organization	N/A
Website link to organization	N/A
Website link to organization decisions	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	1. ANVISA 2. MAPA	See below https://www.gov.br/anvisa/pt-br https://www.gov.br/pt-br/orgaos/ministerio-da-agricultura-pecuaria-e-abastecimento	N/A
Beauty Care / Cosmetics and Fragrances	Yes	ANVISA	Same as above	N/A
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	ANATEL	See below https://www.gov.br/anatel/pt-br	N/A
CBD and/or Marijuana	No	ANVISA	Same as above	N/A
Dietary/Health Supplements and Vitamins	Yes	ANVISA	Same as above	N/A
Environmental / Energy (including Oil & Gas)	Yes	1. ANEEL 2. ANP	See below 1. https://www.gov.br/pt-br/orgaos/agencia-nacional-de-energia-eletrica 2. https://preco.anp.gov.br/	N/A
Fashion, textile, luxury goods	No	N/A	N/A	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Financial and insurance services	Yes	1. BACEN 2. SUSEP	See below 1. https://www.bcb.gov.br/ 2. http://novosite.susep.gov.br/	N/A
Food and Agriculture	Yes	1. ANVISA 2. MAPA	Same as above	N/A
Gambling and Gaming	Yes	Secretariat of Public Policies Assessment, Planning, Energy and Lottery (SECAP/ME)	See below https://www.gov.br/fazenda/pt-br/orgaos/secretaria-de-avaliacao-planejamento-energia-e-loteria/subsecretarias/premios_e_sorteios	N/A
Healthcare/Medical (services)	Yes	ANS	See below https://www.gov.br/ans/pt-br	N/A
Legal	Yes	OAB	See below https://www.oab.org.br/#modal-comunicado	N/A
Medical Devices/Equipment	Yes	ANVISA	Same as above	N/A
Pharmaceuticals	Yes	ANVISA MAPA (for animal health)	Same as above	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Tobacco	Yes	ANVISA	Same as above	N/A

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	Yes If Yes, please identify: The Consumer Defense Code (Law n. 8078/90) prohibits advertising of any type that misleads the consumer regarding the nature, characteristics, quality, quantity, properties, origin, price or any other aspect of a product or service. In general, the Brazilian Civil Code (Law n. 10.406/2002) establishes the obligation to indemnify whenever damages are caused by an unlawful act to someone (art. 927).
Website link to law, statute, or code	http://www.planalto.gov.br/ccivil_03/leis/l8078compilado.htm/ http://www.procon.rj.gov.br/procon/assets/arquivos/arquivos/CDC_Novembro_2014_Ingles.pdf http://www.planalto.gov.br/ccivil_03/leis/2002/l10406compilada.htm/ https://wipo.int/en/legislation/details/9615

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country	ALANA	https://alana.org.br/#intro
	ANA	https://www.gov.br/ana/pt-br
	ANTAQ	https://www.gov.br/antag/pt-br
	ANTT	https://www.gov.br/antt/pt-br
	ANCINE	https://www.gov.br/ancine/pt-br

Other resources	Association or Organization	Website Link

Contributor's name and law firm: Hannah Fernandes (Di Blasi, Parente & Associados)

Verifier's name and law firm: Roberta Arantes (Daniel Law)

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Brunei Darussalam
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Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	<p>Yes</p> <p>If Yes, please identify:</p> <p>Broadcasting Act (Cap. 180)</p> <p>Broadcasting (Code of Practice) Notification 1998</p> <p>Internet Code of Practice Notification</p> <p>Building Control (Advertisement, Billboard and Signboard) Regulations 2016</p>
Website link to law, statute, or code	<p>CHAPTER 180.pdf (agc.gov.bn)</p> <p>S044.pdf (agc.gov.bn)</p> <p>s012.pdf (agc.gov.bn)</p> <p>S032.pdf (agc.gov.bn)</p>

Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	<p>Prime Minister's Office</p> <p>Authority for Building Control and Construction Industry (ABCi) under the Ministry of Development</p> <p>Royal Brunei Police Force</p>
Website link to government agency or other authority	<p>Home - Prime Minister's Office (pmo.gov.bn)</p> <p>Home - ABCi</p> <p>Home - Pasukan Polis Diraja Brunei</p>

Government Regulatory Agency or Similar Authority	
Does the agency/authority possess criminal enforcement powers?	Yes
Does the agency/authority possess civil enforcement powers?	Yes
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here: N/A

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	N/A
Website link to organization	N/A
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	<input type="text" value="Choose an item."/> N/A
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	<input type="text" value="Choose an item."/> N/A
Are case decisions publicly available?	<input type="text" value="Choose an item."/> N/A
Website link to decisions	If Yes, insert website link to decisions here: N/A

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	No If Yes, please identify: N/A

Advertising to Children	
Website link to law, statute, regulations, or code	N/A
Which Government agency or other authority enforces the law, statute, regulations, or code?	N/A
Website link to government agency or other authority	N/A
Website link to decisions by agency or other authority	N/A
Is there a self-regulatory organization overseeing advertising to children?	No
Name of self-regulatory organization	N/A
Website link to organization	N/A
Website link to organization decisions	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	No	N/A	N/A	N/A
Beauty Care / Cosmetics and Fragrances	Yes	Ministry of Health	See below Ministry of Health (moh.gov.bn)	N/A
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	Prime Minister's Office	See below Home - Prime Minister's Office (pmo.gov.bn)	N/A
CBD and/or Marijuana	No	N/A	N/A	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Dietary/Health Supplements and Vitamins	Yes	Ministry of Health	Same as above	N/A
Environmental / Energy (including Oil & Gas)	No	N/A	N/A	N/A
Fashion, textile, luxury goods	No	N/A	N/A	N/A
Financial and insurance services	Yes	Brunei Darussalam Central Bank	See below Home - BDCB	N/A
Food and Agriculture	Yes	Ministry of Health	Same as above	N/A
Gambling and Gaming	No	N/A	N/A	N/A
A	Yes	Ministry of Health	Same as above	N/A
x	Yes	Law Society of Brunei Darussalam	See below Home The Law Society of Brunei Darussalam est. 2006 (bruneilawsociety.com)	N/A
Medical Devices/Equipment	Yes	Ministry of Health	Same as above	N/A
Pharmaceuticals	Yes	Ministry of Health	Same as above	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Tobacco	No	N/A	N/A	N/A

Private right of action for false advertising				
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	Yes			
Website link to law, statute, or code	If Yes, please identify: Contracts Act (Cap. 106) contract.fm (agc.gov.bn)			

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country	N/A	N/A

Contributor's name and law firm: __Natasha Chong / Aisha Alkaff (AIP LAW)_____
 Verifier's name and law firm: _____Lee Yew Choh (YC LEE & LEE)_____

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Canada
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Advertising Law, Statute, or Code	
<p>Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)</p>	<p>Yes If Yes, please identify:</p> <p>Federally, Canada’s main advertising statute is the <i>Competition Act</i>, RSC 1985, c C-34.</p> <p>Provincially, eight out of Canada’s ten provinces have consumer protection legislation which includes specific provisions intended to protect consumers from unfair advertising and marketing practices:</p> <ul style="list-style-type: none"> • Alberta: <i>Consumer Protection Act</i>, RSA 2000, c C-26.3 • British Columbia [B.C.]: <i>Business Practices and Consumer Protection Act</i>, SBC 2004, c 2 • Manitoba: <i>The Business Practices Act</i>, CCSM c B120 • Newfoundland: <i>Consumer Protection and Business Practices Act</i>, SNL 2009, c C-31.1 • Ontario: <i>Consumer Protection Act, 2002</i>, SO 2002, c 30, Sch A • Prince Edward Island [P.E.I.]: <i>Business Practices Act</i>, RSPEI 1988, c B-7 • Saskatchewan: <i>The Consumer Protection and Business Practices Act</i>, SS 2013, c C-30.2 • Quebec: <i>Consumer Protection Act</i>, CQLR c P-40.1 <p>The definition of “consumer” in each of these statutes is limited to individual persons. The statutes in Manitoba, Newfoundland, Ontario, P.E.I. and Quebec add that the individual cannot be acting in the course of carrying on a business.</p> <p>The remaining two provinces, as well as Canada’s three territories, have consumer protection legislation that protects consumers in credit and borrowing transactions, but this legislation does not include provisions related to general advertising and marketing practices:</p> <ul style="list-style-type: none"> • New Brunswick: <i>Consumer Product Warranty and Liability Act</i>, SNB 1978, c C-18.1 • Northwest Territories: <i>Consumer Protection Act</i>, RSNWT 1988, c C-17 • Nova Scotia: <i>Consumer Protection Act</i>, RSNS 1989, c 92 • Nunavut: <i>Consumer Protection Act</i>, RSNWT (Nu) 1988, c C-17 • Yukon: <i>Consumers Protection Act</i>, RSY 2002, c 40 <p>Note: Prepackaged non-food consumer products are subject to the federal <i>Consumer Packaging and Labelling Act</i> and the <i>Consumer Packaging and Labelling Regulations</i></p>

Advertising Law, Statute, or Code	
	<p>The administration and enforcement of the <i>Consumer Packaging and Labelling Act</i> and the <i>Consumer Packaging and Labelling Regulations</i>, as they relate to non-food products, is the responsibility of the Competition Bureau, Industry Canada. https://www.competitionbureau.gc.ca/eic/site/cb-bc.nsf/eng/home</p> <p>Administration and enforcement of the <i>Consumer Packaging and Labelling Act</i> and the <i>Consumer Packaging and Labelling Regulations</i>, as it relates to food products, is the responsibility of the Canadian Food Inspection Agency (CFIA). https://inspection.canada.ca/food-labels/eng/1574436698583/1574436791492</p> <p>Note: In the Province of Québec, the <i>Charter of the French language</i> imposes language requirements related to use of the French language such as in commerce, which include requirements with respect to signage, advertising and trademark use. Office québécois de la langue française (OQLF) is the entity that oversees the application of the <i>Charter of the French Language</i> and its regulations. OQLF website: https://www.oqlf.gouv.qc.ca/</p> <p>Link to the <i>Charter of the French Language</i>: https://www.legisquebec.gouv.qc.ca/en/document/cs/c-11.</p>
Website link to law, statute, or code	<p>Federal <i>Competition Act</i>: https://laws.justice.gc.ca/eng/acts/C-34/index.html</p> <p>Provincial:</p> <ul style="list-style-type: none"> • Alberta: https://www.qp.alberta.ca/documents/Acts/c26p3.pdf • B.C.: https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/04002_00 • Manitoba: https://web2.gov.mb.ca/laws/statutes/ccsm/b120e.php • New Brunswick: http://laws.gnb.ca/en/ShowPdf/cs/C-18.1.pdf • Newfoundland: https://www.assembly.nl.ca/legislation/sr/statutes/c31-1.htm • Northwest Territories: https://www.justice.gov.nt.ca/en/files/legislation/consumer-protection/consumer-protection.a.pdf • Nova Scotia: https://nslegislature.ca/sites/default/files/legc/statutes/consumer%20protection.pdf • Nunavut: https://www.nunavutlegislation.ca/en/consolidated-law/consumer-protection-act-consolidation • Ontario: https://www.ontario.ca/laws/statute/02c30 • P.E.I.: https://www.princeedwardisland.ca/sites/default/files/legislation/B-07-Business%20Practices%20Act.pdf • Saskatchewan: http://www.publications.gov.sk.ca/freelaw/documents/English/Statutes/Statutes/C30-2.pdf • Québec: http://legisquebec.gouv.qc.ca/en/showdoc/cs/p-40.1 • Yukon: https://laws.yukon.ca/cms/images/LEGISLATION/acts/copr.pdf <p>However, see the comment above regarding New Brunswick, Northwest Territories, Nova Scotia, Nunavut and Yukon.</p>

Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	<p>Federally, the primary government agency is the Competition Bureau.</p> <p>Provincially, as discussed in the previous tables, above, eight provinces have their own additional advertising regulations, which are overseen by the following agencies:</p> <ul style="list-style-type: none"> • Alberta: Service Alberta • B.C.: Business Practices and Consumer Protection Authority (Consumer Protection BC) • Manitoba: Consumer Protection Office • Newfoundland: Service NL – Consumer Affairs Division • Ontario: Ministry of Government and Consumer Services – Consumer Protection Ontario • P.E.I.: Department of Justice and Public Safety – Consumer Services • Québec: Office de la protection du consommateur • Saskatchewan: Financial and Consumer Affairs Authority of Saskatchewan – Consumer Protection Division <p>The remaining provinces and territories do not have their own advertising regulations; however, these provinces and territories each generally have a consumer protection, consumer affairs, or similar agency:</p> <ul style="list-style-type: none"> • New Brunswick: Financial and Consumer Services Commission • Northwest Territories: Department of Municipal and Community Affairs – Consumer Affairs Office • Nova Scotia: Service Nova Scotia and Internal Services • Nunavut: Department of Community and Government Services – Consumer Affairs • Yukon: Department of Community Services – Consumer Services
Website link to government agency or other authority	<p>Federal Competition Bureau: https://www.competitionbureau.gc.ca/eic/site/cb-bc.nsf/eng/home</p> <p>Provincial:</p> <ul style="list-style-type: none"> • Alberta: https://www.alberta.ca/service-alberta.aspx • B.C.: https://www.consumerprotectionbc.ca/ • Manitoba: https://www.gov.mb.ca/consumerinfo/ • New Brunswick: http://fcnb.ca/financialconsumer.html • Newfoundland: https://www.gov.nl.ca/dgsnl/consumer/consumer-affairs/ • Northwest Territories: https://www.maca.gov.nt.ca/en/services/consumer-affairs • Nova Scotia: https://beta.novascotia.ca/programs-and-services/consumer-protection • Nunavut: https://www.gov.nu.ca/community-and-government-services/information/consumer-affairs • Ontario: www.ontario.ca/page/consumer-protection-ontario • P.E.I.: https://www.princeedwardisland.ca/en/topic/consumer-services • Québec: https://www.opc.gouv.qc.ca/ • Saskatchewan: https://fcaa.gov.sk.ca/ • Yukon: https://yukon.ca/en/department-community-services

Government Regulatory Agency or Similar Authority	
	However, see the comment above regarding New Brunswick, Northwest Territories, Nova Scotia, Nunavut and Yukon.
Does the agency/authority possess criminal enforcement powers?	<p>Yes</p> <p>Federally, the <i>Competition Act</i> contains a “criminal regime” under which certain acts related to false or misleading advertising are categorized as criminal offences. Although the Competition Bureau does not itself directly engage in prosecution of these offences, it has the power to refer matters to the Attorney General of Canada for prosecution under the criminal courts of Canada.</p> <p>Provincially, due to the constitutional division of powers in Canada, the provinces cannot enact criminal law. However, in the eight provinces with consumer protection legislation that contains specific provisions related to unfair marketing practices, each of these statutes contain provincial offences. In some of these provinces (Alberta, B.C., Ontario and P.E.I.), the legislation expressly states that engaging in an unfair marketing practice is an offence. In the remaining provinces (Manitoba, Newfoundland, Quebec and Saskatchewan), the legislation generally provides that contravening any provision of the Act is an offence. In all eight provinces, the legislation includes specific penalties (or penalty ranges) associated with the offences and clarifies that the courts of that province oversee convictions.</p>
Does the agency/authority possess civil enforcement powers?	<p>Yes</p> <p>Federally, the <i>Competition Act</i> contains a “civil regime” for deceptive marketing practices which do not fall under the criminal regime. Depending on the issue, the Competition Bureau may bring a civil action or application to the Competition Tribunal, the provincial superior courts, or the Federal Court of Canada.</p> <p>Provincially, in all eight provinces with consumer protection legislation that contains specific provisions related to unfair marketing practices, the legislation permits consumers to commence civil actions against the person or supplier who committed the unfair practice. These actions are pursued in the province’s courts and not via the regulatory agency; however, in five of the eight provinces (Alberta, B.C., Manitoba, Newfoundland, and Saskatchewan), the person designated as the “Director” under the legislation may bring an action on behalf of an affected consumer. Additionally, Alberta and B.C.’s legislation gives the Director the power to impose administrative penalties for unfair marketing practices even where the practice is not found to be an offence (Ontario’s legislation was recently amended to add this power, but as of October 2021, this amendment was not yet in force).</p>
Are case decisions publicly available?	Yes
Website link to decisions	<p>If Yes, insert website link to decisions here:</p> <p>Competition Tribunal: https://www.ct-tc.gc.ca/en/home.html</p> <p>Since both the federal <i>Competition Act</i> and the provincial consumer protection legislation contemplate at least some cases being heard by courts, case decisions may also be published by the Federal Court of Canada and by the courts of each province.</p>

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	Ad Standards Canada
Website link to organization	https://adstandards.ca/
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	Yes If the defendant advertiser fails to fully comply with a decision of the Ad Dispute Panel, whether or not it chooses to participate in the procedure, Ad Standards can advise the exhibiting media of the decision and the Competition Bureau.
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	Yes
Are case decisions publicly available?	Yes
Website link to decisions	If Yes, insert website link to decisions here: https://adstandards.ca/complaints/complaints-reporting/recent-complaint-case-summaries/

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	Yes If Yes, please identify: The Broadcast Code for Advertising to Children (Ad Standards) Note that this Code governs broadcast advertising in all provinces and territories except for Québec, as Québec's <i>Consumer Protection Act</i> prohibits all advertising to children (defined as persons under 13 years of age) (S. 248) Additionally, members of the Canadian Marketing Association (which has over 400 corporate members and 30 post-secondary academic institutions) are required to comply with the CMA's Canadian Marketing Code of Ethics & Standards, which include specific sections related to marketing to children and teenagers.
Website link to law, statute, regulations, or code	Ad Standards' Children's Code: https://adstandards.ca/preclearance/advertising-preclearance/childrens/childrens-code/ Canadian Marketing Association's Marketing Code: https://thecma.ca/docs/default-source/default-document-library/cma-canadian-marketing-code-of-ethics-and-standards.pdf?sfvrsn=91e8ae30_2
Which Government agency or other authority enforces the law, statute, regulations, or code?	N/A – both Codes are enforced by self-regulatory bodies (see below)
Website link to government agency or other authority	N/A
Website link to decisions by agency or other authority	N/A

Advertising to Children	
Is there a self-regulatory organization overseeing advertising to children?	Yes
Name of self-regulatory organization	Ad Standards – Children’s Clearance Committee – Children’s Advertising Section Canadian Marketing Association
Website link to organization	https://adstandards.ca/preclearance/advertising-preclearance/childrens/childrens-clearance-committee/ https://thecma.ca/
Website link to organization decisions	Full decisions are not made publicly available by Ad Standards, but select case summaries are available at: https://adstandards.ca/complaints/childrens-broadcast-advertising-complaints-procedure/broadcast-code-for-advertising-to-children-complaint-case-summaries/ Enforcement actions by the Canadian Marketing Association are not made publicly available.

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose “Same as above.”)			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol Regulation of alcoholic beverage advertising is effected at the provincial level under liquor control statutes, as complemented by regulations made thereunder and policy directives or guidelines issued by the applicable regulatory bodies created by the legislation	Yes	Regulated both federally and provincially. Some provinces have adopted the CRTC code. Federally: Canadian Radio-television and Telecommunications Commission Alberta: Alberta Gaming, Liquor and Cannabis B.C.: Liquor and Cannabis Regulation Branch (LCRB) and the	See below Federal: https://crtc.gc.ca/eng/television/publicit/co-desalco.htm Provincial: <ul style="list-style-type: none"> • Alberta: https://aglc.ca/ • Newfoundland and Labrador: https://www.nlliquorcorp.com/ • Northwest Territories: https://www.ntlcc.ca/ • Nunavut: https://www.nulc.ca/ • Ontario: https://www.agco.ca/#modal 	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		<p>Liquor Distribution Branch (LDB)</p> <p>Manitoba: Manitoba Liquor and Lotteries (MBLL)</p> <p>New Brunswick: <i>Liquor Control Act</i>, R.S.N.B. 1973, c. L10, s. 142(3)</p> <p>Newfoundland and Labrador: The Newfoundland and Labrador Liquor Corporation (NLC)</p> <p>Northwest Territories: Northwest Territories Liquor & Cannabis Commission (NTLCC)</p> <p>Nova Scotia: Nova Scotia Liquor Corporation; <i>Liquor Control Act (LCA)</i>. The Minister of Finance and Treasury Board is the Minister responsible for the LCA</p> <p>Nunavut: The Nunavut Liquor and</p>	<ul style="list-style-type: none"> • Québec: https://www.racj.gouv.qc.ca/accueil.html • Saskatchewan: https://www.slga.com/ • Yukon: https://yukon.ca/en/yukon-liquor-corporation 	

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose “Same as above.”)			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		Cannabis Commission Ontario: Alcohol and Gaming Commission of Ontario; Liquor Control Board of Ontario P.E.I.: <i>Liquor Control Act, R.S.P.E.I. 1988, c. L-14, s. 50(1).</i> Québec: Régie des alcools des courses et des jeux (RACJ) Saskatchewan: Saskatchewan Liquor and Gaming Authority (SLGA) Yukon: Yukon Liquor Corporation		
Beauty Care / Cosmetics and Fragrances	Yes	Health Canada Competition Bureau	See below https://www.canada.ca/en/health-canada.html https://laws-lois.justice.gc.ca/eng/acts/C-38/	See below https://www.competitionbureau.gc.ca/eic/site/cb-bc.nsf/eng/h_00150.html
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	Canadian Radio-television and telecommunications Commission	See below https://crtc.gc.ca/eng/home-accueil.htm	See below https://crtc.gc.ca/eng/dno.htm

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
CBD and/or Marijuana	Yes	<p>Regulated both federally and provincially. Federally: Health Canada Provincially the regulatory bodies that govern the sale of alcohol also regulate the retail and online sale of cannabis and in some cases have government controlled enterprises that are the sole permitted retailer.</p> <p>Alberta: Alberta Gaming, Liquor and Cannabis B.C.: Liquor and Cannabis Regulation Branch (LCRB) and the Liquor Distribution Branch (LDB) Manitoba: Manitoba Liquor and Lotteries (MBLL) New Brunswick: <i>Liquor Control Act,</i></p>	<p>See below https://www.canada.ca/en/health-canada/services/drugs-medication/cannabis/laws-regulations/regulations-support-cannabis-act.html Provincial authority websites same as above</p>	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		<p>R.S.N.B. 1973, c. L10, s. 142(3)</p> <p>Newfoundland and Labrador: The Newfoundland and Labrador Liquor Corporation (NLC)</p> <p>Northwest Territories: Northwest Territories Liquor & Cannabis Commission (NTLCC)</p> <p>Nova Scotia: Nova Scotia Liquor Corporation; <i>Liquor Control Act (LCA)</i>. The Minister of Finance and Treasury Board is the Minister responsible for the LCA</p> <p>Nunavut: The Nunavut Liquor and Cannabis Commission</p> <p>Ontario: Alcohol and Gaming Commission of Ontario; Liquor Control Board of Ontario</p>		

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		P.E.I.: <i>Liquor Control Act, R.S.P.E.I. 1988, c. L-14, s. 50(1).</i> Québec: Régie des alcools des courses et des jeux (RACJ) Saskatchewan: Saskatchewan Liquor and Gaming Authority (SLGA) Yukon: Yukon Liquor Corporation		
Dietary/Health Supplements and Vitamins	Yes	Health Canada Canadian Food Inspection Agency	See below https://www.canada.ca/en/health-canada.html See above	N/A
Environmental / Energy (including Oil & Gas)	Yes	Regulated provincially: Alberta: Alberta Utilities Commission B.C.: British Columbia Utilities Commission Manitoba: Manitoba Public Utilities Board New Brunswick: New Brunswick Energy and Utilities Board Newfoundland and Labrador:	See below <ul style="list-style-type: none"> • Alberta: www.auc.ab.ca • B.C.: www.bcuc.com • Manitoba: www.pub.gov.mb.ca • New Brunswick: www.nbeub.ca/ • Newfoundland and Labrador: www.pub.nf.ca • Northwest Territories: www.nwtpublicutilitiesboard.ca/ • Nova Scotia: https://nsuarb.novascotia.ca/ • Ontario: www.oeb.ca 	See below <ul style="list-style-type: none"> • Alberta: https://www.auc.ab.ca/regulatory_documents/Pages/Decisions.aspx • B.C.: https://www.bcuc.com/OurWork/Proceedings • Manitoba: http://www.pubmanitoba.ca/v1/proceedings-decisions/appl-current/ • New Brunswick: https://nbeub.ca/all-current-matters-decisions

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose “Same as above.”)			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		<p>Newfoundland and Labrador Board of Commissioners of Public Utilities Northwest Territories: Northwest Territories Public Utility Board Nova Scotia: Nova Scotia Utility and Review Board Ontario: Ontario Energy Board P.E.I.: Prince Edward Island Regulatory and Appeals Commission Quebec: Régie de l'énergie Saskatchewan: [Since Saskatchewan doesn't have a public utility commissions board, you can instead contact the appropriate minister for each utility in writing.] Yukon: Yukon Utilities Board</p>	<ul style="list-style-type: none"> • Prince Edward Island: www.irac.pe.ca • Québec: www.regie-energie.qc.ca/en/ • Saskatchewan: N/A • Yukon: www.yukonutilitiesboard.yk.ca 	<ul style="list-style-type: none"> • Newfoundland and Labrador: http://www.pub.nf.ca/document.htm • Northwest Territories: https://www.nwtpublicutilitiesboard.ca/applications/finalized • Nova Scotia: https://nsuarb.novascotia.ca/hearings • Ontario: https://www.oeb.ca/industry/applications-oeb/major-decisions • Québec: http://www.regie-energie.qc.ca/audiences/decisions.html • Saskatchewan: N/A • Yukon: https://yukonutilitiesboard.yk.ca/proceedings/

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Fashion, textile, luxury goods	Yes	Competition Bureau	See below https://www.competitionbureau.gc.ca/eic/site/cb-bc.nsf/eng/02908.html#:~:text=The%20Textile%20Labelling%20Act%20is%20a%20regulatory%20statute.,information%20to%20help%20consumers	N/A
Financial and insurance services	Yes	Financial Consumer Agency of Canada	See below https://www.canada.ca/en/financial-consumer-agency.html	See below https://www.canada.ca/en/financial-consumer-agency/services/industry/commissioner-decisions.html
Food and Agriculture	Yes	Health Canada (responsible for making policy and legislative changes) Canadian Food Inspection Agency (responsible for enforcing federal legislation related to food and food labelling). Both agencies collaborate on tools and guidelines to assist with interpreting relevant legislation.	See below Health Canada: https://www.canada.ca/en/health-canada.html Canadian Food and Inspection Agency: https://inspection.canada.ca/eng/1297964599443/1297965645317	See below https://inspection.canada.ca/about-cfia/transparency/regulatory-transparency-and-openness/compliance-and-enforcement/eng/1299846323019/1299846384123
Gambling and Gaming	Yes	Varies by province Alberta: Alberta Gaming, Liquor and	See below • Alberta: https://aglc.ca/	See below

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose “Same as above.”)			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		<p>Cannabis Commission B.C.: Ministry of Finance – Gaming Policy and Enforcement Branch Manitoba: Liquor, Gaming and Cannabis Authority of Manitoba New Brunswick: Department of Justice and Public Safety – Gaming, Liquor and Security Licensing Branch Northwest Territories: Department of Municipal and Consumer Affairs Nova Scotia: Nova Scotia Gaming Corporation Nunavut: Department of Health Ontario: Alcohol and Gaming Commission of Ontario P.E.I.: Department of Justice and Public Safety</p>	<ul style="list-style-type: none"> • B.C.: https://www2.gov.bc.ca/gov/content/sports-culture/gambling-fundraising • Manitoba: https://lgcamb.ca/ • New Brunswick: https://www2.gnb.ca/content/gnb/en/departments/public-safety/community_safety/content/gaming-liquor-security-licensing.html • Northwest Territories: https://www.maca.gov.nt.ca/en • Nova Scotia: https://gamingns.ca/ • Nunavut: https://www.gov.nu.ca/health • Ontario: https://www.agco.ca/ • P.E.I.: https://www.princeedwardisland.ca/en/topic/justice-and-public-safety • Québec: https://societe.lotoquebec.com/en/home • Saskatchewan: https://www.slga.com/ • Yukon: https://yukon.ca/en/department-community-services <p>thinkTV: https://thinktv.ca/</p>	<ul style="list-style-type: none"> • Alberta: https://decisions.aglc.ca/aglc/en/nav.do • B.C.: N/A • Manitoba: https://lgcamb.ca/orders-appeals-and-decisions/ • New Brunswick: N/A • Northwest Territories: N/A • Nova Scotia: https://www.canlii.org/en/ns/nsuarb/index.html (appeals to Nova Scotia Utility and Review Board) • Nunavut: N/A • Ontario: https://www.canlii.org/en/on/onlat/ (cases heard by Licence Appeal Tribunal) • P.E.I.: N/A • Québec: N/A • Saskatchewan: N/A • Yukon: N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		<p>Québec: Société des loteries du Québec</p> <p>Saskatchewan: Saskatchewan Liquor and Gaming Authority</p> <p>Yukon: Department of Community Services – Professional Licensing & Regulatory Affairs Branch</p> <p>Additionally, thinkTV (an association for Canadian broadcasters) has guidelines for broadcast advertising which include specific guidelines related to the advertising of gambling.</p> <p>Note that these agencies and organizations govern <i>legal</i> gambling activities. The <i>Criminal Code</i> of Canada makes certain gambling</p>		

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose “Same as above.”)			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		activities illegal and the advertisement of such activities is prohibited.		
Healthcare/Medical (services)	Yes	All 10 provinces each have their own “College of Physicians and Surgeons” (referred to as “Collège des médecins du Québec” in Québec) with Standards of Practice that include marketing rules. Yukon is governed by the Yukon Medical Council. Nunavut and Northwest Territories are each governed by their Department of Health and Social Services – Professional Licensing.	See below <ul style="list-style-type: none"> • Alberta: https://cpsa.ca/ • B.C.: https://www.cpsbc.ca/ • Manitoba: https://cpsm.mb.ca/ • New Brunswick: https://cpsnb.org/en/ • Newfoundland: https://cpsnl.ca/ • Northwest Territories: https://www.hss.gov.nt.ca/en/services/professional-licensing • Nova Scotia: https://cpsns.ns.ca/ • Nunavut: https://nuphysicians.ca/contact-us • Ontario: https://www.cpso.on.ca/en • P.E.I.: https://cpspei.ca/ • Québec: http://www.cmq.org/home.aspx • Saskatchewan: https://www.cps.sk.ca/imis • Yukon: http://www.yukonmedicalcouncil.ca/ 	See below <ul style="list-style-type: none"> • Alberta: https://cpsa.ca/albertans/albertan-complaints/discipline-decisions/ • B.C.: https://www.cpsbc.ca/news/public-notifications • Manitoba: http://www.cpsm.mb.ca/complaints/disciplinary-publications • New Brunswick: https://cpsnb.org/en/complaints/disciplinary-actions • Newfoundland: https://cpsnl.ca/complaints-discipline/discipline-hearings-and-settlement-agreements/ • Northwest Territories: N/A • Nova Scotia: https://cpsns.ns.ca/category/disciplinary-decisions/ • Nunavut: N/A • Ontario: https://opsdt.ca/hearings/outcomes • P.E.I.: https://cpspei.ca/news/

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose “Same as above.”)			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
				<ul style="list-style-type: none"> • Québec: http://www.cmq.org/decisions-disciplinaires/index.aspx?lang=en • Saskatchewan: https://www.cps.sk.ca/imis/CPSS/Discipline/discipline.aspx?DisciplineCCO=Annual%20Discipline%20Summary • Yukon: N/A
Legal	Yes	All 10 provinces and 3 territories each have their own “Law Society” (referred to as a “Barreau” in Québec and a “Barristers’ Society” in Nova Scotia) with a Code of Conduct that includes marketing rules.	See below <ul style="list-style-type: none"> • Alberta: https://www.lawsociety.ab.ca • B.C.: https://www.lawsociety.bc.ca • Manitoba: https://lawsociety.mb.ca/ • New Brunswick: https://lawsociety-barreau.nb.ca/en • Newfoundland: https://lsnl.ca/ • Northwest Territories: https://lawsociety.nt.ca/ • Nova Scotia: https://nsbs.org/ • Nunavut: https://www.lawsociety.nu.ca/en • Ontario: https://www.iso.ca/home • P.E.I.: http://lawsocietypei.ca/ • Québec: https://www.barreau.qc.ca/en • Saskatchewan: https://www.lawsociety.sk.ca/ 	See below <ul style="list-style-type: none"> • Alberta: https://www.lawsociety.ab.ca/regulation/adjudication/decisions-outcomes/ • B.C.: https://www.lawsociety.bc.ca/labc/apps/hearings/search.cfm • Manitoba: https://lawsociety.mb.ca/regulation/lawyer-discipline/discipline-decisions/ • New Brunswick: https://lawsociety-barreau.nb.ca/en/public/discipline-history-full-list • Newfoundland: https://lsnl.ca/public/discipline/disciplinary-decisions/ • Northwest Territories: https://lawsociety.nt.ca/for-the-

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
			<ul style="list-style-type: none"> • Yukon: https://lawsocietyyukon.com/ 	<p>public/discipline-proceedings-and-notices/</p> <ul style="list-style-type: none"> • Nova Scotia: https://nsbs.org/news-categories/decisions-and-dispositions/ • Nunavut: N/A • Ontario: https://lawsocietytribunal.ca/case-documents/ • P.E.I.: http://lawsocietypei.ca/regulation • Québec: https://www.barreau.qc.ca/fr/le-barreau/conseil-discipline-horaire-auditions/ • Saskatchewan: https://www.lawsociety.sk.ca/regulation/hearings-decisions-and-rulings/discipline-decisions/ • Yukon: https://lawsocietyyukon.com/discipline/discipline-proceedings/
Medical Devices/Equipment	Yes	Health Canada (enforces the legislation and releases guidelines and policy statements). Additional guidelines can be found in Ad Standards' "Guidelines for	See below Health Canada: https://www.canada.ca/en/health-canada.html Ad Standards: https://adstandards.ca/	See below Full decisions are not made publicly available. However, a summary table of advertising complaints, describing the organization, the product, the complaint and any action taken, can be found at: https://www.canada.ca/en/health-canada/services/drugs-health-products/regulatory-requirements-

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		Consumer Advertising of Health Products." Various industry associations also release guidelines under their respective Codes.		advertising/health-product-advertising-complaints.html
Pharmaceuticals	Yes	Health Canada (enforces the legislation and releases guidelines and policy statements). Additional guidelines can be found in Ad Standards' "Guidelines for Consumer Advertising of Health Products." Various industry associations also release guidelines under their respective Codes.	Same as above	Same as above
Tobacco	Yes	Health Canada – Tobacco Control Directorate. All 13 provinces and territories each have their own tobacco	See below https://www.canada.ca/en/health-canada/services/health-concerns/tobacco.html	See below Individual decisions/enforcement actions are not made publicly available. However, annual reports and other publications generally summarizing enforcement actions can be found at:

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose “Same as above.”)			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		legislation which supplements the federal legislation to impose additional requirements. This legislation is enforced by each province or territory’s government (usually the Department of Health or a province’s equivalent department).		https://www.canada.ca/en/services/health/publications/healthy-living.html

Private right of action for false advertising				
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	<p>Yes</p> <p>If Yes, please identify:</p> <p><i>Competition Act</i> (R.S.C., 1985, c. C-34) Private parties may commence civil damages actions for contravention of the criminal provisions of the <i>Competition Act</i>, including section 52 (the criminal misleading advertising provision) or other criminal misleading advertising related offences under Part VI of the <i>Competition Act</i>. Part VII.1 of the <i>Competition Act</i> sets out the civil regime for deceptive marketing practices. Section 74.01(1)(a) provides that making a promotional representation to the public that is false or misleading in a material respect constitutes reviewable conduct.</p> <p>Section 36 of the <i>Competition Act</i> provides a civil remedy to “a person who has suffered loss or damage” for conduct that is contrary to the criminal provisions of the <i>Competition Act</i></p> <p><i>Trade-marks Act</i> (R.S.C., 1985, c. T-13) The <i>Trademarks Act</i> contains, in section 7, a number of provisions which may form the basis of a civil action by a person harmed by another’s false or misleading advertising.</p> <p>Section 22(1) states: “No person shall use a trademark registered by another person in a manner that is likely to have the effect of depreciating the value of the goodwill thereto.”</p>			

Private right of action for false advertising	
	See also the “Government Regulatory Agency or Similar Authority” table, above, regarding private rights of action contemplated in provincial consumer protection legislation. Common law rights to claim for negligent, fraudulent or simple material misrepresentation exist in civil actions in Canada.
Website link to law, statute, or code	<i>The Competition Act:</i> https://laws.justice.gc.ca/eng/acts/C-34/index.html <i>The Trademarks Act:</i> https://laws-lois.justice.gc.ca/eng/acts/t-13/index.html

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country	Canadian Marketing Association	https://thecma.ca/about
	thinkTV	https://thinktv.ca/
	Digital Advertising Alliance of Canada	https://youradchoices.ca/
	Canadian Children’s Food and Beverage Advertising Initiative	https://adstandards.ca/about/childrens-advertising-initiative/

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Verifier’s name and law firm: _____ LuAnne Morrow, Borden Ladner Gervais LLP _____

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	P. R. China
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Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	Yes If Yes, please identify: Advertising Law of the People's Republic of China
Website link to law, statute, or code	http://www.npc.gov.cn/npc/c12435/201811/c10c8b8f625c4a6ea2739e3f20191e32.shtml ; <i>Note: No official English version is available</i>

Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	State Administration for Market Regulation and its local branches
Website link to government agency or other authority	http://www.samr.gov.cn/
Does the agency/authority possess criminal enforcement powers?	No
Does the agency/authority possess civil enforcement powers?	No
Are case decisions publicly available?	Yes <i>Note: Only some decisions are publicly available, and there are variations in practice amongst local authorities such that not all decisions are necessarily available.</i>
Website link to decisions	If Yes, insert website link to decisions here: http://cfws.samr.gov.cn/

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	China Advertising Association <i>Note: Generally, they will not involve overseeing disputes, although it is listed in their scope of service. Instead, they provide a pre-launch non-official paid review service.</i>
Website link to organization	http://www.china-caa.org/

Self-Regulatory Organizations	
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here:

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	No. <i>Note: Advertising Law of the People's Republic of China includes articles regarding Advertising with or to Children. While a few PRC regulations also cover such content, such as Regulation on Juvenile Programs issued by National Radio and Television Administration.</i>
Website link to law, statute, regulations, or code	If Yes, please identify: http://www.gov.cn/xinwen/2019-04/06/content_5380015.htm http://www.npc.gov.cn/npc/c12435/201811/c10c8b8f625c4a6ea2739e3f20191e32.shtml
Which Government agency or other authority enforces the law, statute, regulations, or code?	State Administration for Market Regulation and its local branches National Radio and Television Administration and its local branches
Website link to government agency or other authority	http://www.samr.gov.cn/ http://www.nrta.gov.cn/
Website link to decisions by agency or other authority	http://cfws.samr.gov.cn/
Is there a self-regulatory organization overseeing advertising to children?	Yes
Name of self-regulatory organization	China Advertising Association

Advertising to Children	
Website link to organization	http://www.china-caa.org/
Website link to organization decisions	No

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	Organization: China Alcoholic Drinks Association China National Standardization Center of Food & Fermentation <i>Note: State Administration of Market Regulation generally overseeing all industries. Will not specify unless it has specific regulation to certain industry.</i>	See below https://www.cada.cc http://www.scff.org.cn/	N/A
Beauty Care / Cosmetics and Fragrances	Yes	Agency: National Medical Products Administration Organization:	See below https://www.nmpa.gov.cn/ http://www.caffci.org/	See below https://www.nmpa.gov.cn/

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		China Association of Fragrance Favor and Cosmetic Industries		
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	Organization : China Netcasting Services Association	See below http://www.cnsa.cn/	N/A
CBD and/or Marijuana	No	Illegal and prohibited to advertise	N/A	N/A
Dietary/Health Supplements and Vitamins	Yes	Agency: State Administration for Market Regulation <i>Note: It has specific regulation for this industry</i>	Same as above	Same as above
Environmental / Energy (including Oil & Gas)	No		N/A	N/A
Fashion, textile, luxury goods	No		N/A	N/A
Financial and insurance services	Yes	Organization: National Internet Finance Association of China	See below http://www.nifa.org.cn/ and other financial associations at provincial level	See below http://www.nifa.org.cn/

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		Other financial associations at provincial level <i>Note: Some provinces have specific regulations, suggest to search accordingly.</i>		
Food and Agriculture	Yes	Agency: Ministry of Agriculture and Rural Affairs State Administration for Market Regulation <i>(Note: It has specific regulation for pesticide.)</i>	Same as above and http://www.moa.gov.cn/	Same as above
Gambling and Gaming	No	Gambling: Illegal and prohibited to advertise Gaming: Generally conservative attitude, TV networks have their unwritten down	N/A	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		guidelines to review Gaming advertisings strictly.		
Healthcare/Medical (services)	Yes	Agency: State Administration for Market Regulation <i>Note: It has specific regulation for this industry</i>	Same as above	Same as above
Legal	Yes	Organization: All China Lawyers Association	See below http://www.acla.org.cn/	N/A
Medical Devices/Equipment	Yes	Agency: National Medical Products Administration State Administration for Market Regulation <i>(Note: It has specific regulation for this industry)</i>	Same as above	Same as above
Pharmaceuticals	Yes	Agency: National Medical Products Administration	Same as above	Same as above

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		State Administration for Market Regulation <i>(Note: It has specific regulation for this industry)</i>		
Tobacco	Yes	Agency: State Tobacco Monopoly Administration <i>Note: It regulates labeling, but tobacco product is prohibited from advertising in public media</i>	See below http://www.tobacco.gov.cn/	N/A

Private right of action for false advertising				
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	Yes If Yes, please identify: <u>Private right of action for false advertising is protected through the below laws:</u> Advertising Law of the People's Republic of China; Law of the People's Republic of China on the Protection of Rights and Interests of Consumers; Law of the People's Republic of China Against Unfair Competition Food Safety Law of the People's Republic of China			
Website link to law, statute, or code	http://www.npc.gov.cn/npc/c12435/201811/c10c8b8f625c4a6ea2739e3f20191e32.shtml http://www.npc.gov.cn/wxzl/gongbao/2014-01/02/content_1823351.htm http://www.npc.gov.cn/npc/c30834/201905/9a37c6ff150c4be6a549d526fd586122.shtml http://www.npc.gov.cn/wxzl/gongbao/2015-07/03/content_1942866.htm			

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country	Agency:	Following government agencies also play active and significant roles in advertising regulations.
	National Radio and Television Administration	http://www.nrta.gov.cn/
	Cyberspace Administration	http://www.cac.gov.cn/
	Ministry of Industry and Information Technology	https://www.miit.gov.cn/
	The Ministry of Public Security	https://www.mps.gov.cn/
	Standardization Administration	http://www.sac.gov.cn/
	National Press and Publication Administration	http://www.nppa.gov.cn/
	General Administration of Customs	http://www.customs.gov.cn/
	Ministry of Culture and Tourism	http://www.mct.gov.cn/
	Organization:	Following organizations publish product labeling standards, self-regulated advertising conduct guidelines, or oversee consumer complaints.
	China Consumer Association	http://www.cca.org.cn/
	China Video Industry Association	http://www.cvianet.org.cn/
		China Association of Performing Arts
	China National Light Industry Council	http://www.cnlic.org.cn

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Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Colombia
Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	No If Yes, please identify: Ley 1480 de 2011.Título VI
Website link to law, statute, or code	http://www.suin-juriscol.gov.co/viewDocument.asp?ruta=Leyes/1681955#:~:text=Esta%20ley%20tiene%20como%20objetivos,para%20su%20salud%20y%20seguridad.
Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO (Superintendence of Industry and Commerce)
Website link to government agency or other authority	www.sic.gov.co
Does the agency/authority possess criminal enforcement powers?	No
Does the agency/authority possess civil enforcement powers?	Yes
Are case decisions publicly available?	Yes
Website link to decisions	If Yes, insert website link to decisions here: https://www.sic.gov.co/repositorio-de-normatividad?field_tipo_de_norma_value=3
Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	UNION COLOMBIANA DE EMPRESAS PUBLICITARIAS/ ASOCIACIÓN NACIONAL DE ANUNCIANTES (Colombian Union of Advertising Companies/National Association of Announcers)
Website link to organization	https://www.ucepcol.com/ https://www.andacol.com/

Self-Regulatory Organizations	
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Are case decisions publicly available?	Yes
Website link to decisions	If Yes, insert website link to decisions here: https://www.ucepcol.com/conceptosconarp

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	Yes If Yes, please identify: Decree 975/2014
Website link to law, statute, regulations, or code	http://www.suin-juriscol.gov.co/viewDocument.asp?id=1200039
Which Government agency or other authority enforces the law, statute, regulations, or code?	SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO (Superintendence of Industry and Commerce)
Website link to government agency or other authority	www.sic.gov.co
Website link to decisions by agency or other authority	https://www.sic.gov.co/repositorio-de-normatividad?field_tipo_de_norma_value=3
Is there a self-regulatory organization overseeing advertising to children?	Yes
Name of self-regulatory organization	UNION COLOMBIANA DE EMPRESAS PUBLICITARIAS/ ASOCIACIÓN NACIONAL DE ANUNCIANTES (Colombian Union of Advertising Companies/National Association of Announcers)
Website link to organization	https://www.ucepcol.com/ https://www.andacol.com/
Website link to organization decisions	https://www.ucepcol.com/conceptosconarp

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose “Same as above.”)			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	INSTITUTO NACIONAL DE VIGILANCIA DE MEDICAMENTOS Y ALIMENTOS (National Surveillance Institute of Medications and Food)	See below https://www.invima.gov.co/	N/A
Beauty Care / Cosmetics and Fragrances	Yes	INSTITUTO NACIONAL DE VIGILANCIA DE MEDICAMENTOS Y ALIMENTOS (National Surveillance Institute of Medications and Food)	Same as above	N/A
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	COMISIÓN DE REGULACIÓN DE COMUNICACIONES S (antes AGENCIA NACIONAL DE TELEVISIÓN) – (Communications Regulation Commission – Former National Agency of Television)	See below https://www.crcom.gov.co/	See below https://docs.google.com/spreadsheets/d/e/2PACX-1vQXd74dF5g_tiBYUspm4Sfk2J1B3RkVcgSSM5bpTiBCnHivTO7VIDJVCUx2MfvqiTjduJZqcggN4Fwn/pubhtml

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
CBD and/or Marijuana	Yes	INSTITUTO NACIONAL DE VIGILANCIA DE MEDICAMENTOS Y ALIMENTOS (National Surveillance Institute of Medications and Food)	See below https://www.invima.gov.co/	N/A
Dietary/Health Supplements and Vitamins	Yes	INSTITUTO NACIONAL DE VIGILANCIA DE MEDICAMENTOS Y ALIMENTOS (National Surveillance Institute of Medications and Food)	Same as above	Same as above
Environmental / Energy (including Oil & Gas)	No		N/A	N/A
Fashion, textile, luxury goods	No		N/A	See below
Financial and insurance services	Yes	SUPERINTENDENCIA FINANCIERA (Financial Superintendence)	See below https://www.superfinanciera.gov.co/	See below https://wl.superfinanciera.gov.co/SiriWeb/publico/sancion/rep_sanciones_generales.jsf
Food and Agriculture	Yes	INSTITUTO NACIONAL DE VIGILANCIA DE	See below https://www.invima.gov.co/	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		MEDICAMENTOS Y ALIMENTOS (National Surveillance Institute of Medications and Food)		
Gambling and Gaming	Yes	COLJUEGOS (Colombian National Administrator of Gambling and Gaming)	See below https://www.coljuegos.gov.co/index.php	See below https://www.coljuegos.gov.co/documentos.php?id=201317
Healthcare/Medical (services)	Yes	SUPERINTENDENCIA NACIONAL DE SALUD (National Health Care Superintendence)	See below https://www.supersalud.gov.co/	See below https://www.supersalud.gov.co/es-co/normatividad/resoluciones
Legal	Yes	CONSEJO SUPERIOR DE LA JUDICATURA (Superior Council of the Judiciary)	See below https://www.ramajudicial.gov.co/web/consejo-superior-de-la-judicatura	See below https://jurisprudencia.ramajudicial.gov.co/WebRelatoria/cnsj/index.xhtml
Medical Devices/Equipment	Yes	INSTITUTO NACIONAL DE VIGILANCIA DE MEDICAMENTOS Y ALIMENTOS (National Surveillance Institute of Medications and Food)	See below https://www.invima.gov.co/	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Pharmaceuticals	Yes	INSTITUTO NACIONAL DE VIGILANCIA DE MEDICAMENTOS Y ALIMENTOS (National Surveillance Institute of Medications and Food)	Same as above	Same as above
Tobacco	Yes	INSTITUTO NACIONAL DE VIGILANCIA DE MEDICAMENTOS Y ALIMENTOS (National Surveillance Institute of Medications and Food)	Same as above	Same as above

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	Yes If Yes, please identify: Ley 1480 de 2011.Título VI
Website link to law, statute, or code	http://www.suin-juriscal.gov.co/viewDocument.asp?ruta=Leyes/1681955#:~:text=Esta%20ley%20tiene%20como%20objetivos,para%20su%20salud%20y%20seguridad.

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country	Bogotá City Consumer Protection Ombudsman (Personería Delegada para la Defensa y Protección de los Derechos del Consumidor)	https://www.personeriabogota.gov.co/personeria-delegada-para-la-coordinacion-del-ministerio-publico-y-derechos-humanos/personeria-delegada-para-la-defensa-y-proteccion-de-los-derechos-del-consumidor

Contributor's name and law firm: Alicia Lloreda, LLOREDA CAMACHO & CO

Verifier's name and law firm: Juan Pablo Cadena BRIGARD & CASTRO

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Czech Republic
Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	<p>Yes</p> <p>If Yes, please identify: Act No. 40/1995 Coll., on the Regulation of Advertising, as amended (Advertising Act)</p>
Website link to law, statute, or code	Official Czech version of the Advertising Act is available here .
Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	<p>There is no universal government agency or other authority overseeing advertising regulations. Each sector is controlled by different authority:</p> <ul style="list-style-type: none"> - The Council for Radio and Television Broadcasting controls advertising on radio and television broadcasting and on-demand audio-visual media services (official website here); - State Institute for Drug Control controls advertising and sponsorship of medicinal products for human use, human tissues and cells (official website here); - The Ministry of Health controls advertising of health services and sponsorship in this area (official website here); - The Central Institute for Supervising and Testing in Agriculture controls the advertising of plant protection products (official website here); - The Institute for the State Control of Veterinary Biologicals and Medicines controls the advertising of veterinary medicinal products (official website here); - The Office for Personal Data Protection controls unsolicited advertising via electronic means (official website here); - The Czech Agricultural and Food Inspection Authority controls the requirements set by the Act on Food and Tobacco Products and relevant products (official website here); - The Customs Administrations control advertising or promotion of gambling prohibited under the Gambling Act, and sponsorship in this area (official website here); - The Czech National Bank controls advertising in the sector of financial and insurance services (official website here); - Regional Trade Licensing Offices controls other (remaining) cases (official website here).
Website link to government agency or other authority	Please see the row above.
Does the agency/authority possess criminal enforcement powers?	No

Government Regulatory Agency or Similar Authority	
	Not explicitly criminal enforcement powers but they have a relatively wide range of powers in connection with enforcement of administrative offences, some of which are quite similar to those of criminal authorities.
Does the agency/authority possess civil enforcement powers?	Yes The controlling authorities are entitled to investigate administrative offences and impose fines (we understand that is what is meant by “civil enforcement powers” for the purposes of this question).
Are case decisions publicly available?	No Mostly not, however some authorities do publish its decisions (e.g. Council for Radio and Television Broadcasting) or summaries of its main decisions (e.g. Office for Personal Data Protection) or only a list of imposed sanctions (e.g. State Institute for Drug Control) – see below.
Website link to decisions	If Yes, insert website link to decisions here: Council for Radio and Television Broadcasting: https://www.rrtv.cz/cz/static/prehledy/rozhodnuti-o-vine.htm Office for Personal Data Protection: https://www.uouu.cz/z-rozhodovaci-cinnosti-uradu/ds-1022/archiv=0&p1=1099 State Institute for Drug Control: https://www.sukl.cz/sukl/sankce-ulozene-podle-zakona-o-regulaci-reklamy

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	The Council for Advertising (Rada pro reklamu)
Website link to organization	https://www.rpr.cz/cz/en.php
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No The Council may, same as any other person, file a criminal complaint to the Police.
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No The Council may, same as any other person, file a complaint to competent public authorities.
Are case decisions publicly available?	Yes
Website link to decisions	If Yes, insert website link to decisions here: The Council may adopt non-enforceable decisions (recommendations) which are listed here: https://www.rpr.cz/cz/kauzy.php . If these decisions are not followed by the relevant subjects, the Council may publish its decision or submit the complaint to the relevant Regional

Self-Regulatory Organizations	
	Trade Licensing Office. The Council may also, same as any other person, file a criminal complaint to the Police.
Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	<p>No</p> <p>There is no specific law on advertising to children. There is, however, special regulation under the Advertising Act. In particular, advertising may not, in the case of persons under the age of 18, (i) promote behaviour endangering their health, mental or moral development, (ii) exercise their trust in their parents or legal representatives or other persons, (iii) show them in an inappropriate way in dangerous situations. Also, advertising on tobacco products, alcoholic beverages and gambling cannot be aimed at persons under the age of 18.</p> <p>Furthermore, the use of advertising that directly encourages children to purchase a product or service or to persuade an adult to purchase them is considered an aggressive trade practice under the Consumer Protection Act.</p>
Website link to law, statute, regulations, or code	<p>Official Czech version of the Advertising Act is available here.</p> <p>Official Czech version of the Consumer Protection Act is available here, the translation is available here.</p>
Which Government agency or other authority enforces the law, statute, regulations, or code?	Same as above.
Website link to government agency or other authority	Same as above.
Website link to decisions by agency or other authority	Same as above.
Is there a self-regulatory organization overseeing advertising to children?	No
Name of self-regulatory organization	N/A
Website link to organization	N/A
Website link to organization decisions	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	The Czech Agricultural and Food Inspection Authority	Same as above	N/A
Beauty Care / Cosmetics and Fragrances	No	N/A	N/A	N/A
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	The Council for Radio and Television Broadcasting	Same as above	See below Link (in CZ)
CBD and/or Marijuana	No	N/A	N/A	N/A
Dietary/Health Supplements and Vitamins	No	N/A	N/A	N/A
Environmental / Energy (including Oil & Gas)	No	N/A	N/A	N/A
Fashion, textile, luxury goods	No	N/A	N/A	N/A
Financial and insurance services	Yes	Czech National Bank	Same as above	See below Link (in CZ)
Food and Agriculture	Yes	a) Czech Agricultural and Food Inspection Authority b) Central Institute for Supervising	Same as above	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		and Testing in Agriculture c) Institute for the State Control of Veterinary Biologicals and Medicines		
Gambling and Gaming	Yes	Customs Administrations	Same as above	See below Link (in CZ)
Healthcare/Medical (services)	Yes	Ministry of Health	Same as above	See below Link (in CZ)
Legal	Yes	Czech Bar Association	See below Link	N/A
Medical Devices/Equipment	Yes	State Institute for Drug Control	Same as above	See below Link (in CZ)
Pharmaceuticals	Yes	State Institute for Drug Control	Same as above	See below Link (in CZ)
Tobacco	Yes	Czech Agricultural and Food Inspection Authority	Same as above	N/A

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against	Yes If Yes, please identify: Act No. 89/2012 Coll., the Civil Code, as amended (Civil Code)

Private right of action for false advertising	
others for false or misleading advertising (e.g., competitor lawsuits)	Within the framework of private law regulation, misleading or false advertising is classified as an unfair competition (same as prohibited comparative or unsolicited advertising; Section 2976 of the Civil Code). An action for violation of the prohibition of unfair competition may be filed by a competitor, consumer or legal entity authorized to defend the interests of competitors or consumers.
Website link to law, statute, or code	Official Czech version of the Civil Code is available here , the translation is available here .

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country	Association for Internet Progress	Link (in EN)
	Association of Communication Agencies	Link (in CZ)
	Association of Commercial Television	Link (in EN)
	Association of Czech Advertising Agencies and Marketing Communications	Link (in CZ)

Contributor's name and law firm: Vojtěch Chloupek, Bird & Bird s.r.o. advokátní kancelář

Verifier's name and law firm: Jana Traplová, The Law and Patent Offices TRAPLOVÁ – HAKR – KUBÁT

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Dominican Republic
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Advertising Law, Statute, or Code	
<p>Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)</p>	<p>No</p> <p>However, the following laws, decrees and resolutions provide regulations on advertising:</p> <ul style="list-style-type: none"> (i) General Law for the Protection of Consumer Rights No. 358-05 and its Application Regulation (Decree No. 236-08). (ii) Resolution No. 016-2014 that regulate misleading advertising in Dominican Republic (iii) Antitrust Law No. 42-08. (iv) General Law of Health No. 42-01 (rules over the advertising of medicine, tobacco and alcoholic beverages). (v) Law that declares the Promotion and Promotion of Breastfeeding as a national priority No. 8-95 and its Application Regulation (Decree No. 142-18). (vi) Medication Regulation No. 246-06. (vii) Resolution No. 000033 of 12/21/2015 that regulates the advertising and promotion of medicine, cosmetics, health products, personal hygiene and home. (viii) Law No. 351 that authorizes the issuance of licenses to gaming houses. (ix) Telecommunications Law No. 153-98. (x) Resolution with regulation on the rights and obligations of users and providers of public telecommunications services No. 062-17. (xi) Decree No. 824 of 1971 for the functioning of the National Commission for Public Spectacles.
<p>Website link to law, statute, or code</p>	<ul style="list-style-type: none"> (i) https://www.proconsumidor.gob.do/files/Ley_General_de_Proteccion_de_los_Derechos_del_Consumidor_o_Usuario_No_358-05.pdf (ii) https://www.proconsumidor.gob.do/files/16-2014.pdf (iii) https://procompetencia.gob.do/wpfd_file/ley-general-de-defensa-de-la-competencia-num-42-08/ (iv) https://www.micm.gob.do/images/pdf/transparencia/base-legal-de-la-institucion/decretos/Decreto%20236-08%20Reglamento%20de%20aplicacion%20Ley%20358-05.pdf (v) https://repositorio.msp.gob.do/bitstream/handle/123456789/761/LeyNo.8-95.PDF?sequence=1&isAllowed=y (vi) https://mamard.org/decreto-num-142-18-reglamento-para-la-aplicacion-de-la-ley-que-declara-como-prioridad-nacional-la-promocion-y-el-fomento-de-la-lactancia-materna/

Advertising Law, Statute, or Code	
	<p>(vii) https://repositorio.msp.gob.do/bitstream/handle/123456789/793/LeyNo.%2042-01.PDF?sequence=1&isAllowed=y</p> <p>(viii) https://repositorio.msp.gob.do/bitstream/handle/123456789/1491/Decreto2462006.pdf?sequence=1&isAllowed=y</p> <p>(ix) https://repositorio.msp.gob.do/bitstream/handle/123456789/867/Resolucion0000332015.pdf?sequence=1&isAllowed=y</p> <p>(x) https://www.casinos.gob.do/documents/20127/37853/ley-351-No-08-08-64.pdf/a25c7000-324c-e9da-4d63-ad2aa2b05946</p> <p>(xi) https://indotel.gob.do/media/5132/ley-no-153-98.pdfhttps://transparencia.indotel.gob.do/media/9884/res-062-17-reglamento-de-los-derechos-y-obligaciones.pdf</p>

Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	<p>(i) National Institute for the Protection of Consumer Rights (Pro Consumidor).</p> <p>(ii) Ministry of Public Health and Social Assistance (MISPAS).</p> <p>(iii) Dominican Institute of Telecommunications (INDOTEL).</p> <p>(iv) National Commission for Public Spectacles.</p>
Website link to government agency or other authority	<p>(i) https://proconsumidor.gob.do</p> <p>(ii) https://msp.gob.do/web/</p> <p>(iii) https://www.indotel.gob.do/</p> <p>(iv) No website available for the National Commission for Public Spectacles.</p>
Does the agency/authority possess criminal enforcement powers?	<p>No</p> <p>However, Pro Consumidor and MISPAS may file a claim through the District attorney.</p>
Does the agency/authority possess civil enforcement powers?	<p>No</p> <p>However, Pro Consumidor and MISPAS may seize products, halt advertising. Proconsumidor may also impose administrative sanctions.</p> <p>INDOTEL also have enforcement duties in the Telecommunications area.</p>
Are case decisions publicly available?	<p>Yes</p> <p>But only the below agency (telecommunication)</p>
Website link to decisions	<p>If Yes, insert website link to decisions here:</p> <p>INDOTEL:</p> <p>https://transparencia.indotel.gob.do/base-legal-de-la-institucion/resoluciones/</p>

Government Regulatory Agency or Similar Authority	
	No links available to consult the decisions of Proconsumidor, MISPAS and the National Commission for Public Spectacles.

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	No There are two self-regulatory codes in the alcohol field, enacted by the following particular associations: i. Dominican Association of Rum Producers (ADOPRON). ii. Dominican Association of Beer Manufacturers (ADOFACE).
Website link to organization	i. https://adopron.org.do/ Self regulation code: https://adopron.org.do/wp-content/media/2017/10/Codigo-Autorregulacion-Publicitaria.pdf ii. No website available for ADOFACE Self regulation code: https://docplayer.es/4164966-Codigo-de-autorregulacion-de-mercadeo.html (non official site)
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here:

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute,	Yes If Yes, please identify:

Advertising to Children	
regulations, or code regulating advertising to children?	<p>(i) Code for the System of Protection and Fundamental Rights of Children and Teenagers / Law No. 136-03. Article 21</p> <p>(ii) Law No. 8-95 that declares the Promotion and Development of Breastfeeding as a national priority and its Regulatory Decree No 31/1996</p>
Website link to law, statute, regulations, or code	<p>(i) https://www.oas.org/dil/esp/LEY%20136-03%20-%20Codigo%20para%20el%20Sistema%20de%20Protecci%20n%20y%20los%20Derechos%20Fundamentales%20de%20Ni%20os%20Ni%20as%20y%20Adolescentes%20Republica%20Dominicana.pdf</p> <p>(ii) https://siteal.iiep.unesco.org/sites/default/files/sit_accion_files/do_0323.pdf</p>
Which Government agency or other authority enforces the law, statute, regulations, or code?	<p>(i) National Council for Children and Teenagers (CONANI) (Law No. 136-03).</p> <p>(ii) Ministry of Public Health and Social Assistance (Law No. 8-95 and its Regulatory Decree).</p> <p>(iii) General Public Prosecutor.</p>
Website link to government agency or other authority	<p>(i) https://conani.gob.do/quienes-somos/</p> <p>(ii) https://msp.gob.do/web/</p> <p>(iii) https://pgr.gob.do</p>
Website link to decisions by agency or other authority	N/A
Is there a self-regulatory organization overseeing advertising to children?	No
Name of self-regulatory organization	
Website link to organization	
Website link to organization decisions	

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	Ministry of Public Health and Social Assistance	See below https://msp.gob.do/web/	N/A
Beauty Care / Cosmetics and Fragrances	Yes	Ministry of Public Health and Social Assistance	Same as above	N/A
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	National Commission for Public Spectacles	N/A	N/A
CBD and/or Marijuana	No		N/A	N/A
Dietary/Health Supplements and Vitamins	Yes	Ministry of Public Health and Social Assistance	Same as above	N/A
Environmental / Energy (including Oil & Gas)	No		N/A	N/A
Fashion, textile, luxury goods	No		N/A	N/A
Financial and insurance services	Yes	(i) Financial Services: Superintendency of Banks (ii) Insurance Services: Insurance Superintendency	See below (i) https://www.sb.gob.do (ii) https://superseguros.gob.do	N/A
Food and Agriculture	Yes	(i) Food: Ministry of Public Health and Social Assistance (ii) Agriculture: Ministry of Agriculture	(i) Same as above (ii) https://agricultura.gob.do/	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Gambling and Gaming	Yes	Casinos and Game of Chance Directorate from the Ministry of Finance / Treasury Department	See below https://www.casinos.gob.do	N/A
Healthcare/Medical (services)	Yes	Ministry of Public Health and Social Assistance	Same as above	N/A
Legal	Yes	Bar Association of the Dominican Republic	See below https://colegiodeabogados.org.do/	N/A
Medical Devices/Equipment	Yes	Ministry of Public Health and Social Assistance	Same as above	N/A
Pharmaceuticals	Yes	Ministry of Public Health and Social Assistance	Same as above	N/A
Tobacco	Yes	Ministry of Public Health and Social Assistance	Same as above	N/A

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	<p>Yes</p> <p>If Yes, please identify:</p> <ul style="list-style-type: none"> (i) General Law for the Protection of Consumer and Users Rights No. 358-05 (ii) General Law for the Defense of Competition No. 42-08 (iii) Telecommunications Law No. 153-98 (iv) Resolution No. 016-2014 that provides for the regulation of misleading advertising. (v) Resolution 007-2012 which prohibits advertising and sale of miraculous products.
Website link to law, statute, or code	<ul style="list-style-type: none"> (i) https://www.proconsumidor.gob.do/files/Ley_General_de_Proteccion_de_los_Derechos_del_Consumidor_o_Usuario_No_358-05.pdf (ii) https://www.micm.gob.do/images/pdf/transparencia/base-legal-de-la-institucion/leyes/Ley%2042-08%20Sobre%20Defensa%20de%20la%20Competencia.pdf

Private right of action for false advertising	
	(iii) https://indotel.gob.do/media/5132/ley-no-153-98.pdf (iv) https://proconsumidor.gob.do/transparencia/files/baselegal-resoluciones/16-2014.pdf (v) https://www.proconsumidor.gob.do/documentos/resoluciones/consejodirectivo/2012/Resolucion_007-2012.pdf

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country		

Contributor's name and law firm: María del Pilar Troncoso - TRONCOSO LEROUX

Verifier's name and law firm: Jaime R. Angeles – AngelesPons

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Ecuador
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Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	Yes If yes, please identify: 1. LEY ORGÁNICA DE COMUNICACIÓN 2. LEY ORGÁNICA DE DEFENSA DEL CONSUMIDOR 3. ANDEAN COMMUNITIY DECISION 486
Website link to law, statute, or code	1. https://www.telecomunicaciones.gob.ec/wp-content/uploads/2020/01/Ley-Organica-de-Comunicaci%C3%B3n.pdf 2. https://www.dpe.gob.ec/wp-content/dpetransparencia2012/literal/BaseLegalQueRigeLaInstitucion/LeyOrganicadelConsumidor.pdf 3. http://www.sice.oas.org/trade/junac/decisiones/DEC486ae.asp

Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	1. Superintendencia de Control de Poder de Mercado
Website link to government agency or other authority	2. https://www.scpm.gob.ec/sitio/
Does the agency/authority possess criminal enforcement powers?	No
Does the agency/authority possess civil enforcement powers?	Yes
Are case decisions publicly available?	Yes
Website link to decisions	https://www.scpm.gob.ec/sitio/resoluciones-administrativas/

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	There is not one.
Website link to organization	X
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory	No

Self-Regulatory Organizations	
agency that has criminal enforcement powers?	
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Are case decisions publicly available?	No
Website link to decisions	If yes, insert website link to decisions here:

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	Yes If yes, please identify: 1. REGLAMENTO DIFUSIÓN DE PUBLICIDAD QUE PARTICIPE O ESTE DIRIGIDA A NIÑOS
Website link to law, statute, regulations, or code	1. https://www.igualdad.gob.ec/wp-content/uploads/downloads/2018/05/reglamento_difusion_publicidad_ninos.pdf
Which Government agency or other authority enforces the law, statute, regulations, or code?	1. Consejo de Regulación, Desarrollo y Promoción de la Información y Comunicación.
Website link to government agency or other authority	1. https://www.gob.ec/crdpic
Website link to decisions by agency or other authority	X
Is there a self-regulatory organization overseeing advertising to children?	No
Name of self-regulatory organization	X
Website link to organization	X
Website link to organization decisions	X

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	MINISTERIO SALUD PÚBLICA DEL ECUADOR – Law: LEY ORGANICA DE PREVENCIÓN INTEGRAL FENÓMENO SOCIO ECONOMICO DROGAS	See below https://www.salud.gob.ec/ Law: https://www.cfn.fin.ec/wp-content/uploads/2018/11/Ley-Organica-de-Prevencion-Integral-del-Fenomeno-Socio-Economico-de-las-Drogas.pdf INEN- https://www.normalizacion.gob.ec/buzon/normas/nte_inen_375-2.pdf	See below
Beauty Care / Cosmetics and Fragrances	No		Choose an item. INEN- https://www.normalizacion.gob.ec/buzon/normas/nte_inen_2867.pdf	N/A
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	CONSEJO DE COMUNICACIÓN- LEY ORGÁNICA DE COMUNICACIÓN	See below LAW https://www.telecomunicaciones.gob.ec/wp-content/uploads/2020/01/Ley-Organica-de-Comunicaci%C3%B3n.pdf	N/A
CBD and/or Marijuana	No		Choose an item.	Choose an item.
Dietary/Health Supplements and Vitamins	Yes	MINISTERIO DE SALUD PÚBLICA DEL ECUADOR	Same as above Law- https://www.controlsanitario.gob.ec/wp-content/uploads/downloads/2017/02/Resolu%C3%B3n_ARCSA-DE-028-2016-YMIH_NTS_SUPLEMENTOS_ALIMENTICIOS.pdf INEN- https://www.normalizacion.gob.ec/buzon/normas/nte_inen_2983.pdf	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Environmental / Energy (including Oil & Gas)	No		Choose an item. INEN- https://www.normalizacion.gob.ec/buzon/normas/NTE_INEN_IEC_62052_21.pdf	Choose an item.
Fashion, textile, luxury goods	No		Choose an item. INEN- https://www.normalizacion.gob.ec/buzon/normas/nte_inen_1875-4.pdf	Choose an item.
Financial and insurance services	No		Choose an item. INEN- https://www.normalizacion.gob.ec/buzon/normas/ite_inen_iso-iec%20tr_27015.pdf	Choose an item.
Food and Agriculture	Yes	MINISTERIO SALUD PÚBLICA DEL ECUADOR	Same as above https://www.salud.gob.ec/ + https://www.controlsanitario.gob.ec/wp-content/uploads/downloads/2014/07/ec.nte_1334.1.2011.pdf + LORSA https://www.soberaniaalimentaria.gob.ec/pacha/wp-content/uploads/2011/04/LORSA.pdf +INEN https://www.controlsanitario.gob.ec/wp-content/uploads/downloads/2016/12/NTE-INEN-1334-1-Rotulado-de-Productos-Alimenticios-para-consumo-Humano-parte-1.pdf	Choose an item.
Gambling and Gaming	No		Choose an item. Illegal in Ecuador- https://www.turismo.gob.ec/wp-content/uploads/2016/04/REGLAMENTO-	Choose an item.

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
			DE-JUEGOS-DE-AZAR-PRACTICADOS-EN.pdf	
Healthcare/Medical (services)	No		Choose an item. INEN- https://www.normalizacion.gob.ec/buzon/normas/nte_inen_2990.pdf	Choose an item.
Legal	No		Choose an item.	Choose an item.
Medical Devices/Equipment	No		Choose an item. INEN- (NTE)- https://www.normalizacion.gob.ec/buzon/normas/nte_inen_iso_8536-11.pdf	Choose an item.
Pharmaceuticals	No	MINISTERIO DE SALUD PÚBLICA DEL ECUADOR	Same as above Law https://www.salud.gob.ec/wp-content/uploads/downloads/2014/09/Reglamento-a-la-Ley-Org%C3%A1nica-de-Salud.pdf + INEN (NTE) https://www.normalizacion.gob.ec/buzon/normas/nte_inen_iso_11238.pdf	Choose an item.
Tobacco	Yes	MINISTERIO DE SALUD PÚBLICA DEL ECUADOR	Same as above Law- https://www.controlsanitario.gob.ec/wp-content/uploads/downloads/2016/12/L-R.O.-497-Ley-Orga%CC%81nica-para-la-regulacio%CC%81n-y-control-del-tabaco.pdf INEN- (NTE) https://www.normalizacion.gob.ec/buzon/normas/nte_inen_iso_15592_2extracto.pdf	See below https://www.dpe.gob.ec/wp-content/dpetransparencia2012/literal/BasLegalQueRigeLaInstitucion/LeyOrganicadelConsumidor.pdf

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	<p>Yes</p> <p>If Yes, please identify:</p> <ol style="list-style-type: none"> 1. Civil Judge – Under Law- Ley Orgánica de Regulación y Control de Poder de Mercado 2. Law- LEY ORGÁNICA DE DEFENSA DEL CONSUMIDOR 3. Private Right of Action- Start a mediation process at any authorized location 4. DEFENSORÍA DEL PUEBLO
Website link to law, statute, or code	<ol style="list-style-type: none"> 1. https://www.oas.org/juridico/pdfs/mesicic4_ecu_org7.pdf 2. https://www.dpe.gob.ec/wp-content/dpetransparencia2012/literala/BaseLegalQueRigeLaInstitucion/LeyOrganicadelConsumidor.pdf 3. N/A 4. https://www.dpe.gob.ec/

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country	Asociación ecuatoriana de agencias de publicidad	http://www.aeap.com.ec/

Contributor's name and law firm: María de los Angeles Lombeyda/AVL ABOGADOS

Verifier's name and law firm: Pedro Manuel Córdova Balda/ ROBALINO LAW

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Ethiopia
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Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	Yes If Yes, please identify: Advertisement Proclamation No.759/2012
Website link to law, statute, or code	http://chilot.files.wordpress.com/2012/09/advertisement-proclamation.pdf

Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	Ethiopian Media Authority and/or Trade Competition and Consumers' Protection Authority
Website link to government agency or other authority	https://ema.gov.et
Does the agency/authority possess criminal enforcement powers?	No They possess administrative penalties enforcement power.
Does the agency/authority possess civil enforcement powers?	No
Are case decisions publicly available?	No Only decisions of the Supreme Court Cassation Bench are available
Website link to decisions	If Yes, insert website link to decisions here: https://www.lawethiopia.com/

The

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	Not Available.
Website link to organization	N/A
Does organization possess criminal enforcement powers, or the power to refer	<input type="text" value="Choose an item."/>

Self-Regulatory Organizations	
matters to a government regulatory agency that has criminal enforcement powers?	
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	Choose an item.
Are case decisions publicly available?	Choose an item.
Website link to decisions	If Yes, insert website link to decisions here:

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	No If Yes, please identify:
Website link to law, statute, regulations, or code	N/A
Which Government agency or other authority enforces the law, statute, regulations, or code?	N/A
Website link to government agency or other authority	N/A
Website link to decisions by agency or other authority	N/A
Is there a self-regulatory organization overseeing advertising to children?	No
Name of self-regulatory organization	N/A
Website link to organization	N/A
Website link to organization decisions	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	Ethiopian Food and Drug Authority	See below http://www.efda.gov.et/	N/A
Beauty Care / Cosmetics and Fragrances	Yes	Ethiopian Food and Drug Authority Ethiopian Conformity Assessment Enterprise Ethiopian Standard Agency	Same as above https://www.eca-e.com/ https://ethiostandards.org/	N/A
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	Ethiopian Media Authority	See below https://www.ema.gov.et	N/A
CBD and/or Marijuana	No		N/A	N/A
Dietary/Health Supplements and Vitamins	Yes	Ethiopian Food and Drug Authority	See below http://www.efda.gov.et/	N/A
Environmental / Energy (including Oil & Gas)	No		N/A	N/A
Fashion, textile, luxury goods	No		N/A	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Financial and insurance services	No		N/A	N/A
Food and Agriculture	Yes	Ethiopian Food and Drug Authority	See below http://www.efda.gov.et/	N/A
Gambling and Gaming	Yes	Ethiopian National Lottery Administration	<input type="text" value="Choose an item."/>	Choose an item.
Healthcare/Medical (services)	Yes	Ethiopian Food and Drug Authority	See below http://www.efda.gov.et/	N/A
Legal	No		N/A	N/A
Medical Devices/Equipment	Yes	Ethiopian Food and Drug Authority	Same as above	N/A
Pharmaceuticals	Yes	Ethiopian Food and Drug Authority	Same as above	N/A
Tobacco	Yes	Ethiopian Food and Drug Authority	Same as above	N/A

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against	Yes If Yes, please identify: Trade Competition and Consumers Protection Proclamation No. 813/2013

Private right of action for false advertising	
others for false or misleading advertising (e.g., competitor lawsuits)	
Website link to law, statute, or code	

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country		

Contributor's name and law firm: Lidet Abebe Tiziazu, Managing partner - Lidet Abebe Law Tizazu Office
Verifier's name and law firm: Jenny Pienaar- Adams & Adams

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Germany
Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	<p>Yes</p> <p>If Yes, please identify: There is no special law dealing only with advertising in general. However, the German Act against Unfair Competition (UWG, Gesetz gegen den unlauteren Wettbewerb) regulates the behaviour of competitors in the market, thus also covers advertising. In addition, there are special laws and regulations for advertising, i.e. for specific products (e.g. German Act on Advertising of Medicinal Products (HWG, Heilmittelwerbegesetz), Tobacco Advertising Directive of the EU).</p>
Website link to law, statute, or code	https://www.gesetze-im-internet.de/englisch_uwg/
Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	<p>There is no such government agency or other authority in Germany. In Germany, the focus is on enforcing advertising law before the state courts by means of civil action. The Act against Unfair Competition also follows this regulatory model (Sections 8-10 UWG).</p> <p>In addition, there are various associations for protection against unfair competition ,e.g. the Centre for Protection against Unfair Competition (Zentrale zur Bekämpfung unlauteren Wettbewerbs, “Wettbewerbszentrale”). The Wettbewerbszentrale is an independent institution of the German industry and was founded for the purpose of self-responsibly safeguarding fair competition. The Wettbewerbszentrale is allowed to prosecute unfair competition (also to start legal proceedings in front of a civil court).</p> <p>In addition, there are limited competition law responsibilities of the general law enforcement and administrative authorities as well as some industry authorities (e.g. Sect. 16 UWG, 20 UWG and Sect. 10 PAngV).</p>
Website link to government agency or other authority	n/a
Does the agency/authority possess criminal enforcement powers?	No
Does the agency/authority possess civil enforcement powers?	No
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here:

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	Arbitration Board for disputes under competition law integrated at the Chambers of Commerce and Industry (Einigungsstelle zur Beilegung von bürgerlich-rechtlichen Streitigkeiten aufgrund des Gesetzes gegen den unlauteren Wettbewerb, see Sect. 15 UWG)
Website link to organization	e.g. IHK Düsseldorf: https://www.duesseldorf.ihk.de/recht-und-steuern/konfliktmanagement/schlichtung-2596282
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here:

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	Yes If Yes, please identify: There is no specific advertising law or code that regulates advertising to children. However, there are some special provisions, in particular in the UWG, limiting advertising that is directed to children, e.g. Sect. 3 para. 3 UWG in conjunction with No. 28 Annex UWG.
Website link to law, statute, regulations, or code	https://www.gesetze-im-internet.de/englisch_uwg/
Which Government agency or other authority enforces the law, statute, regulations, or code?	See above.
Website link to government agency or other authority	
Website link to decisions by agency or other authority	
Is there a self-regulatory organization overseeing advertising to children?	<input type="text" value="Choose an item."/>
Name of self-regulatory organization	

Advertising to Children	
Website link to organization	
Website link to organization decisions	

Industries	<p>Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")</p> <p>As stated above, there is no special government agency in Germany that is competent to oversee advertising regulations in general. However, administrative authorities will monitor and prosecute violations of advertising regulations in particular in specific fields of business. Due to the multi-level administrative structure in Germany, the monitoring of advertising can fall under the responsibility of both the federal and the state administration (e.g.: The Federal Institute for Drugs and Medical Devices is responsible, among other things, for monitoring advertising in the area of "food supplements/health products and vitamins". Among others, the state media authorities of the federal states are responsible for monitoring alcohol advertising). Which authority is ultimately responsible is determined by the applicable federal or state laws.</p>			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	No		Choose an item.	Choose an item.
Beauty Care / Cosmetics and Fragrances	No		Choose an item.	Choose an item.
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	No		Choose an item.	Choose an item.
CBD and/or Marijuana	No		Choose an item.	Choose an item.
Dietary/Health Supplements and Vitamins	No		Choose an item.	Choose an item.
Environmental / Energy (including Oil & Gas)	No		Choose an item.	Choose an item.

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose “Same as above.”) As stated above, there is no special government agency in Germany that is competent to oversee advertising regulations in general. However, administrative authorities will monitor and prosecute violations of advertising regulations in particular in specific fields of business. Due to the multi-level administrative structure in Germany, the monitoring of advertising can fall under the responsibility of both the federal and the state administration (e.g.: The Federal Institute for Drugs and Medical Devices is responsible, among other things, for monitoring advertising in the area of "food supplements/health products and vitamins". Among others, the state media authorities of the federal states are responsible for monitoring alcohol advertising). Which authority is ultimately responsible is determined by the applicable federal or state laws.			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Fashion, textile, luxury goods	No		Choose an item.	Choose an item.
Financial and insurance services	No		Choose an item.	Choose an item.
Food and Agriculture	No		Choose an item.	Choose an item.
Gambling and Gaming	No		Choose an item.	Choose an item.
Healthcare/Medical (services)	No		Choose an item.	Choose an item.
Legal	No		Choose an item.	Choose an item.
Medical Devices/Equipment	No		Choose an item.	Choose an item.
Pharmaceuticals	No		Choose an item.	Choose an item.
Tobacco	No		Choose an item.	Choose an item.

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	Yes If Yes, please identify: German Act against Unfair Competition (UWG)
Website link to law, statute, or code	https://www.gesetze-im-internet.de/englisch_uwg/

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country	The Centre for Protection against Unfair Competition (Zentrale zur Bekämpfung unlauteren Wettbewerbs, „Wettbewerbszentrale“)	https://www.wettbewerbszentrale.de/de/home/
	Central Association of the German Advertising Industry (ZAW) (Zentralverband der deutschen Werbewirtschaft eV (ZAW))	https://zaw.de/
	The Federation of German Consumer Organisations (Der Verbraucherzentrale Bundesverband)	https://www.vzbv.de/
	Deutscher Schutzverband gegen Wirtschaftskriminalität (German Association for the	https://www.dsw-schutzverband.de/

Other resources	Association or Organization	Website Link
	Protection against Economic Crime)	

Contributor's name and law firm: Dr. Uwe Lueken, Bird & Bird LLP

Verifier's name and law firm: Dr. Anja Doepner-Thiele LL.M., Orth Kluth Rechtsanwälte Partnerschaftsgesellschaft mbB

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Guatemala	
Advertising Law, Statute, or Code		
<p>Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)</p>	<p>No. Advertising in Guatemala is not regulated in a single legal body and there is no specific general law or regulation that can be applied to this topic. On the contrary, provisions on advertising are included in a series of legislative instruments (Decrees or Laws) which address specific areas of law and take advertising as an additional or circumstantial element of the matters covered under such instruments. Likewise, there are lower-level regulations, of an administrative type, whose purpose is to develop the procedures and the implementation of the Decrees (Governmental Agreements and Ministerial Agreements). There are also marketing and advertisement guild agreements that seek harmonization and regulation of groups, users and people or companies dedicated to advertising.</p> <p>Due to the absence of a specific law in the matter, the legal regulation on advertising in Guatemala is directly or indirectly included in several laws, regulations and agreements. The main ones are:</p> <ul style="list-style-type: none"> (a) Health Code, Decree 90-97; (b) Radio Communications Law, Law-Decree 433; (c) Law of Expression of Thought, Decree 9; (d) Electoral and Political Parties Law, Decree 1-85; (e) Commercial Code, Decree 2-70; (f) Law on Sporting Events, Decree 136-96; (g) Industrial Property Law, Decree 57-2000; (h) Consumers Protection Law, Decree 6-2003; (i) Alcoholic Beverages, Wines, Beers and Fermented Beverages Consumption and Advertisement Regulation, Government Agreement 127-2002; and (j) By-laws of Health Regulations for the Authorization and Surveillance of Advertising of Products derived from Tobacco, Government Agreement 338-2013. <p>If Yes, please identify:</p>	
<p>Website link to law, statute, or code</p>	<p>Health Code, Decree 90-97</p> <hr/> <p>Radio Communications Law, Law-Decree 433</p> <hr/> <p>Law of Expression of Thought, Decree 9</p>	<p>https://leyes.infile.com/index.php?id=182&id_publicacion=21459</p> <hr/> <p>https://leyes.infile.com/index.php?id=182&id_publicacion=22174</p> <hr/> <p>https://leyes.infile.com/index.php?id=182&id_publicacion=21312</p>

Advertising Law, Statute, or Code		
	Electoral and Political Parties Law, Decree 1-85	https://leyes.infile.com/index.php?id=182&id_publicacion=21299
	Commercial Code, Decree 2-70	https://leyes.infile.com/index.php?id=182&id_publicacion=21299
	Law on Sporting Events, Decree 136-96	https://leyes.infile.com/index.php?id=182&id_publicacion=21884
	Industrial Property Law, Decree 57-2000	https://leyes.infile.com/index.php?id=182&id_publicacion=24101
	Consumers Protection Law, Decree 6-2003	https://leyes.infile.com/index.php?id=182&id_publicacion=24198
	Alcoholic Beverages, Wines, Beers and Fermented Beverages Consumption and Advertisement Regulation, Government Agreement 127-2002	https://leyes.infile.com/index.php?id=182&id_publicacion=24216
	By-laws of Health Regulations for the Authorization and Surveillance of Advertising of Products derived from Tobacco, Government Agreement 338-2013 Note: The links provided above need membership. There are no free links that we can ensure are up to date.	https://leyes.infile.com/index.php?id=182&id_publicacion=68437

Government Regulatory Agency or Similar Authority		
Name of primary government agency or other authority overseeing advertising regulations	<p>Advertising supervision in Guatemala may be performed, as it is not regulated in a single legal body, by different authorities depending upon the advertising matters covered. The primary authorities which are more involved in advertising matters are:</p> <ul style="list-style-type: none"> (a) The Ministry of Health (through its different agencies) regarding pharmaceutical, tobacco, alcoholic beverages and foods products. (b) The Directorate of Attention and Assistance to the consumer regarding any matter in which a consumer right may be compromised. 	

Government Regulatory Agency or Similar Authority	
Website link to government agency or other authority	<p>Ministry of Health https://www.mspas.gob.gt/</p> <hr/> <p>Directorate of Attention and Assistance to the consumer https://www.diacogob.gt/</p>
Does the agency/authority possess criminal enforcement powers?	<p>No</p> <p>The attorney general's office is the only authority in Guatemala with criminal enforcement powers. Any particular or authority may file a claim in order to seek enforcement if a crime was consumed regarding advertisement matters.</p>
Does the agency/authority possess civil enforcement powers?	<p>Yes</p> <p>The Ministry of Health (through its different agencies) and the Directorate of Attention and Assistance to the consumer are empowered to apply sanctions regulated in the law when an infringement is found.</p>
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here:

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	<p>In Guatemala, there is no binding system of self-regulation. Regardless of this, several associations or guilds have formed the denominated, National Advertising Council (NAC):</p> <p>(a) the Advertisers Association of Guatemala (AAG); (b) the Guatemalan Association of Advertising Agencies; (c) the Guatemala Media Chamber; and</p>

Self-Regulatory Organizations	
	(d) the Independent Media. The NAC has created a Code of Ethics, aiming at better interaction amongst its members and establishing certain guidelines that such members are called upon to observe, in particular, the adoption of standards of business acts and quality standards that can be adjusted to the reality of the Guatemalan market.
Website link to organization	N/A
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	The organization may file a claim in order to seek enforcement if a crime was consumed regarding advertisement matters.
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No The organization must refer the matters to a government regulatory authority in order to seek enforcement.
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here:

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	No If Yes, please identify:
Website link to law, statute, regulations, or code	N/A
Which Government agency or other authority enforces the law, statute, regulations, or code?	N/A
Website link to government agency or other authority	N/A
Website link to decisions by agency or other authority	N/A

Advertising to Children	
Is there a self-regulatory organization overseeing advertising to children?	No
Name of self-regulatory organization	N/A
Website link to organization	N/A
Website link to organization decisions	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	No	N/A	N/A	N/A
Beauty Care / Cosmetics and Fragrances	No	N/A	N/A	N/A
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	No	N/A	N/A	N/A
CBD and/or Marijuana	No	N/A	N/A	N/A
Dietary/Health Supplements and Vitamins	No	N/A	N/A	N/A
Environmental / Energy (including Oil & Gas)	No	N/A	N/A	N/A
Fashion, textile, luxury goods	No	N/A	N/A	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Financial and insurance services	No	N/A	N/A	N/A
Food and Agriculture	No	N/A	N/A	N/A
Gambling and Gaming	No	N/A	N/A	N/A
Healthcare/Medical (services)	No	N/A	N/A	N/A
Legal	No	N/A	N/A	N/A
Medical Devices/Equipment	No	N/A	N/A	N/A
Pharmaceuticals	No	N/A	N/A	N/A
Tobacco	No	N/A	N/A	N/A

Private right of action for false advertising				
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against	<p data-bbox="632 1325 684 1349">Yes</p> <p data-bbox="632 1385 915 1409">If Yes, please identify:</p> <p data-bbox="632 1450 1415 1474">The three main cases where a competitor has a right of action are:</p>			

Private right of action for false advertising									
<p>others for false or misleading advertising (e.g., competitor lawsuits)</p>	<p>(a) When the advertising is false or misleading which constitutes unfair competition under the Commercial Code and the Industrial Property Law, the affected party may bring a claim via civil action to request the suspension of the act and the payment of damages and/or compensation for losses suffered from the activities of the competitor.</p> <p>(b) Where advertising amounts to a criminal offense under the Criminal Code, such as the violation of Industrial Property rights or crimes against honor, the affected competitor may file a complaint before the public's prosecutor office, to proceed with a criminal proceeding that results in the imposition of a prison sentence and/or a fine</p> <p>(c) Another case refers to regulated sectors (for example, products made or derived from tobacco, alcoholic beverages and pharmaceutical products), in which there is a possibility that any competitor may denounce the non-compliance with the rules of a specific advertisement, following the procedure established in the Health Code. Remedies for non-compliance include withdrawal of the advertisement and sanctions against the person responsible.</p> <p>A consumer has a right of action in respect of misleading advertising under the provisions of the Consumers Protection Law. The infraction can be reported to the Directorate of Attention and Assistance to the consumer 'Misleading advertising' is defined by the aforementioned regulation as advertising that 'induces the consumer or user to error by means of trickery or deceit to defraud him in his assets to his own detriment or of a third party'. This is a special case of infringement, which can be subject to a fine of US\$16,000–30,000.</p> <p>US\$1.00 is equivalent to 7.85 quetzales (local currency).</p>								
<p>Website link to law, statute, or code</p>	<table border="0"> <tr> <td data-bbox="646 1084 1108 1114">Health and Safety Code, Decree 90-97</td> <td data-bbox="1297 1084 1919 1146">https://leyes.infile.com/index.php?id=182&id_publicacion=21459</td> </tr> <tr> <td data-bbox="646 1179 1024 1208">Commercial Code, Decree 2-70</td> <td data-bbox="1297 1179 1919 1240">https://leyes.infile.com/index.php?id=182&id_publicacion=21299</td> </tr> <tr> <td data-bbox="646 1273 1129 1302">Industrial Property Law, Decree 57-2000</td> <td data-bbox="1297 1273 1919 1334">https://leyes.infile.com/index.php?id=182&id_publicacion=24101</td> </tr> <tr> <td data-bbox="646 1367 1159 1396">Consumers Protection Law, Decree 6-2003</td> <td data-bbox="1297 1367 1919 1429">https://leyes.infile.com/index.php?id=182&id_publicacion=24198</td> </tr> </table>	Health and Safety Code, Decree 90-97	https://leyes.infile.com/index.php?id=182&id_publicacion=21459	Commercial Code, Decree 2-70	https://leyes.infile.com/index.php?id=182&id_publicacion=21299	Industrial Property Law, Decree 57-2000	https://leyes.infile.com/index.php?id=182&id_publicacion=24101	Consumers Protection Law, Decree 6-2003	https://leyes.infile.com/index.php?id=182&id_publicacion=24198
Health and Safety Code, Decree 90-97	https://leyes.infile.com/index.php?id=182&id_publicacion=21459								
Commercial Code, Decree 2-70	https://leyes.infile.com/index.php?id=182&id_publicacion=21299								
Industrial Property Law, Decree 57-2000	https://leyes.infile.com/index.php?id=182&id_publicacion=24101								
Consumers Protection Law, Decree 6-2003	https://leyes.infile.com/index.php?id=182&id_publicacion=24198								

Private right of action for false advertising	
	<p>Alcoholic Beverages, Wines, Beers and Fermented Beverages Consumption and Advertisement Regulation, Government Agreement 127-2002 https://leyes.infile.com/index.php?id=182&id_publicacion=24216</p> <hr/> <p>By-laws of Health Regulations for the Authorization and Surveillance of Advertising of Products derived from Tobacco, Government Agreement 338-2013 https://leyes.infile.com/index.php?id=182&id_publicacion=68437</p> <p>Note: The links provided above need membership. There are no free links that we can ensure are up to date.</p>

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country	Asociación de Anunciantes de Guatemala	https://aag.org.gt/
	Unión Guatemalteca de Agencias de Publicidad	https://comunidadguatemala.com/
	Cámara de Medios de Guatemala	http://www.camaraderadiodifusiongt.org.gt/

Contributor's name and law firm: Marco Palacios / Palacios & Asociados

Verifier's name and law firm: Ivón Hernández and Ximena De Leon-Marsicovetere / Arias Guatemala

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Honduras
Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	No If Yes, please identify:
Website link to law, statute, or code	
Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	Advertisement is mainly regulated in Honduras through the Consumer Protection Law.
Website link to government agency or other authority	https://sde.gob.hn/proteccion-al-consumidor/
Does the agency/authority possess criminal enforcement powers?	Yes This is done through The Special Prosecution Office for the Protection of Consumers and the Elderly (FEP-CAM),
Does the agency/authority possess civil enforcement powers?	Yes
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here:
Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	None. The closest regulation would be the Acuerdo Nacional por la Promoción de una Cultura de Paz y Libertad de Expresión –
Website link to organization	

Self-Regulatory Organizations	
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here:

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	No If Yes, please identify:
Website link to law, statute, regulations, or code	
Which Government agency or other authority enforces the law, statute, regulations, or code?	
Website link to government agency or other authority	
Website link to decisions by agency or other authority	
Is there a self-regulatory organization overseeing advertising to children?	No
Name of self-regulatory organization	
Website link to organization	
Website link to organization decisions	

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	Instituto Hondureño para la Prevención del Alcoholismo y Farmaco dependencia (IHADFA)	See below https://portalunico.iaip.gob.hn/portal/index.php?portal=375	Choose an item.
Beauty Care / Cosmetics and Fragrances	Yes	Rtca – productos cosméticos – etiquetado. ARSA (Agencia de regulación sanitaria)	See below https://sde.gob.hn/wp-content/uploads/2021/05/RTCA-Etiquetado-de-Productos-Cosmeticos-CPI.pdf https://arsa.gob.hn/	Choose an item.
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	No		Choose an item.	Choose an item.
CBD and/or Marijuana	Yes	Agencia de Regulación Sanitaria	See below https://arsa.gob.hn/	Choose an item.
Dietary/Health Supplements and Vitamins	Yes	Agencia de Regulación Sanitaria	See below https://arsa.gob.hn	Choose an item.

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Environmental / Energy (including Oil & Gas)	Yes	Secretaria de Energia Honduras	See below https://sen.hn/	Choose an item.
Fashion, textile, luxury goods	No		Choose an item.	Choose an item.
Financial and insurance services	Yes	Comisión Nacional de Banca y Seguros	See below https://cnbs.gob.hn	Choose an item.
Food and Agriculture	Yes	Agencia de Regulación Sanitaria -and- Secretaria De Agricultura y ganadería	Choose an item. https://arsa.gob.hn https://sag.gob.hn	Choose an item.
Gambling and Gaming	No		Choose an item.	Choose an item.
Healthcare/Medical (services)	No		Choose an item.	Choose an item.
Legal	Yes	Colegio de Abogados de Honduras – Tribunal de Honor / Codigo de etica del profesional del derecho	Choose an item. https://www.colegiodeabogados.hn/	Choose an item.
Medical Devices/Equipment	Yes	Agencia de Regulación Sanitaria	See below https://arsa.gob.hn	Choose an item.

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Pharmaceuticals	Yes	Agencia de Regulación Sanitaria	See below https://arsa.gob.hn	Choose an item.
Tobacco	Yes	IHADFA	See below https://portalunico.iaip.gob.hn/portal/index.php?portal=375	Choose an item.

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	Yes Honduran Industrial Property Law Honduran Code of Commerce Honduran Criminal Code Honduran Consumer Protection Law
Website link to law, statute, or code	

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country	BUFETE MEJIA & ASOCIADOS	Bufetemejia.com
	INICIATIVA MEJIA PARA LA PROPIEDAD INTELECTUAL	MIIP3.ORG
	Asociacion Hondureña de la Propiedad Intelectual	Ahppi.com

Other resources	Association or Organization	Website Link

Contributor's name and law firm: Ricardo A. Mejia M. – Bufete Mejia y Asociados

Verifier's name and law firm: Lucia Duron – Bufete Duron

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Hong Kong
Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	No In Hong Kong, advertising is regulated by a wide range of potentially applicable laws, including the common law, intellectual property laws, and consumer protection laws. There are also industry-specific regulations and ordinances. If Yes, please identify:
Website link to law, statute, or code	N/A
Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	The Communications Authority and the Customs and Excise Department The Customs and Exercise Department is the principal agency to enforce the Trade Descriptions Ordinance, while the Communications Authority has concurrent jurisdiction in relation to commercial practices of licensees under the Telecommunications Ordinance and the Broadcasting Ordinance that are directly connected with the provision of a broadcasting or telecommunications service.
Website link to government agency or other authority	Communications Authority: https://www.coms-auth.hk/en/home/index.html Customs and Excise Department: https://www.customs.gov.hk/en/home/index.html
Does the agency/authority possess criminal enforcement powers?	Yes
Does the agency/authority possess civil enforcement powers?	Yes
Are case decisions publicly available?	Yes

Government Regulatory Agency or Similar Authority	
Website link to decisions	<p>If Yes, insert website link to decisions here:</p> <p>Communications Authority: https://www.coms-auth.hk/en/policies_regulations/ca_decisions/index.html</p> <p>Customs and Excise Department: https://www.customs.gov.hk/en/publication_press/press/index.html</p>

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	Association of Accredited Advertising Agencies of Hong Kong
Website link to organization	http://aaaa.com.hk/main/home/
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No, it has neither power.
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No, it has neither power.
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here: N/A

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	<p>No</p> <p>There is no law, statute, regulation or code that applies specifically to advertising to children. However, codes such as the Generic Code of Practice on Television Advertising Standards, the Radio Code of Practice on</p>

Advertising to Children	
	<p>Advertising Standards, and Code of Practices of the Association of Accredited Advertising Agencies of Hong Kong contain provisions relating to advertising to children.</p> <p>If Yes, please identify:</p>
Website link to law, statute, regulations, or code	<p>Relevant codes include, but are not limited to:-</p> <p>General Code of Practice on Television Advertising Standards (issued by the Communications Authority): https://www.coms-auth.hk/filemanager/common/policies_regulations/cop/code_tvad_e.pdf</p> <p>Radio Code of Practice on Advertising Standards (issued by the Communications Authority): https://www.coms-auth.hk/filemanager/common/policies_regulations/cop/code_radioad_e.pdf</p> <p>Code of Practices (issued by the Association of Accredited Advertising Agencies of Hong Kong): http://www.aaaa.com.hk/main/wp-content/uploads/2016/03/Code_of_Practice.pdf</p>
Which Government agency or other authority enforces the law, statute, regulations, or code?	The Communications Authority enforces the relevant regulations and ordinances while industry-specific associations have the power to take actions against their members in accordance with their respective codes of practice.
Website link to government agency or other authority	See above
Website link to decisions by agency or other authority	See above
Is there a self-regulatory organization overseeing advertising to children?	Yes
Name of self-regulatory organization	Association of Accredited Advertising Agencies of Hong Kong
Website link to organization	See above
Website link to organization decisions	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	Department of Health (Tobacco and Alcohol Control Office)	See below https://www.taco.gov.hk/a/english/index.html	N/A
Beauty Care / Cosmetics and Fragrances	No	Department of Health (Drug Office);	See below https://www.drugoffice.gov.hk/eps/do/en/p/harmaceutical_trade/other_useful_information/umao.html	N/A
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	Communication Authorities	Same as above	Same as above
CBD and/or Marijuana	Yes	Department of Health (Drug Office)	Same as above	N/A
Dietary/Health Supplements and Vitamins	Yes	Department of Health (Drug Office); Department of Food and Environmental Hygiene (Centre for Food Safety)	Same as above Centre for Food Safety: https://www.cfs.gov.hk/english/index.html	N/A
Environmental / Energy (including Oil & Gas)	No	N/A	N/A	N/A
Fashion, textile, luxury goods	Yes	Agriculture, Fisheries and Conservation Department	See below	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
			https://www.afcd.gov.hk/english/conservation/con_end/con_end_reg/con_end_reg_ord/con_end_reg_ord.html	
Financial and insurance services	Yes	Securities and Futures Commission; Hong Kong Monetary Authority; Mandatory Provident Schemes Authority; Insurance Authority; Hong Kong Association of Banks; DTC Association; The Hong Kong S.A.R. Licensed Money Lenders Association Ltd.	See below Securities and Futures Commission: https://www.sfc.hk/en/ Hong Kong Monetary Authority: https://www.hkma.gov.hk/eng Mandatory Provident Schemes Authority: https://www.mpfa.org.hk/en Insurance Authority: https://www.ia.org.hk/en/index.html Hong Kong Association of Banks: https://www.hkab.org.hk/DisplayArticleAction.do?sid=5&ss=3 DTC Association: http://www.dtca.org.hk/aboutus.asp The Hong Kong S.A.R. Licensed Money Lenders Association Ltd.: https://www.lmla.com.hk/index.aspx	See below Securities and Futures Commission: https://www.sfc.hk/en/News-and-announcements/Decisions-statements-and-disclosures Insurance Authority: https://www.ia.org.hk/en/infocenter/press_releases.html
Food and Agriculture	Yes	Department of Food and Environmental Hygiene (Centre for Food Safety)	See below Department of Health https://www.dh.gov.hk/english/index.html	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		Department of Health; Food and Health Bureau	Food and Health Bureau: https://hkcode.gov.hk/en/the-hk-code-full-version.html	
Gambling and Gaming	Yes	Home Affairs Bureau	See below http://www.hab.gov.hk/	N/A
Healthcare/Medical (services)	Yes	Department of Health; The Medical Council of Hong Kong; The Midwives Council of Hong Kong; The Nursing Council of Hong Kong; Chiropractors Council; Chinese Medicine Council of Hong Kong; The Dental Council of Hong Kong	Same as above The Medical Council of Hong Kong https://www.mchk.org.hk/english/code/index.html The Midwives Council of Hong Kong https://www.mwchk.org.hk/e_index.html The Nursing Council of Hong Kong https://www.nchk.org.hk/en/home/index.html Chiropractors Council https://www.chiro-council.org.hk/en/intro.php Chinese Medicine Council of Hong Kong https://www.cmchk.org.hk/cmp/eng/index.html The Dental Council of Hong Kong https://www.dchk.org.hk/en/index.htm	See below The Medical Council of Hong Kong https://www.mchk.org.hk/english/complaint/disciplinary.php?type=j The Midwives Council of Hong Kong https://www.mwchk.org.hk/english/disciplinary_procedures/order.html The Nursing Council of Hong Kong https://www.nchk.org.hk/en/complaint_and_disciplinary_issues/sentence.html Chiropractors Council https://www.chiro-council.org.hk/en/content.php?page=cd_di Chinese Medicine Council of Hong Kong https://www.cmchk.org.hk/cmp/eng/index.html#main_rcmp06.htm The Dental Council of Hong Kong https://www.dchk.org.hk/en/jhkdc/index.htm

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Legal	Yes	Law Society of Hong Kong; Hong Kong Bar Association	See below Law Society of Hong Kong : https://www.hklawsoc.org.hk/public/default.asp Hong Kong Bar Association: https://www.hkba.org/	See below Law Society of Hong Kong: http://www.hk-lawyer.org/contents/disciplinary-decisions Hong Kong Bar Association: https://www.hkba.org/content/barristers-disciplinary-tribunal
Medical Devices/Equipment	Yes	Department of Health (Medical Device Division)	See below Department of Health (Medical Device Division): https://www.mdd.gov.hk/en/mdacs/issued-documents/guidance-notes/index.html	N/A
Pharmaceuticals	Yes	Department of Health (Drug Office); Hong Kong Association of the Pharmaceutical Industry	Same as above Hong Kong Association of the Pharmaceutical Industry https://www.hkapi.hk/code-of-practice/	N/A
Tobacco	Yes	Department of Health (Tobacco and Alcohol Control Office)	See below https://www.taco.gov.hk/t/english/index.html	N/A

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	<p>Yes</p> <p>If Yes, please identify:</p> <p>Section 36 of the Trade Descriptions Ordinance allows a person who suffers loss or damage to bring a private action where such loss or damage results from commercial practices which amount to, <i>inter alia</i>, misleading omissions, bait advertising, “bait and switch” or the application of false descriptions.</p> <p>Furthermore, consumers may seek remedies for the wrongdoing of traders on the basis of contract law, tort or the law of misrepresentation.</p>
Website link to law, statute, or code	https://www.elegislation.gov.hk/hk/cap362

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country	Consumer Council	https://www.consumer.org.hk/ws_en/unfair_trade_practices/index
	Office of the Privacy Commissioner for Personal Data	https://www.pcpd.org.hk/

Contributor’s name and law firm: Patsy Y. Lau, Deacons
 Verifier’s name and law firm: Chris Lambert, Robertsons

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	India
Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	<p>Yes</p> <p>If Yes, please identify: Advertising Standards Council of India (ASCI) Code for Self-Regulation of Advertising content in India</p> <p>Guidelines for Influencer Advertising in Digital Media (ASCI)</p> <p>Food Safety and Standards Authority of India - Advertising and Claims regulations</p> <p>Central Consumer Protection Authority (CCPA) Guidelines</p>
Website link to law, statute, or code	<p>https://ascionline.org/images/pdf/code_book.pdf</p> <p>Influencer guideline by ASCI</p> <p>https://archive.fssai.gov.in/dam/jcr:09bc698a-fa5e-45f6-a244-2699092c11ff/Gazette_Notification_Advertising_Claims_27_11_2018.pdf</p> <p>CCPA Guidelines</p>
Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	<p>Food & Drug Authority/ Food Safety and Standards Authority of India</p> <p>Ministry of Consumer Affairs (Government of India)</p>
Website link to government agency or other authority	<p>https://archive.fssai.gov.in/dam/jcr:09bc698a-fa5e-45f6-a244-2699092c11ff/Gazette_Notification_Advertising_Claims_27_11_2018.pdf</p> <p>CCPA Guidelines</p>

Government Regulatory Agency or Similar Authority	
Does the agency/authority possess criminal enforcement powers?	Yes
Does the agency/authority possess civil enforcement powers?	Yes
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here:

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	Advertising Standards Council of India (ASCI)
Website link to organization	www.ascionline.org
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here:

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	Yes If Yes, please identify: Central Consumer Protection Authority (CCPA) Young Persons (Harmful Publications) Act, 1956

Advertising to Children	
	India Pledge – Responsible advertisement to children
Website link to law, statute, regulations, or code	CCPA Guidelines Young Persons (Harmful Publications) Act, 1956 India Pledge
Which Government agency or other authority enforces the law, statute, regulations, or code?	Courts of India, ASCI, Central Consumer Protection Authority
Website link to government agency or other authority	https://consumeraffairs.nic.in/ , www.ascionline.org
Website link to decisions by agency or other authority	NA
Is there a self-regulatory organization overseeing advertising to children?	Not specifically
Name of self-regulatory organization	Not specifically for advertisements targeted to children
Website link to organization	NA
Website link to organization decisions	NA

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose “Same as above.”)			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	ASCI	See below www.ascionline.org	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		Department of Consumer Affairs – Legal Metrology	https://consumeraffairs.nic.in/acts-and-rules/legal-metrology/the-legal-metrology-act-2009	
Beauty Care / Cosmetics and Fragrances	Yes	Central Drugs Standard Control Organization	See below https://cdsco.gov.in/opencms/opencms/en/Acts-Rules/	N/A
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	Electronic Media Monitoring Centre (EMMC) Ministry of Information Technology (MEITY)	See below http://emmc.gov.in/ https://www.meity.gov.in/	N/A
CBD and/or Marijuana	No		See below https://www.indiacode.nic.in/handle/123456789/1791?view_type=browse&sam_handle=123456789/1362	N/A
Dietary/Health Supplements and Vitamins	Yes	Food Safety and Standards Authority of India Department of Consumer Affairs – Legal Metrology	See below https://www.fssai.gov.in/ https://consumeraffairs.nic.in/acts-and-rules/legal-metrology/the-legal-metrology-act-2009	N/A
Environmental / Energy (including Oil & Gas)	No		N/A	N/A
Fashion, textile, luxury goods	No	NA	N/A	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Financial and insurance services	Yes	SEBI	See below https://www.sebi.gov.in/	N/A
Food and Agriculture	Yes	Food Safety and Standards Authority of India Food & Drug Administration Department of Consumer Affairs – Legal Metrology	See below https://www.fssai.gov.in/ http://fda.maharashtra.gov.in/index.html https://consumeraffairs.nic.in/acts-and-rules/legal-metrology/the-legal-metrology-act-2009	N/A
Gambling and Gaming	Yes	Advertising Standards Council of India	See below www.ascionline.org	N/A
Healthcare/Medical (services)	No		N/A	N/A
Legal	No	Bar Council of India	See below http://www.barcouncilofindia.org/	Choose an item.
Medical Devices/Equipment	Yes	Drug Controller General of India	See below https://cdsco.gov.in/opencms/opencms/en/Home/	Choose an item.
Pharmaceuticals	Yes	Central Drugs Standard Control Organization	See below	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
			https://cdsco.gov.in/opencms/opencms/en/Home/	
Tobacco	No	Department of Consumer Affairs – Legal Metrology	See below Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 https://consumeraffairs.nic.in/acts-and-rules/legal-metrology/the-legal-metrology-act-2009	N/A

Private right of action for false advertising				
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	Yes If Yes, please identify: Consumer Protection Forums - Grievances Against Misleading Advertisements (GAMA) Advertising Standards Council of India			
Website link to law, statute, or code	https://gama.gov.in/Asci_IIPA.aspx https://ascionline.org/images/pdf/code_book.pdf CCPA Guidelines			

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country	FICCI	https://ficci.in/Sedocument/20240/Survey_on_Advertising_Standards.pdf
	Press Council of India	https://presscouncil.nic.in/OldWebsite/NORMS-2010.pdf
	News Broadcasters Association	http://www.nbanewdelhi.com/assets/uploads/pdf/code_of_ethics_english.pdf
	Indian Broadcasting Foundation	https://www.ibfindia.com/advertising-standards-council-india-asci
	India Pledge	
	Law Governing Media	The Press Council Act 1978 Cable Television Network Rules, 1994 Code for Commercial Advertising on Doordarshan and All India Radio
	Laws Protecting Society and the Consumer	Emblems and Names (Prevention of Improper Use) Act, 1950 Companies Act, 2013 Legal Metrology Act, 2009 Indecent Representation of Women (Prohibition) Act, 1986 Laws related to intellectual property rights Consumer Protection Act
	Industry-Specific Laws	The Drugs and Cosmetic Act, 1940 The Transplantation of Human Organs Act, 1994 The Drugs and Magical Remedies (Objectionable Advertisements) Act, 1954 The Prenatal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994 Food Safety and Standards Authority of India

Other resources	Association or Organization	Website Link
		Indian Penal Code Advocates Act, 1961 Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act, 1992 The Prize Chits and Money Circulation Schemes (Banning) Act, 1978 Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 Public Gambling Act, 1867 , the Lotteries (Regulation) Act, 1998 and the Prize Competitions Act, 1955

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 Verifier's name and Company: Vijayalakshmy Malkani, Hindustan Unilever Limited

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Indonesia
Advertising Law, Statute, or Code	
<p>Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)</p>	<p>Yes</p> <p>If Yes, please identify:</p> <p>Etika Pariwara Indonesia or the Indonesian Advertisement Ethics is a code issued by Dewan Pariwara Indonesia / Indonesian Advertising Board that covers technical and practical aspects of advertisement in Indonesia. Other code that is relevant to advertising would be Pedoman Perilaku Penyiaran dan Standar Program Siaran or the Broadcasting Code of Conduct and Broadcast Program Standards issued by Komisi Penyiaran Indonesia / the Indonesian Broadcasting Commission.</p> <p>There is no general advertising law in Indonesia, advertising is regulated by various regulations, namely: i) Law No 32 of 2002 on Broadcasting (amended by Law No. 11 of 2020 on the Amendment of Law No. 32 of 2022); ii) Law No. 40 of 1999 on Press; iii) Law No. 8 of 1999 on Consumer Protection; iv) Law No. 36 of 1999 on Telecommunication; and iv) legislations covering sectoral advertisement activities, such as food, health, medicine, medical devices, alcohol, and tobacco. Indonesian Advertisement Ethics is given legal effect by article 62 of Indonesia Consumer Protection Law.</p> <p>In addition, the following are regulations that do not explicitly provide on advertisement but should be considered in terms of advertisement: i) Law No. 28 of 2014 on Copyright; ii) Law No. 5 of 1999 on Prohibition of Monopolistic Practices and Unfair Business Competition and iii) Law No. 11 of 2008 on Electronic Information and Transactions (amended by Law No. 19 of 2016).</p>
<p>Website link to law, statute, or code</p>	<p>Law No. 11 of 2020: http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=110587&p_count=1&p_classification=08</p> <p>Law No. 32 of 2002: https://jdih.kominfo.go.id/storage/files/1574745791-JDIH_2_Law_No_32_of_2002_on_Broadcasting.pdf</p> <p>Law No. 40 of 1999: https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=77117&p_classification=01.05</p> <p>Law No. 8 of 1999: https://www.aseanconsumer.org/file/pdf_file/04%20Law-No.-8-Concerning-Consumer-Protection.pdf</p> <p>Law No. 36 of 1999: https://jdih.kominfo.go.id/storage/files/1574058878-JDIH_1_Law_No_36_of_1999_on_Telecommunications.pdf</p> <p>Law No. 5 of 1999: https://www.asean-competition.org/file/pdf_file/law_5_year_1999_.pdf</p>

Advertising Law, Statute, or Code	
	Law No. 11 of 2008: https://www.icnl.org/research/library/indonesia_elec/

Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	No
Website link to government agency or other authority	-
Does the agency/authority possess criminal enforcement powers?	No
Does the agency/authority possess civil enforcement powers?	No
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here:

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	<ul style="list-style-type: none"> • Dewan Pariwara Indonesia / Indonesian Advertising Board • Komisi Penyiaran Indonesia / Indonesian Broadcasting Commission
Website link to organization	Indonesian Broadcasting Commission: https://kpi.go.id/ Indonesian Advertising Board: secretariatdewanperiklanan@gmail.com
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Are case decisions publicly available?	No

Self-Regulatory Organizations	
Website link to decisions	If Yes, insert website link to decisions here:

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	No If Yes, please identify
Website link to law, statute, regulations, or code	-
Which Government agency or other authority enforces the law, statute, regulations, or code?	-
Website link to government agency or other authority	-
Website link to decisions by agency or other authority	-
Is there a self-regulatory organization overseeing advertising to children?	Yes
Name of self-regulatory organization	Indonesian Advertising Board, Indonesian Broadcasting Commission
Website link to organization	N/A, https://kpi.go.id/
Website link to organization decisions	-

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	<ul style="list-style-type: none"> National Agency of 	See below http://pom.go.id	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		Drug and Food Control • Ministry of Trade	http://www.kemendag.co.id	
Beauty Care / Cosmetics and Fragrances	Yes	National Agency of Drug and Food Control	Same as above	N/A
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	Ministry of Communication and Information Technology	See below http://www.kominfo.go.id	N/A
CBD and/or Marijuana	No		N/A	N/A
Dietary/Health Supplements and Vitamins	Yes	National Agency of Drug and Food Control	Same as above	N/A
Environmental / Energy (including Oil & Gas)	No		N/A	N/A
Fashion, textile, luxury goods	No		N/A	N/A
Financial and insurance services	Yes	Financial Services Authority	See below http://ojk.go.id	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Food and Agriculture	Yes	National Agency of Drug and Food Control	Same as above	N/A
Gambling and Gaming	Yes	Indonesian Advertising Board, Ministry of Communication and Information Technology	N/A, Same as above	N/A
Healthcare/Medical (services)	Yes	Ministry of Health,	See below http://kemkes.go.id	N/A
Legal	Yes	Indonesian Advocates Association	See below http://www.peradi.or.id/	See below https://www.peradi.or.id/index.php/profil/detail/37
Medical Devices/Equipment	Yes	Ministry of Health	Same as above	N/A
Pharmaceuticals	Yes	National Agency of Drug and Food Control	Same as above	N/A
Tobacco	Yes	Indonesian Broadcasting Commission	See below https://kpi.go.id/	N/A

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or	Yes

Private right of action for false advertising		
businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	If Yes, please identify: <ul style="list-style-type: none"> • Consumers Dispute Resolution Agency • Commission for the Supervision of Business Competition 	
Website link to law, statute, or code	Law No. 8 of 1999: https://www.aseanconsumer.org/file/pdf_file/04%20Law-No.-8-Concerning-Consumer-Protection.pdf Law No. 5 of 1999: https://www.asean-competition.org/file/pdf_file/law_5_year_1999_.pdf	
Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country	Indonesian Advertising Corporations Association	https://p3i-pusat.com/
	Indonesian Advertisement Companies Association	https://appina.or.id/
	Indonesian Consumers' Protection Foundation	https://ylki.or.id/
	Indonesian National Consumers' Protection Agency	https://bpkn.go.id/

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Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Ireland
Advertising Law, Statute, or Code	
<p>Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)</p>	<p>Yes</p> <p>If Yes, please identify:</p> <p>The legal and regulatory framework relating to advertising and marketing communications in Ireland consists of legislation together with rules and standards of a number of independent, industry-specific and self-regulatory bodies. These bodies are set up by statute or are administered and financed by stakeholders of a specific industry to promote minimum standards in marketing and advertising communications that are appropriate for each industry.</p> <p>The relevant bodies which govern advertising in Ireland together with their codes and/or grounding legislation are as follows:</p> <ol style="list-style-type: none"> 1. Body: The Advertising Standards Authority for Ireland Criminal Enforcement Powers: No Civil Enforcement Powers: No Code: The Advertising Standards Authority for Ireland, Code of Standards for Advertising and Marketing Communications in Ireland (7th Edition) governs advertising in Ireland. Website Link: https://www.asai.ie/asaicode/ 2. Body: The Competition and Consumer Protection Commission (CCPC) Criminal Enforcement Powers: Yes Civil Enforcement Powers: Yes Website Link: https://www.ccpc.ie/ 3. Body: The Broadcasting Authority of Ireland Criminal Enforcement Powers: No Civil Enforcement Powers: Yes Codes: <ol style="list-style-type: none"> i. Access Rules ii. General Commercial Communications Code

Advertising Law, Statute, or Code	
	<ul style="list-style-type: none"> iii. Code of Fairness, Objectivity & Impartiality iv. Code of Programme Standards v. Children's Commercial Communications Code vi. Right of Reply Scheme vii. Rules on Adverts and Teleshopping viii. ODAS Code of Conduct for Media Service Providers ix. Guidance for Code of Fair Trading Practice x. Code of Practice: Placement of TV Services on Saorview xi. Short News Code xii. Guidelines applying to coverage of suicidal behaviour, mental health and wellbeing <p>Website Link: https://www.bai.ie/en/codes-standards/#al-block-1</p> <p>4. Body: The Central Bank of Ireland Criminal Enforcement Powers: No Civil Enforcement Powers: Yes Codes:</p> <ul style="list-style-type: none"> i. Letter re Review of Advertising Issues 12 June 2007 ii. Advertisements for Financial Products and Services 23 July 2008 iii. Review of Advertising Issues and related Disclosure Issues 22 August 2011 iv. Letter re revised Consumer Protection Code 18 October 2011 v. Communication regarding advertising requirements 10 February 2012 vi. Updated Consumer Protection Code guidance December 2012 vii. Guidance on the Advertising Requirements of the Consumer Protection Code 2012 18 July 2014 viii. Review of Advertisements for Compliance with Consumer Credit Regulations July 2014 <p>Website Link: https://www.centralbank.ie/regulation/consumer-protection/compliance-monitoring/advertising-monitoring</p> <p>5. Body: The Food Safety Authority of Ireland (FSAI) Criminal Enforcement Powers: Yes Civil Enforcement Powers: Yes Code:</p> <ul style="list-style-type: none"> i. Selling or Advertising Food Online <p>Link to Website:</p>

Advertising Law, Statute, or Code	
	<p>https://www.fsai.ie/news_centre/press_releases/selling_online_guide_20072017.html</p> <p>ii. Specific Marketing Standards Website Link: https://www.fsai.ie/legislation/food_legislation/fruit_veg/specific_marketing_standards.html</p> <p>iii. Organic Labelling Principles Website Link: https://www.fsai.ie/legislation/food_legislation/organic_foodstuffs/organic_labelling_principles.html</p> <p>6. Body: The Irish Pharmaceutical Healthcare Association Criminal Enforcement Powers: No Civil Enforcement Powers: No Codes:</p> <p>i. IPHA Code of Practice for the Pharmaceutical Industry V8.5_effective 01.03.21.... ii. IPHA Self-Care Advertising Code Version 6 effective 01.03.2021 final Website Link: https://www.ipha.ie/ipha-codes/</p> <p>7. Body: The Association of Pharmaceutical Manufacturers of Ireland Criminal Enforcement Powers: No Civil Enforcement Powers: No Code: The APMI Code of Practice on Advertising of Medicinal Products Website Link: https://www.medicalcouncil.ie/information-for-doctors/apmi-code-of-practice-on-advertising-of-medicinal-products-issue-1.pdf</p> <p>8. Body: The Legal Services Regulatory Authority Criminal Enforcement Powers: Yes Civil Enforcement Powers: Yes Website Link: https://www.lsr.a.ie/for-law-professionals/advertising-legal-services/</p> <p>9. Body: The Health Products Regulatory Authority</p>

Advertising Law, Statute, or Code	
	<p>Criminal Enforcement Powers: Yes Civil Enforcement Powers: Yes Code: Guide to Advertising Compliance Website Link: https://www.hpra.ie/docs/default-source/publications-forms/guidance-documents/sur-g0025-guide-to-advertising-compliance-v3.pdf?sfvrsn=27</p> <p>10. Body: The Health Service Executive Criminal Enforcement Powers: Yes Civil Enforcement Powers: Yes Website Link: www.hse.ie</p> <p>11. Body: Commission for Communications Regulation (ComReg) Criminal Enforcement Powers: Yes Civil Enforcement Powers: Yes Code: Commission for Communications Regulation Code of Practice Website Link: https://www.comreg.ie/csv/downloads/ComReg1445.pdf</p> <p>12. Body: CopyClear Criminal Enforcement Powers: No Civil Enforcement Powers: No Codes:</p> <ul style="list-style-type: none"> i. MEAS ii. Alcohol Marketing, Comm's and Sponsorship Codes of Practice <p>Website Link: https://copyclear.ie/downloads.html</p> <p>Relevant pieces of legislation and legislation that should be taken into account by advertisers include:</p> <ul style="list-style-type: none"> 1. Consumer Protection Act 2007 (as amended) Website Link:

Advertising Law, Statute, or Code	
	<p>https://www.lawreform.ie/fileupload/RevisedActs/WithAnnotations/HTML/en_act_2007_0019.htm</p> <p>2. The Trade Marks Act 1996 (as amended) Website Link: https://enterprise.gov.ie/en/legislation/legislation-files/unofficial-consolidated-trade-marks-act-1996-as-amended-.pdf</p> <p>3. The European Communities (Misleading and Comparative Marketing Communications) Regulations 2007 – SI 774/2007 Website Link: https://www.irishstatutebook.ie/eli/2007/si/774/made/en/print</p> <p>4. Industrial Designs Act 2001 (as amended) Website Link: https://enterprise.gov.ie/en/legislation/legislation-files/unofficial-consolidated-industrial-designs-act-2001-as-amended-.pdf</p> <p>5. Copyright and Related Rights Act 2000 (as amended) Website Link: https://enterprise.gov.ie/en/legislation/legislation-files/unofficial-consolidated-copyright-and-related-rights-act-2000-as-amended-.pdf</p> <p>6. Defamation Act 2009 Website Link: https://revisedacts.lawreform.ie/eli/2009/act/31/front/revised/en/html#:~:text=Updated%20to%2030%20July%202021,and%20consolidation%20of%20statute%20law.</p> <p>7. The Public Health (Alcohol) Act 2018 Website Link: https://www.irishstatutebook.ie/eli/2018/act/24/enacted/en/html</p> <p>8. Regulation (EU) No. 655/2013 and Regulation (EC) No. 1223/2009 Website Link:</p>

Advertising Law, Statute, or Code	
	<p data-bbox="827 168 1871 196">https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32013R0655&from=EN</p> <p data-bbox="730 261 1325 318">9. Broadcasting Authority of Ireland Act 1960 Website Link:</p> <p data-bbox="827 337 1919 394">https://www.irishstatutebook.ie/eli/1960/act/10/enacted/en/print.html#:~:text=AN%20ACT%20TO%20ENABLE%20AN,CONNECTED%20WITH%20THE%20MATTERS%20AFORESAID.</p> <p data-bbox="730 461 1129 518">10. Betting Acts 1931 to 2015 Website Link:</p> <p data-bbox="827 537 1612 594">https://www.irishstatutebook.ie/eli/1931/act/27/enacted/en/html and https://www.irishstatutebook.ie/eli/2015/act/7/enacted/en/html</p> <p data-bbox="827 660 1299 688">Gaming and Lotteries Acts 1956 to 2019</p> <p data-bbox="827 708 999 735">Website Link:</p> <p data-bbox="827 755 1598 829">https://www.irishstatutebook.ie/eli/1956/act/2/enacted/en/html and https://www.irishstatutebook.ie/eli/2019/act/44/enacted/en/html</p> <p data-bbox="730 896 1136 953">11. Electoral Reform Act 2022 Website Link:</p> <p data-bbox="827 972 1696 1000">https://data.oireachtas.ie/ie/oireachtas/act/2022/30/eng/enacted/a3022.pdf</p> <p data-bbox="730 1066 1383 1123">12. The Public Health (Tobacco) Acts 2002 to 2015 Website Link:</p> <p data-bbox="1005 1094 1724 1122">https://www.irishstatutebook.ie/eli/2002/act/6/enacted/en/html</p> <p data-bbox="730 1190 1719 1247">13. The European Communities (Audiovisual Media Services) Regulations 2010 Website Link:</p> <p data-bbox="1005 1218 1713 1245">https://www.irishstatutebook.ie/eli/2010/si/258/made/en/print</p> <p data-bbox="730 1313 1442 1370">14. The Public Health (Tobacco) (Amendment) Act 2004 Website Link:</p> <p data-bbox="1005 1341 1724 1369">https://www.irishstatutebook.ie/eli/2004/act/6/enacted/en/html</p> <p data-bbox="730 1437 1598 1464">15. The Public Health (Standardised Packaging of Tobacco) Act 2015</p>

Advertising Law, Statute, or Code	
	<p>Website Link: https://www.irishstatutebook.ie/eli/2015/act/4/enacted/en/html</p> <p>16. The European Union (Manufacture, Presentation and Sale of Tobacco and Related Products) Regulations 2016 (SI 271 of 2016) Website Link: https://www.irishstatutebook.ie/eli/2016/si/271</p> <p>17. Tobacco Products (Control of Advertising, Sponsorship and Sales Promotion) Regulations 1991 (SI 326 of 1991) Website Link: https://www.irishstatutebook.ie/eli/1991/si/326</p> <p>18. EC (Requirements to Indicate Product Prices) Regulations 2002 (SI 639 of 2002) Website Link: https://www.irishstatutebook.ie/eli/2002/si/639</p> <p>19. Medicinal Products (Control of Advertising) Regulations 2007 (SI 541 of 2007) Website Link: https://www.irishstatutebook.ie/eli/2007/si/541</p>
Website link to law, statute, or code	Please see above.

Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	The Competition and Consumer Protection Commission (CCPC)
Website link to government agency or other authority	Competition and Consumer Protection Commission (CCPC): https://www.ccpc.ie/
Does the agency/authority possess criminal enforcement powers?	Yes The CCPC has various enforcement powers, including criminal enforcement.

Government Regulatory Agency or Similar Authority	
Does the agency/authority possess civil enforcement powers?	Yes The CCPC has various enforcement powers, including civil enforcement.
Are case decisions publicly available?	Yes
Website link to decisions	If Yes, insert website link to decisions here: CCPC matters are usually determined by the relevant Irish courts.

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	Advertising Standards Authority for Ireland
Website link to organization	https://www.asai.ie/
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Are case decisions publicly available?	Yes
Website link to decisions	If Yes, insert website link to decisions here: https://www.asai.ie/complaints-bulletins/

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	Yes If Yes, please identify:

Advertising to Children	
	<p>Section 55(3)(e) of the Consumer Protection Act 2007 specifically prohibits a trader from engaging in a commercial practice which includes in an advertisement a direct exhortation to children to purchase a product or persuade a parent or adult to purchase the product for them.</p> <p>Section 7 of the Advertising Standards Authority for Ireland, Code of Standards for Advertising and Marketing Communications in Ireland, seventh edition, effective from 1 March 2016 outlines the specific rules in relation to advertising to children.</p> <p>The Broadcasting Authority of Ireland's Children's Commercial Communications Code contains similar rules to the ASAI Code</p>
Website link to law, statute, regulations, or code	<p>Consumer Protection Act 2007 (unofficial consolidated version) https://www.lawreform.ie/fileupload/RevisedActs/WithAnnotations/HTML/en_act_2007_0019.htm</p> <p>Section 7 of the Code of Standards for Advertising and Marketing Communications in Ireland https://www.asai.ie/asaicode/section-7-children/</p> <p>The Broadcasting Authority of Ireland's (BAI) Children's Commercial Communications Code contains similar rules to the ASAI Code https://www.bai.ie/en/codes-standards/</p>
Which Government agency or other authority enforces the law, statute, regulations, or code?	<p>Section 56 of the Consumer Protection Act 2007 states that a trader who commits an offence under Section 55(3) is liable on conviction on indictment or on summary conviction to the fines and penalties in Chapter 4 of Part 5 of the 2007 Act.</p> <p>The Competition and Consumer Protection Commission (CCPC) is the main body responsible for enforcement of the 2007 Act.</p> <p>The ASAI may enforce Section 7 of the Code against its members.</p> <p>The BAI enforces its Code.</p>
Website link to government agency or other authority	<p>Competition and Consumer Protection Commission (CCPC): https://www.ccpc.ie/</p> <p>Advertising Standards Authority for Ireland https://www.asai.ie/</p> <p>Broadcasting Authority of Ireland https://www.bai.ie/</p>

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		<p>Communications and Sponsorship Codes of Practice (Voluntary codes agreed among the Department of Health and Children, the drinks industry and the media in relation to television, radio, cinema and outdoor media, print media and digital (non-broadcast) media advertising.)</p> <p>Responsible Retailing of Alcohol in Ireland Limited</p> <p>Mature Enjoyment of Alcohol in Society Limited</p>	<p>https://asai.ie/wp-content/uploads/Alcohol-Codes-of-Practice-2008.pdf</p>	
Beauty Care / Cosmetics and Fragrances	Yes	<p>Section 11 of the ASAI Code addresses advertising health and beauty</p> <p>Regulation (EU) No. 655/2013 and Regulation (EC) No. 1223/2009 set out the criteria that</p>	<p>Choose an item.</p> <p>https://www.asai.ie/</p>	<p>Choose an item.</p> <p>https://www.asai.ie/complaints-bulletins/</p>

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		claims in relation to cosmetics must meet to be considered acceptable.		
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	The Broadcasting Authority of Ireland	Choose an item. https://www.bai.ie/en/codes-standards/	Choose an item. https://www.bai.ie/en/category/broadcast-complaint-decisions/
CBD and/or Marijuana	No		Choose an item.	Choose an item.
Dietary/Health Supplements and Vitamins	Yes	Section 11 of the ASAI Code addresses advertising health and beauty Food Safety Authority of Ireland	Choose an item. https://www.asai.ie/ https://www.fsai.ie/legislation/food_legislation/food_supplement.html	Choose an item. https://www.asai.ie/complaints-bulletins/ https://www.fsai.ie/enforcement_audit/enforcement/order/enf_criteria.html
Environmental / Energy (including Oil & Gas)	Yes	Section 15 of the ASAI Code addresses environmental claims	Choose an item. https://www.asai.ie/	Choose an item. https://www.asai.ie/complaints-bulletins/
Fashion, textile, luxury goods	No		Choose an item.	Choose an item.
Financial and insurance services	Yes	The Central Bank of Ireland	Choose an item. https://www.centralbank.ie/regulation/consumer-protection/consumer-protection-codes-regulations	Choose an item.

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		Section 13 of the ASAI Code addresses financial services and products	https://www.asai.ie/	https://www.asai.ie/complaints-bulletins/
Food and Agriculture	Yes	<p>The ASAI Code addresses food and agricultural advertising.</p> <p>EU (Provision of Food Information to Consumers) Regulations 2014 (as amended)</p> <p>The Food Safety Authority of Ireland (FSAI)</p>	<p>Choose an item.</p> <p>https://www.asai.ie/</p> <p>https://www.fsai.ie/</p>	<p>Choose an item.</p> <p>https://www.asai.ie/complaints-bulletins/</p>
Gambling and Gaming	Yes	<p>The Gambling Regulatory Authority of Ireland is due to come into being next year.</p> <p>Until then advertising gambling is governed by the following:</p> <p>Section 10 of the ASAI Code.</p>	<p>Choose an item.</p> <p>https://www.asai.ie/</p>	<p>Choose an item.</p>

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		<p>Section 20 of the Broadcasting Authority of Ireland Act 1960</p> <p>Betting Acts 1931 to 2015</p> <p>Gaming and Lotteries Acts 1956 to 2019</p>	<p>https://www.bai.ie/en/codes-standards/</p>	<p>https://www.asai.ie/complaints-bulletins/</p> <p>https://www.bai.ie/en/category/broadcast-complaint-decisions/</p>
Healthcare/Medical (services)	Yes	<p>The Irish Pharmaceutical Healthcare Association deals with the advertisement of medicines by its members.</p> <p>Medical Council Guide to Professional Conduct and Ethics for Registered Medical Practitioners deals with advertisement of medical services by its members.</p> <p>Health Products Regulatory Authority</p>	<p>Choose an item.</p> <p>https://www.ipha.ie/</p> <p>https://www.medicalcouncil.ie/news-and-publications/reports/guide-to-professional-conduct-and-ethics-for-registered-medical-practitioners-amended-.pdf</p>	Choose an item.

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		governs the advertisement of medicines. Section 11 of the ASAI Code also addresses healthcare/medical services	https://www.hpra.ie/ https://www.asai.ie/	
Legal	Yes	The Legal Services Regulatory Authority	Choose an item. https://www.lsr.a.ie/for-law-professionals/advertising-legal-services/	Choose an item.
Medical Devices/Equipment	Yes	Section 11 of the ASAI Code addresses healthcare/medical services Health Products Regulatory Authority governs medical devices/ equipment	Choose an item. https://www.asai.ie/ https://www.hpra.ie/	Choose an item. https://www.asai.ie/complaints-bulletins/
Pharmaceuticals	Yes	Medicinal Products (Control of Advertising) Regulations 2007 The Irish Pharmaceutical Healthcare Association deals	Choose an item. https://www.ipha.ie/	Choose an item.

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		<p>with the advertisement of medicines by its members.</p> <p>The Health Products Regulatory Authority governs advertising of medicinal products</p> <p>Section 11 of the ASAI Code also addresses healthcare/medical services</p>	<p>https://www.hpra.ie/</p> <p>https://www.asai.ie/</p>	<p>https://www.asai.ie/complaints-bulletins/</p>
Tobacco	Yes	<p>Section 17 of the ASAI Code addresses E-Cigarettes</p> <p>The Public Health (Tobacco) Acts 2002 to 2015</p> <p>Tobacco Products (Control of Advertising, Sponsorship and Sales Promotion) Regulations 1991 (as amended)</p> <p>EU (Manufacture, Presentation and</p>	<p><input type="text" value="Choose an item."/></p> <p>https://www.asai.ie/</p>	<p><input type="text" value="Choose an item."/></p> <p>https://www.asai.ie/complaints-bulletins/</p>

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		<p>Sale of Tobacco and Related Products) Regulations 2016 (as amended)</p> <p>The European Communities (Audio-visual Media Services) Regulations 2010</p> <p>Health Service Executive</p> <p>National Tobacco Control Office</p>	<p>www.hse.ie</p>	

Private right of action for false advertising	
<p>Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)</p>	<p>Yes</p> <p>If Yes, please identify:</p> <p>The Trade Marks Act 1996 (as amended) provides that nothing will prevent the use of a registered trademark by any person for the purpose of identifying products goods or services as those of the proprietor or licensee of the registered trademark. However this must be in accordance with honest practices in industrial or commercial matters; and not without due cause take unfair advantage of, or be detrimental to, the distinctive character or reputation of the trademark. If it does, the proprietor of the trade mark may have a right of action against the offending party.</p> <p>Comparative Advertising is also permitting under certain circumstances, but if the advertisement in question does not adhere to the prescribed criteria which permits comparative advertisement, the proprietor may have a right of action against the offending party.</p>

Private right of action for false advertising	
	Proceedings may also be instituted by individuals under the Consumer Protection Act 2007 (as amended) seeking an order prohibiting a trader from committing or engaging in a prohibited act or practice.
Website link to law, statute, or code	See earlier

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country	Commission for Communications Regulation (ComReg)	https://www.comreg.ie/
	Food Safety Authority of Ireland (FSAI)	https://www.fsai.ie/
	The Central Bank of Ireland	www.centralbank.ie/regulation/consumer-protection/compliance-monitoring/advertising-monitoring
	The Irish Pharmaceutical Healthcare Association	https://www.ipha.ie/
	The Legal Services Regulatory Authority	https://www.lsr.a.ie/
	The Health Products Regulatory Authority	https://www.hpra.ie/
	The Competition and Consumer Protection Commission	https://www.ccpc.ie/
	CopyClear	https://copyclear.ie/

Contributor's name and law firm: _Patricia McGovern DFMG Solicitors LLP_____

Verifier's name and law firm: Maureen Daly Beauchamps LLP_____

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Jamaica
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Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	Yes If Yes, please identify: Consumer Protection Act, Fair Competition Act, Advertisements Regulation Act, Television and Sound Broadcasting Regulations, The Jamaican Code of Advertising Practice, Code of Marketing Communication Practices for Beverage Alcohol Products
Website link to law, statute, or code	https://moj.gov.jm/sites/default/files/laws/The%20Consumer%20Protection%20Act_0.pdf , https://moj.gov.jm/sites/default/files/laws/The%20Fair%20Competition%20Act.pdf https://moj.gov.jm/laws/advertisements-regulation-act https://www.broadcastingcommission.org/images/TV_Sound_Broadcasting_Regs.pdf

Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	Consumer Affairs Commission (“CAC”) Fair Trading Commission (“FTC”)
Website link to government agency or other authority	https://www.consumeraffairsjamaica.gov.jm/portal/index.php https://ftc.gov.jm/
Does the agency/authority possess criminal enforcement powers?	No Neither the CAC nor the FTC have original criminal jurisdiction. However, both organizations may institute legal proceedings on behalf of complainants or on their own initiative regarding alleged violations of the Acts. Further, the FTC may give directions restricting conduct that is in breach of the Fair Competition Act.
Does the agency/authority possess civil enforcement powers?	Yes (limited) Neither has original civil jurisdiction to award damages to an aggrieved party/complainant. However, the FTC may give directions restricting conduct that is in breach of the Fair Competition Act. The Consumer Protection Tribunal, established under the Consumer Protection Act, may make a variety of orders for the benefit of aggrieved consumers, including orders modifying the terms of agreements which may be unfair to consumers and requiring the payment of a refund and interest.
Are case decisions publicly available?	Yes (FTC)
Website link to decisions	If Yes, insert website link to decisions here: https://ftc.gov.jm/publications/case-reports/

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	<p>Advertising Council of Jamaica - The Jamaican Code of Advertising Practice stipulates that when there is a complaint from a member of the public that the code of practice has been breached, the complaint should be addressed to the Advertising Council of Jamaica. The Council may also originate a complaint if it identifies a breach. The Council will first bring the complaint to the attention of the advertiser to rectify the situation and if the advertiser fails to correct the breach, the Council may impose sanctions.</p> <p>Likewise, the Code of Marketing Communication Practices provides for a Complaint Review Board which meets, when necessary, to hear complaints from members or interested parties (including members of the public).</p> <p>Additionally, there are certain self-regulated industries and professions which are outlined under 'Industries'.</p>
Website link to organization	http://www.adcounciljamaica.org/#:~:text=The%20AdCouncil%20Jamaica%20is%20a,change%20that%20can%20help%20create
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	Yes
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here:

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	<p>No</p> <p>There are laws & regulations which restrict the sale of certain goods and services to minors (for eg. Alcohol and tobacco). There are also broadcasting laws, regulations and Codes, such as the Children's Programming Code</p>

Advertising to Children	
	governing the broadcasting of content with adult themes to minors. Outside of these laws, we are not aware of a general advertising regulation pertaining to children.
Website link to law, statute, regulations, or code	
Which Government agency or other authority enforces the law, statute, regulations, or code?	
Website link to government agency or other authority	
Website link to decisions by agency or other authority	
Is there a self-regulatory organization overseeing advertising to children?	No
Name of self-regulatory organization	
Website link to organization	
Website link to organization decisions	

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	Ministry of Health	See below www.moh.gov.jm	N/A
Beauty Care / Cosmetics and Fragrances	Yes	Ministry of Health	See below www.moh.gov.jm	N/A
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	Broadcasting Commission	See below https://www.broadcastingcommission.org/	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
CBD and/or Marijuana	Yes	Cannabis Licensing Authority	See below https://www.cla.org.jm/	N/A
Dietary/Health Supplements and Vitamins	Yes	Ministry of Health	See below www.moh.gov.jm	N/A
Environmental / Energy (including Oil & Gas)	Yes	National Environmental & Planning Agency	See below https://www.nepa.gov.jm/	See below https://www.nepa.gov.jm/authority-decisions
Fashion, textile, luxury goods	No		N/A	N/A
Financial and insurance services	Yes	Financial Services Commission	See below http://www.fscjamaica.org/	N/A
Food and Agriculture	Yes	Ministry of Health	See below www.moh.gov.jm	N/A
Gambling and Gaming	Yes	Betting, Gaming & Lotteries Commission	See below https://www.bglc.gov.jm/	N/A
Healthcare/Medical (services)	Yes	Medical Council of Jamaica	See below https://jamaicamedicalcouncil.org/	N/A
Legal	Yes	General Legal Council	See below https://www.generallegalcouncil.org/	See below https://www.generallegalcouncil.org/disciplinary-committee/disciplinary-decisions/
Medical Devices/Equipment	Yes	Ministry of Health	See below www.moh.gov.jm	N/A
Pharmaceuticals	Yes	Ministry of Health	See below www.moh.gov.jm	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Tobacco	Yes	Ministry of Health	See below www.moh.gov.jm	N/A

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	Yes If Yes, please identify: Consumer Protection Act & Fair Competition Act
Website link to law, statute, or code	https://moj.gov.jm/sites/default/files/laws/The%20Consumer%20Protection%20Act_0.pdf , https://moj.gov.jm/sites/default/files/laws/The%20Fair%20Competition%20Act.pdf

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country	Advertising Council of Jamaica	http://www.adcounciljamaica.org/#:~:text=The%20AdCouncil%20Jamaica%20is%20a,c hange%20that%20can%20help%20create
	Media Association Jamaica Limited	https://www.mediaassociationja.com/
	Advertising Agencies Association Jamaica Limited	https://www.facebook.com/aaajamaica/
	Private Sector Organization of Jamaica Limited	https://www.psoj.org/
	National Consumers League Limited	www.nationalconsumerleague.org

Other resources	Association or Organization	Website Link

Contributor's name and law firm: Alexander R. Corrie – Livingston, Alexander & Levy, 72 Harbour Street, Kingston, Jamaica
 Verifier's name and law firm: Rachael Lodge – Foga Daley, 7 Stanton Terrace, Kingston 6, St. Andrew, Jamaica

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Lesotho
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Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	Yes If Yes, please identify: Trading Enterprises Regulations, 1999
Website link to law, statute, or code	

Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	Ministry of Trade and Industry
Website link to government agency or other authority	https://www.gov.ls/directory/ministry-of-trade-and-industry/
Does the agency/authority possess criminal enforcement powers?	Yes
Does the agency/authority possess civil enforcement powers?	Yes
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here: N/A

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	Lesotho Communication Authority
Website link to organization	www.lca.org.ls
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory	Yes

Self-Regulatory Organizations	
agency that has criminal enforcement powers?	
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	Yes
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here: N/A

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	Yes If Yes, please identify: Lesotho Telecommunications Authority (Broadcasting) Rules 2004
Website link to law, statute, regulations, or code	
Which Government agency or other authority enforces the law, statute, regulations, or code?	Lesotho Communications Authority
Website link to government agency or other authority	www.lca.org.ls
Website link to decisions by agency or other authority	N/A
Is there a self-regulatory organization overseeing advertising to children?	<input type="text" value="Choose an item."/>
Name of self-regulatory organization	N/A
Website link to organization	N/A
Website link to organization decisions	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	Ministry of Tourism, Environment and Culture	See below www.tourism.gov.ls	Choose an item.
Beauty Care / Cosmetics and Fragrances	Yes	Ministry of Trade and Industry	See below www.trade.gov.ls	Choose an item.
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	Ministry of Communication, Science & Technology	See below www.communication.gov.ls	Choose an item.
CBD and/or Marijuana	Yes	Ministry of Health	Same as above	Choose an item.
Dietary/Health Supplements and Vitamins	Yes	Ministry of Health	Same as above	Choose an item.
Environmental / Energy (including Oil & Gas)	Yes	Ministry of Tourism, Environment and Culture	Same as above	Choose an item.
Fashion, textile, luxury goods	Yes	Ministry of Tourism, Environment and Culture	Same as above	Choose an item.
Financial and insurance services	Yes	Central Bank of Lesotho; Ministry of Finance	See below www.finance.gov.ls	Choose an item.
Food and Agriculture	Yes	Ministry of Agriculture and Food Security	See below www.agriculture.gov.ls	Choose an item.

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Gambling and Gaming	Yes	Ministry of Tourism, Environment and Culture	Same as above	Choose an item.
Healthcare/Medical (services)	Yes	Ministry of Health	Same as above	Choose an item.
Legal	Yes	Ministry of law and Justice; Law Society of Lesotho	See below www.law.gov.ls	Choose an item.
Medical Devices/Equipment	Yes	Ministry of Health	Same as above	Choose an item.
Pharmaceuticals	Yes	Ministry of Health	Same as above	Choose an item.
Tobacco	Yes	Ministry of Health	Same as above	Choose an item.

Private right of action for false advertising		
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	No If Yes, please identify:	
Website link to law, statute, or code		

Other resources	Association or Organization	Website Link	
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country			

Contributor's name and law firm: Tsietsi Maphika – Naledi Chambers Inc.

Verifier's name and law firm: Jenny Pienaar- Adams & Adams

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Macau, China
Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	Yes If Yes, please identify: Law No. 7/89/M (General Advertising Law) & Decree-Law No. 30/95/M (Pharmaceutical Advertising Law)
Website link to law, statute, or code	Law No. 7/89/M: https://bo.io.gov.mo/bo/i/89/36/lei07.asp#7 Decree-Law No. 30/95/M: https://bo.io.gov.mo/bo/i/95/28/declei30.asp#30
Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	Pharmaceutical & Medical Services ads: Macau Health Bureau Tourism ads: Macau Tourism Office Other ads (unless otherwise specified): Economic and Technological Development Bureau Installation of ads: Macau Municipal Affairs Bureau - as per Section 31 of Law No.7/89/M Section 26 of Decree-Law No. 84/90/M Section 11 of Decree-Law No. 30/95/M
Website link to government agency or other authority	Macau Health Bureau: https://www.ssm.gov.mo/portal/ Macau Tourism Office: https://www.macaotourism.gov.mo/zh-hant/ Economic and Technological Development Bureau: https://www.dsedt.gov.mo/pt_PT/pg_home Macau Municipal Affairs Bureau: https://www.iam.gov.mo/
Does the agency/authority possess criminal enforcement powers?	No However, the above authorities hold enforcement powers for administrative penalties.
Does the agency/authority possess civil enforcement powers?	No
Are case decisions publicly available?	No

Government Regulatory Agency or Similar Authority	
Website link to decisions	<p>If Yes, insert website link to decisions here: N/A</p> <p>Administrative decisions are not publicly available - however, if Macau authorities are unable to notify administrative decision to the relevant party, a public notice of the penalty decision will be made.</p> <p>You may access the court decisions search link below for decisions related to appeals against imposed advertising-related administrative penalties:</p> <p>https://www.court.gov.mo/pt/subpage/researchjudgments?reset=1</p>

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	N/A
Website link to organization	N/A
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	<input type="text" value="Choose an item."/> N/A
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	<input type="text" value="Choose an item."/> N/A
Are case decisions publicly available?	<input type="text" value="Choose an item."/> N/A
Website link to decisions	If Yes, insert website link to decisions here: N/A

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	<p>Yes</p> <p>If Yes, please identify: Section 14 of Law No. 7/89/M</p>

Advertising to Children	
Website link to law, statute, regulations, or code	https://bo.io.gov.mo/bo/i/89/36/lei07.asp#7
Which Government agency or other authority enforces the law, statute, regulations, or code?	Pharmaceutical & Medical Services ads: Macau Health Bureau Tourism ads: Macau Tourism Office Other ads (unless otherwise specified): Economic and Technological Development Bureau Installation of ads: Macau Municipal Affairs Bureau
Website link to government agency or other authority	Macau Health Bureau: https://www.ssm.gov.mo/portal/ Macau Tourism Office: https://www.macaotourism.gov.mo/zh-hant/ Economic and Technological Development Bureau: https://www.dsedt.gov.mo/pt_PT/pg_home Macau Municipal Affairs Bureau: https://www.iam.gov.mo/
Website link to decisions by agency or other authority	If Yes, insert website link to decisions here: N/A Administrative decisions are not publicly available - however, if Macau authorities are unable to notify administrative decision to the relevant party, a public notice of the penalty decision will be made. You may access the court decisions search link below for decisions related to appeals against imposed advertising-related administrative penalties: https://www.court.gov.mo/pt/subpage/researchjudgments?reset=1
Is there a self-regulatory organization overseeing advertising to children?	No
Name of self-regulatory organization	N/A
Website link to organization	N/A
Website link to organization decisions	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	<u>Advertising:</u> Economic and Technological Development Bureau & Macau Municipal Affairs Bureau (General rules, Sections 9, 19, 31/c & 31/d of Law No. 7/89/M) <u>Labelling:</u> Macau Consumer Council (Sections 11, 13, 14 & 72/1 of Law No. 9/2021)	See below Advertising: Economic and Technological Development Bureau: https://www.dsedt.gov.mo/pt_PT/pg_home Macau Municipal Affairs Bureau: https://www.iam.gov.mo/	N/A
Beauty Care / Cosmetics and Fragrances	Yes	<u>Advertising:</u> Economic and Technological Development Bureau & Macau Municipal Affairs Bureau (General rules, Sections 19, 31/c & 31/d of Law No. 7/89/M) <u>Labelling:</u> Macau Consumer Council (Sections 11, 13, 14 & 72/1 of Law No. 9/2021)	Same as above	N/A
Broadcast Communications, Media & Entertainment	Yes	<u>Radio and Television Broadcasting</u> <u>Communications Advertising:</u> Economic and Technological Development Bureau	See below Economic and Technological Development Bureau:	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
ent (e.g. TV, Radio, etc.)		<u>Media & Entertainment Advertising:</u> Cultural Affairs Bureau of the Macao S.A.R. (Sections 2/a & 12/1a of Decree-Law No.47/98/M)	https://www.dsedt.gov.mo/pt_PT/pg_home Cultural Affairs Bureau of the Macao S.A.R.: https://www.icm.gov.mo/welcome	
CBD and/or Marijuana	No CBD and/or Marijuana industry is criminally prohibited in Macau.	N/A	N/A	N/A
Dietary/Health Supplements and Vitamins	Yes	It depends on the product classification made by Macau public authorities when obtaining the importation pre-approval, either the goods will be classified as: 1) food; or 2) pharmaceuticals. Therefore please refer to the respective table below.	N/A	N/A
Environmental / Energy (including Oil & Gas)	Yes	<u>Advertising:</u> Economic and Technological Development Bureau & Macau Municipal Affairs Bureau (General rules, Sections 19, 31/c & 31/d of No. 7/89/M) <u>Labelling:</u> Macau Consumer Council	Same as above	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		(Sections 11, 13, 14 & 72/1 of Law No. 9/2021)		
Fashion, textile, luxury goods	Yes	<u>Advertising:</u> Economic and Technological Development Bureau & Macau Municipal Affairs Bureau (General rules, Sections 19, 31/c & 31/d of No. 7/89/M) <u>Labelling:</u> Macau Consumer Council (Sections 11, 13, 14 & 72/1 of Law No. 9/2021)	Same as above	N/A
Financial and insurance services	Yes	<u>Advertising:</u> Monetary Authority of Macao & Macau Municipal Affairs Bureau (Sections 5, 13 of Decree-Law No.32/93/M Sections 19 & 31/c of No. 7/89/M) <u>Labelling:</u> N/A	See below Monetary Authority of Macao: https://www.amcm.gov.mo/en Others are same as above.	N/A
Food and Agriculture	Yes	<u>Advertising:</u> Economic and Technological Development Bureau & Macau Municipal Affairs Bureau (General rules, Sections 19, 31/c & 31/d of No. 7/89/M)	Same as above	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		<u>Labelling:</u> Economic and Technological Development Bureau (Decree-Law No. 50/92/M, Section 18)		
Gambling and Gaming	Yes	<u>Advertising:</u> Economic and Technological Development Bureau & Macau Municipal Affairs Bureau (Section 8/1b, 19, 31/c 31/d of Lei No. 7/89/M) <u>Labelling:</u> N/A	Same as above	N/A
Healthcare/ Medical (services)	Yes	<u>Advertising:</u> Macau Health Bureau & Macau Municipal Affairs Bureau (Section 26 of Decree-Law No. 84/90/M & Sections 19, 31/c of Law No. 7/89/M) <u>Labelling:</u> N/A	Same as above	N/A
Legal	Yes Advertising for legal industry is prohibited as a rule of professional conduct in Macau.	<u>Advertising:</u> Macau Lawyer Association <u>Labelling:</u> N/A	See below https://aam.org.mo/	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Medical Devices/Equipment	Yes	<u>Advertising:</u> Macau Health Bureau & Macau Municipal Affairs Bureau <u>Labelling:</u> Macau Health Bureau & Macau Consumer Council (Sections 11, 13, 14 & 72/1 of Law No. 9/2021)	Same as above	N/A
Pharmaceuticals	Yes	<u>Advertising:</u> Pharmaceutical Administration Bureau & Macau Municipal Affairs Bureau <u>Labelling:</u> Macau Health Bureau (Sections 28/3, 47 & 77/1 of Decree-Law No. 58/90/M)	Same as above	N/A
Tobacco	Yes Law No. 5/2011, Section 1/2(5), 17, 18 forbids advertising of tobacco except in very special circumstances.	<u>Advertising:</u> Macau Health Bureau & Macau Municipal Affairs Bureau (Sections 17-21, 25 & 28 of Law No. 5/2011 & Sections 9, 19, 31/c of Law No. 7/89/M)	Same as above	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		<u>Labelling:</u> Macau Health Bureau (Sections 11-13, 23/1-4 & 25 of Law No.5/2011)		

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	Yes If Yes, please identify: <ol style="list-style-type: none"> 1. The lawsuit of unfair competition: Article 170-172, Macau Commercial Code. 2. The lawsuit of contractual Liability: Article 564 of Macau Commercial Law, article 25(1) of Law No. 7/89/M, article 22 of Law No. 9/2021 or other related general regime stipulated in Macau Civil Code. 3. The lawsuit of non-contractual Liability: Article 477 of Macau Civil Code, article 25-27 of Law No. 9/2021 or other related general regime stipulated in Macau Civil Code.
Website link to law, statute, or code	Macau Commercial Code: https://bo.io.gov.mo/bo/i/99/31/codcompt/codcom0001.asp# Law No. 7/89/M (General Advertising Law): https://bo.io.gov.mo/bo/i/89/36/lei07.asp#7 Law No. 9/2021 (Macau Consumer Protection Law): https://bo.io.gov.mo/bo/i/2021/28/lei09_cn.asp Macau Civil Code: https://bo.io.gov.mo/bo/i/99/31/codcivpt/codciv0001.asp#

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country	The Association of Advertising Agents of Macau	http://www.aaam.org.mo/
	Macau Advertising Association	http://www.macauad.org/

Other resources	Association or Organization	Website Link

Contributor's name and law firm: _____ DSL lawyers _____

Verifier's name and law firm: _____ RP Macau _____

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Madagascar
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Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	Yes If Yes, please identify: There are 4 laws that relate to advertising
Website link to law, statute, or code	<ol style="list-style-type: none"> 1. Law n° 2016/29 about the communication code http://www.justice.mg/wp-content/uploads/2019/02/L2016-029.pdf 2. Law n° 2020/06 about some modification of law n°2016/29 https://www.assemblee-nationale.mg/wp-content/uploads/2020/09/Loi-n%C2%B02020-006_Comm_-m%C3%A9diatis%C3%A9e.pdf 3. Law n° 2018/020 about the concurrence https://www.assemblee-nationale.mg/wp-content/uploads/2019/11/Loi-n%C2%B02018-020_fr.pdf 4. Law n°2015/14 about the consumer http://www.sim.mg/images/documents/textes_lois/commerce/Loi-n2015-014_fr.pdf

Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	Autorité Nationale de Régulation de la Communication Médiatisée (ANRCM)- Mainly relating to “cyber criminality” which is often political (criticizing the government on social media)
Website link to government agency or other authority	Not yet available
Does the agency/authority possess criminal enforcement powers?	Yes
Does the agency/authority possess civil enforcement powers?	Yes
Are case decisions publicly available?	No

Government Regulatory Agency or Similar Authority	
Website link to decisions	If Yes, insert website link to decisions here:

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	Not available
Website link to organization	N/A
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	Choose an item.
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	Choose an item.
Are case decisions publicly available?	Choose an item.
Website link to decisions	If Yes, insert website link to decisions here:

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	No If Yes, please identify: But there is article in the law n° 2016/29 (art 17 and 182) which state that children are not authorized to appear in advertisements except where there is consent from their parents
Website link to law, statute, regulations, or code	N/A
Which Government agency or other authority enforces the law, statute, regulations, or code?	N/A

Advertising to Children	
Website link to government agency or other authority	N/A
Website link to decisions by agency or other authority	N/A
Is there a self-regulatory organization overseeing advertising to children?	<input type="text" value="Choose an item."/>
Name of self-regulatory organization	N/A
Website link to organization	N/A
Website link to organization decisions	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	Direction de la Protection des Consommateurs auprès du Ministère de l'industrialisation, du commerce et de la consommation (Consumer Protection Department at the Ministry of Industrialization, Trade and Consumer Affairs)	See below https://micc.gov.mg/dpc/	N/A
Beauty Care / Cosmetics and Fragrances	Yes	Direction de la Protection des Consommateurs auprès du Ministère de l'industrialisation, du commerce et de la consommation (Consumer Protection Department at the Ministry of Industrialization, Trade and Consumer Affairs)	See below https://micc.gov.mg/dpc/	N/A
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	Commission spéciale de la communication audiovisuelle (Special Commission for Audiovisual Communication)	N/A	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
CBD and/or Marijuana	No		N/A	N/A
Dietary/Health Supplements and Vitamins	Yes	Agence Du Medicament De Madagascar (Madagascar Medicines Agency)	See below http://www.agmed.mg/	N/A
Environmental / Energy (including Oil & Gas)	Yes	Office Malgache Des Hydrocarbures (Madagascan Hydrocarbons Office)	See below http://www.omh.mg/	N/A
Fashion, textile, luxury goods	Yes	Direction de la Protection des Consommateurs auprès du Ministère de l'industrialisation, du commerce et de la consommation (Consumer Protection Department at the Ministry of Industrialization, Trade and Consumer Affairs)	See below https://micc.gov.mg/dpc/	N/A
Financial and insurance services	No		N/A	N/A
Food and Agriculture	No		N/A	N/A
Gambling and Gaming	Yes	Direction de la Protection des Consommateurs auprès du Ministère de l'industrialisation, du commerce et de la consommation (Consumer Protection Department at the Ministry of Industrialization, Trade and Consumer Affairs)	See below https://micc.gov.mg/dpc/	N/A
Healthcare/Medical (services)	Yes	Ministry of Health	N/A	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Legal	Yes	Ministry of Law	N/A	N/A
Medical Devices/Equipment	Yes	Ministry of Health	N/A	N/A
Pharmaceuticals	Yes	Agence Du Medicament De Madagascar (Madagascar Medicines Agency)	See below http://www.agmed.mg/	N/A
Tobacco	No		N/A	N/A

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	No
Website link to law, statute, or code	<p>If Yes, please identify: Very rare but false advertising and the provision of incorrect information is prohibited</p>

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country		

Other resources	Association or Organization	Website Link

Contributor's name and law firm: Faneva Rakotomanana - Cabinet Rakotomanana

Verifier's name and law firm: Jenny Pienaar- Adams & Adams

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Malaysia
Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	<p>Yes</p> <p>If Yes, please identify: In as far as the advertising is concerned, for purposes of the printed materials, there are no specific laws governing advertising in Malaysia. The advertising arena is a self-regulated industry. The Malaysian Code of Advertising Practice ("MCAP") sets out the rules and regulations and guidelines for voluntary compliance.</p> <p>The Malaysian Communications and Multimedia Content Code ("Content Code") sets out best practices for online standards and broadcast content. There are also the Guidelines to Prevent False or Misleading Advertisements which explain and clarify matters related to false or misleading advertisements and apply to any form of advertisements.</p>
Website link to law, statute, or code	<p>https://www.asa.org.my/files/code-eng-2014.pdf</p> <p>https://www.mcmc.gov.my/skmmgovmy/files/attachments/ContentCode.pdf</p> <p>https://www.kpdnhep.gov.my/images/dokumen/awam/perundangan/garis-panduan/garis-panduan-mengelakkan-iklan-palsu-atau-mengelirukan.pdf (Note that this is only available in the Malay language)</p>
Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	<p>The Advertising Standards Advisory Malaysia (ASA) is an independent body that ensures the adherence of the self-regulating Advertising industry to the Malaysian Code of Advertising Practice in the print, outdoor, and cinema media, while setting industry standards for advertisements that are legal, decent, honest, and truthful.</p> <p>Communications and Multimedia Content Forum (CMCF) - The Communications and Multimedia Act 1998 provides for the CMCF to prepare and draw up a Content Code. The CMCF will govern content by self regulation in line with the Content Code. The Content Code sets out guidelines and procedures for good practice and standards of content disseminated for public consumption by service providers in the communications and multimedia industry.</p> <p>The Ministry of Domestic Trade and Consumer Affairs (MDTCA) – The MDTCA is the ministry responsible for trade, consumerism and more. Under the MDTCA, there is the Advertising Committee which is established under the Consumer Protection Act 1999 ("CPA"), whose functions include to advise the Minister of Trade and Consumer Affairs on any aspect related to advertisement, including advertisement in contravention of Part II of the CPA and to examine complaints related to advertisements.</p>

Government Regulatory Agency or Similar Authority	
Website link to government agency or other authority	https://www.asa.org.my/about.php http://cmcf.my/overview https://www.kpdnhep.gov.my/en/corporate-info/background-information.html https://www.kpdnhep.gov.my/en/consumerism/affiliation/advertising-committee.html
Does the agency/authority possess criminal enforcement powers?	<p>Yes</p> <p>The Content Code and the Advertising Code apply on a voluntary basis. However, Malaysian Communications and Multimedia Commission (MCMC) has the authority and power to take action against any party for the violation of the MCMC Content Code, if and when a complaint is received. In the event that a breach of the Content Code is found, the Complaints Bureau may:-</p> <ol style="list-style-type: none"> Issue a written reprimand; Impose a fine not exceeding RM50,000.00; and/or Require removal of the Content or cessation of the offending act. <p>The Advertising Code require advertisers to ensure that all their advertisements are legal, but ASA is not a law enforcement body.</p> <p>The MDTCA does possess various enforcement powers and is generally responsible for the administration of certain laws including the CPA and Trade Descriptions Act 2011.</p>
Does the agency/authority possess civil enforcement powers?	No
Are case decisions publicly available?	<p>Yes</p> <p>The Complaints Bureau will report to CMCF's Council the outcome of its mediation efforts or the ruling made, and whether or not the party complained against has complied with or the party in breach has agreed to comply with the ruling.</p>
Website link to decisions	<p>If Yes, insert website link to decisions here: http://cmcf.my/sites/default/files/CB%20publication%20book%20%20final1.pdf</p>
Self-Regulatory Organizations (Printed Advertisements)	
Name of self-regulatory organization overseeing general advertising disputes	<p>Advertising Standards Advisory Malaysia plays an integral part of the local advertising framework as it administers the Malaysian Code of Advertising Practice which regulates printed and paid-for-space ads.</p>

Self-Regulatory Organizations (Printed Advertisements)	
Website link to organization	https://www.asa.org.my
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here: N/A

Self-Regulatory Organizations (Electronic Advertisements)	
Name of self-regulatory organization overseeing general advertising disputes	Communications and Multimedia Content Forum of Malaysia
Website link to organization	http://www.cmcf.my
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	Yes The Complaints Bureau of the Communications and Multimedia Content Forum of Malaysia has the power, under Article 8.2 of Part 8 of the Malaysian Communications and Multimedia Content Code (2nd edition) ("Content Code"), to refer matters to the Communications and Multimedia Commission, which is the regulatory authority in charge of administering the Communications and Multimedia Act 1998.
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No.
Are case decisions publicly available?	Yes However, only selected decisions from 2007 to 2017 are published in the document titled <i>Complaints Bureau Order 2007 – 2017: A Decade of Decisions</i> . Previously, decisions for different years can be viewed on CMCF's

Self-Regulatory Organizations (Electronic Advertisements)	
	<p>website and while the page is no longer there, decisions for certain years may still be accessed through the relevant link e.g.:</p> <p>http://www.cmf.my/download/COMPLAINTS-BUREAU-2018.pdf</p> <p>http://www.cmf.my/download/Complaints-Bureau-Decision-2019.pdf</p>
Website link to decisions	<p>If Yes, insert website link to decisions here:</p> <p>http://www.cmf.my/sites/default/files/CB_publication_book_with_eisbn_compressed.pdf</p>

Advertising to Children	
<p>Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?</p>	<p>Yes</p> <p>If Yes, please identify:</p> <ul style="list-style-type: none"> • For printed advertisements – Appendix A of the Malaysian Code of Advertising Practice (“MCAP”). • For electronic advertisements – Paragraph 7.2 of Part 3 of the Content Code. Paragraph 8 of Part 2 of the Content Code also requires that content designed specifically for children below 14 be closely supervised and the selection, control of material, characterisations and plot for children’s content monitored to ensure it is suitable for children. Further, the Content Code provides that in reiterating the importance of protecting young children: <ul style="list-style-type: none"> (i) all content must have due regard to the welfare of a child at all times; and (ii) all efforts must be made to ensure that any content provided will not result in causing, encouraging or promoting physical injury or abuse of a child or expose a child to moral danger. <p>Certain guidelines and codes of conduct contain specific provisions on advertisements in the medical and pharmaceutical industry which are directed at or likely to be seen by children:</p> <p>(i) The Guideline on Advertising of Medicines and Medicinal Products to General Public (“Medicine Advertising Guidelines”) was approved by the Malaysian Medicine Advertisements Board and came into force on 1 September 2015. These guidelines apply to all advertisements relating to medical products and has these provisions specific to children:</p>

Advertising to Children	
	<p>(a) Advertisements should not, without justification, show or refer to dangerous practices or manifest a disregard for safety and special care should be taken in advertisements directed towards or depicting children or young people.</p> <p>(b) Advertisements addressed towards children which are likely to be seen by them should not contain anything which might result in harming them physically, mentally, morally; or which exploits their credulity, their lack of experience or their natural sense of loyalty.</p> <p>(c) For advertisements on nicotine replacement therapy products, it must be made clear that the product is not suitable for children.</p> <p>(ii) The Code of Conduct for Non-Prescription (OTC) Products (“OTC Products Code”) was published by the Pharmaceutical Association of Malaysia (“PhAMA”), a non-governmental industry body which helps to regulate the pharmaceutical industry in Malaysia. The OTC Products Code applies only to pharmaceutical companies who are members of PhAMA and states that advertisements for non-prescription medicinal products should not be advertised in a manner which is likely to lead to its use by young children without parental supervision. Further, such advertisements should not be specifically directed towards children.</p>
Website link to law, statute, regulations, or code	<ul style="list-style-type: none"> • MCAP – https://www.asa.org.my/files/ASA-code-eng.pdf • Content Code – http://www.cmcf.my/download/cmcf-content-code-english.pdf
Which Government agency or other authority enforces the law, statute, regulations, or code?	<ul style="list-style-type: none"> • MCAP – Advertising Standards Advisory Malaysia • Content Code – Communications and Multimedia Content Forum of Malaysia
Website link to government agency or other authority	<ul style="list-style-type: none"> • Advertising Standards Advisory Malaysia – https://www.asa.org.my • Communications and Multimedia Content Forum of Malaysia – http://www.cmcf.my
Website link to decisions by agency or other authority	<p>http://www.cmcf.my/sites/default/files/CB_publication_book_with_eisbn_compressed.pdf</p>
Is there a self-regulatory organization overseeing advertising to children?	<p>No</p> <p>Except for the Advertising Standards Advisory Malaysia, and Communications and Multimedia Content Forum of Malaysia, as mentioned above. However, please take note that they do not specifically oversee advertising to children. They oversee advertising in general, although their voluntary codes contain specific provisions concerning advertising to children as stated above.</p>
Name of self-regulatory organization	N/A
Website link to organization	N/A
Website link to organization decisions	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	No	N/A	N/A	N/A
Beauty Care / Cosmetics and Fragrances	Yes	National Pharmaceutical Regulatory Division	See below https://www.npra.gov.my/index.php/en/	N/A
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	Malaysian Communications and Multimedia Commission	See below https://www.mcmc.gov.my/	See below http://www.cmcf.my/sites/default/files/CB_publication_book_with_eisbn_compressed.pdf
CBD and/or Marijuana	No	N/A	N/A	N/A
Dietary/Health Supplements and Vitamins	Yes	Medicine Advertisements Board	See below https://www.pharmacy.gov.my/v2/en/content/medicine-advertisements-board.html	N/A
Environmental / Energy (including Oil & Gas)	Yes	Energy Commission; Department of Environment; MDTCA	See below https://www.st.gov.my https://www.doe.gov.my/portalv1/en/ https://www.kpdnhep.gov.my/en/ https://www.mpic.gov.my/mpic/en/	N/A
Fashion, textile, luxury goods	No	N/A	N/A	N/A
Financial and insurance services	Yes	Central Bank of Malaysia	See below https://www.bnm.gov.my	N/A
Food and Agriculture	Yes	Food Safety and Quality Division of	See below http://fsq.moh.gov.my	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		the Ministry of Health		
Gambling and Gaming	No	N/A	N/A	N/A
Healthcare/Medical (services)	Yes	Medicine Advertisements Board	Same as above under "Dietary/Health Supplements and Vitamins"	N/A
Legal	Yes	Bar Council	See below https://www.malaysianbar.org.my	N/A
Medical Devices/Equipment	Yes	Medical Device Authority	See below https://www.mda.gov.my	N/A
Pharmaceuticals	Yes	Medicine Advertisements Board	Same as above under "Dietary/Health Supplements and Vitamins"	N/A
Tobacco	Yes	Tobacco Control & FCTC Unit, Ministry of Health	See below https://www.moh.gov.my/	N/A

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	<p>Yes</p> <p>If Yes, please identify:</p> <ul style="list-style-type: none"> Sections 39 and 50 of the Consumer Protection Act 1999 ("CPA"), which provide for consumer's right of redress against supplier and manufacturer of goods, respectively, if the goods fail to comply with certain implied guarantees under the CPA, e.g. the failure for the goods to correspond with the description as required under Section 34. This means that any representation or description relating to the goods shall be accurate (i.e. not false or misleading). Otherwise, a consumer could exercise his right of redress

Private right of action for false advertising	
	<p>against the supplier or manufacturer under either Section 39 or 50 of the CPA, as the case maybe. The equivalent provision in the context of the provision of services (as opposed to goods) is Section 57 of the CPA.</p> <ul style="list-style-type: none"> Section 15 of the Sale of Goods Act 1957 (“SOGA”), which provides that where there is a contract for the sale of goods by description there is an implied condition that the goods shall correspond with the description. This means that any representation or description relating to the goods shall be accurate (i.e. not false or misleading) as it will be treated as a condition of the contract, the breach of which gives rise to a right to the buyer to treat the contract as repudiated, pursuant to Section 12 of SOGA.
Website link to law, statute, or code	<ul style="list-style-type: none"> CPA – https://lom.agc.gov.my/ilims/upload/portal/akta/LOM/EN/Act%20599%20-%2029.08.2016.pdf SOGA – https://lom.agc.gov.my/ilims/upload/portal/akta/LOM/EN/Act%20382.pdf

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country		

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Verifier’s name and law firm: Jillian Chia (Skrine)

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Mexico
Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	<p>Yes</p> <p>If Yes, please identify:</p> <p>Ley para la Transparencia, Prevención y Combate de Prácticas Indevidas en Materia de Contratación de Publicidad.</p> <p>Ley General de Salud en Materia de Publicidad.</p> <p>Ley Federal de Protección al Consumidor.</p> <p>Ley Federal de Competencia Económica.</p>
Website link to law, statute, or code	<p>https://www.diputados.gob.mx/LeyesBiblio/pdf/LTPCPIMCP_030621.pdf</p> <p>https://www.diputados.gob.mx/LeyesBiblio/regley/Reg_LGS_MP.pdf</p> <p>https://www.diputados.gob.mx/LeyesBiblio/pdf/LFPC.pdf</p> <p>https://www.diputados.gob.mx/LeyesBiblio/pdf/LFCE_200521.pdf</p>
Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	<p>Comisión Federal de Competencia Económica [Economic Competition Federal Commission]</p> <p>Secretaría de Salud [Ministry of Health]</p> <p>Procuraduría Federal del Consumidor [Consumer Protection Federal Bureau]</p>
Website link to government agency or other authority	<p>https://www.cofece.mx/</p> <p>https://www.gob.mx/profeco</p> <p>https://www.gob.mx/salud</p>
Does the agency/authority possess criminal enforcement powers?	Yes
Does the agency/authority possess civil enforcement powers?	Yes

Government Regulatory Agency or Similar Authority	
Are case decisions publicly available?	Yes
Website link to decisions	If Yes, insert website link to decisions here: https://sjf2.scjn.gob.mx/busqueda-principal-tesis

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	N/A
Website link to organization	N/A
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	Choose an item.
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	Choose an item.
Are case decisions publicly available?	Choose an item.
Website link to decisions	If Yes, insert website link to decisions here:

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	No If Yes, please identify:
Website link to law, statute, regulations, or code	N/A
Which Government agency or other authority enforces the law, statute, regulations, or code?	N/A

Advertising to Children	
Website link to government agency or other authority	N/A
Website link to decisions by agency or other authority	N/A
Is there a self-regulatory organization overseeing advertising to children?	No
Name of self-regulatory organization	N/A
Website link to organization	N/A
Website link to organization decisions	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	No		N/A	N/A
Beauty Care / Cosmetics and Fragrances	No		N/A	N/A
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	Instituto Federal de Telecomunicaciones	See below https://www.ift.org.mx/tags/cofetel	N/A
CBD and/or Marijuana	No		N/A	N/A
Dietary/Health Supplements and Vitamins	No		N/A	N/A
Environmental / Energy (including Oil & Gas)	Yes	Comisión Reguladora de Energía	See below https://www.gob.mx/cre	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Fashion, textile, luxury goods	No		N/A	N/A
Financial and insurance services	Yes	Comisión Nacional Bancaria y de Valores	See below https://www.gob.mx/cnbv	N/A
Food and Agriculture	Yes	Comisión Nacional de Agricultura y Pesca	See below https://www.gob.mx/conapesca	N/A
Gambling and Gaming	No		N/A	N/A
Healthcare/Medical (services)	No		N/A	N/A
Legal	No		N/A	N/A
Medical Devices/Equipment	No		N/A	N/A
Pharmaceuticals	Yes	Comisión Federal para la Protección contra Riesgos Sanitarios	See below https://www.gob.mx/cofepris/	N/A
Tobacco	No		N/A	N/A

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	<p>Yes</p> <p>If Yes, please identify: Ley Federal de Protección al Consumidor</p>

Private right of action for false advertising	
Website link to law, statute, or code	https://www.profeco.gob.mx/juridico/pdf/l_ifpc_ultimo_camdip.pdf

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country	Consejo de la Comunicación	https://cc.org.mx/
	Asociación Mexicana de Agencias de Promociones	https://www.amapro.com.mx/
	Asociación Mexicana de Publicidad Exterior	http://www.ampe.mx/
	Asociación Mexicana de Agencias de Publicidad	http://www.amap.com.mx/

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Verifier's name and law firm: RAFAEL GONZALEZ / PANAMERICANA DE PATENTES Y MARCAS

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Mongolia
Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	Yes If Yes, please identify: Law of Mongolia on Advertisement (LoMoA)
Website link to law, statute, or code	https://legalinfo.mn/mn/detail/259
Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	The Authority for Fair Competition and Consumer Protection of Mongolia (the Competition Authority) is the primary government agency for enforcement of LoMoA if the provisions on unfair competition of the Law on Competition are applicable (Art. 24.1 LoMoA). In the areas in which the unfair competition law is not applicable, the Intellectual Property Office of Mongolia (IPOM) is the primary government agency overseeing advertising regulations (Art. 24.1 LoMoA). The Communications Regulatory Commission (CRC) oversees television advertising as the licensing authority, whereby CRC is not the law enforcement authority; it has the competence to report the Competition Authority and/or IPOM about infringement of LoMoA (Art. 6.4 of 2020/89 Directive of CRC).
Website link to government agency or other authority	The Competition Authority, https://afccp.gov.mn/ IPOM, https://www.ipom.gov.mn/mn.php CRC, https://crc.gov.mn/
Does the agency/authority possess criminal enforcement powers?	No Note: The Competition Authority and/or IPOM may impose monetary fine and injunction in an administrative procedure.
Does the agency/authority possess civil enforcement powers?	No
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here:

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	Advertising disputes are dealt e.g. by the Competition Authority, Criminal Police and Courts in administrative, criminal and civil proceedings. A self-regulatory organisation does not exist.
Website link to organization	
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here:

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	Yes If Yes, please identify: LoMoA has a special provision on advertising to children (Art. 16 LoMoA).
Website link to law, statute, regulations, or code	https://legalinfo.mn/mn/detail/259
Which Government agency or other authority enforces the law, statute, regulations, or code?	CRC and/or IPOM
Website link to government agency or other authority	CRC, https://afccp.gov.mn/ IPOM, https://www.ipom.gov.mn/mn.php
Website link to decisions by agency or other authority	Not available
Is there a self-regulatory organization overseeing advertising to children?	Yes
Name of self-regulatory organization	The Committees for Children are self-regulatory organisations that are led by the Prime Minister and the Provincial Governors. The Committees are in general nature. They may address advertising to children.

Advertising to Children	
Website link to organization	General information and contact to the Committees for Children can obtained from the Authority for Family, Children and Youth, https://fcy.gov.mn/
Website link to organization decisions	Not available

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	General Agency for Specialized Inspection	See below http://inspection.gov.mn/new/	<input type="text" value="Choose an item."/>
Beauty Care / Cosmetics and Fragrances	Yes	General Agency for Specialized Inspection	Same as above	Choose an item.
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	CRC	See below https://crc.gov.mn/en	N/A
CBD and/or Marijuana	No		N/A	N/A
Dietary/Health Supplements and Vitamins	Yes	General Agency for Specialized Inspection	Same as above	N/A
Environmental / Energy (including Oil & Gas)	Yes	General Agency for Specialized Inspection Mineral Resources and Petroleum Authority of Mongolia	See below https://www.mrpam.gov.mn/home/	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Fashion, textile, luxury goods	Yes	General Agency for Specialized Inspection	Same as above	N/A
Financial and insurance services	Yes	Central Bank; Financial Regulatory Commission (FRC)	See below https://www.mongolbank.mn http://www.frc.mn/?locale=en	N/A
Food and Agriculture	Yes	General Agency for Specialized Inspection	Same as above	N/A
Gambling and Gaming	Yes	Communications Regulatory Commission Police	See below https://crc.gov.mn/en https://police.gov.mn/	N/A
Healthcare/Medical (services)	Yes	Authority for Control and Regulation of Medicine and Medical Device	See below https://www.mmra.gov.mn/?id=200003	See below
Legal	Yes	Mongolian Bar Association (MBA) and Association of Mongolian Advocates (AMA)	See below https://www.mglbar.mn/ https://www.ama.org.mn/	N/A
Medical Devices/Equipment	Yes	Authority for Control and Regulation of Medicine and Medical Device	See below https://www.mmra.gov.mn/?id=200003	N/A
Pharmaceuticals	Yes	Authority for Control and Regulation of Medicine and Medical Device	See below https://www.mmra.gov.mn/?id=200003	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Tobacco	Yes	General Agency for Specialized Inspection	See below http://inspection.gov.mn/new/	N/A

Private right of action for false advertising				
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	Yes If Yes, please identify: Criminal and administrative complaints and civil court suits			
Website link to law, statute, or code	Criminal Code, https://legalinfo.mn/mn/detail/11634 Criminal Procedure Code, https://legalinfo.mn/mn/detail/12694 Law on Delicts, https://legalinfo.mn/mn/detail/12695 Law on Delicts` Procedure, https://legalinfo.mn/mn/detail/12696 Civil Code, https://legalinfo.mn/mn/detail/299 Civil Procedural Code, https://legalinfo.mn/mn/detail/302			

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country	Capital City Consumer Protection Society	http://www.consumer.mn/
	Media Council of Mongolia	https://www.mediacouncil.mn/?locale=en

Contributor's name and law firm: Uyanga Delger, DELGER IP, <https://delgerip.com/>

Verifier's name and law firm: Mongol Advocates LLP, <https://advocate.mn/en/>

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Nepal
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Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	Yes. If Yes, please identify: The advertisement Regulation Act 2076 (2019)
Website link to law, statute, or code	http://rajpatra.dop.gov.np/welcome/book/?ref=23847

Government Regulatory Agency or Similar Authority	
Name of a primary government agency or other authority overseeing advertising regulations	Advertisement Board
Website link to a government agency or other authority	https://adboard.gov.np/
Does the agency/authority possess criminal enforcement powers?	No
Does the agency/authority possess civil enforcement powers?	Yes
Are case decisions publicly available?	No.
Website link to decisions	If Yes, insert website link to decisions here:

Self-Regulatory Organizations	
Name of the self-regulatory organization overseeing general advertising disputes	Advertising Association Nepal (AAN)
Website link to organization	https://adnepal.org.np/
Does an organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	The organization does not possess criminal enforcement powers. However, one can file case in District court for criminal Enforcement.
Does an organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	The organization does not possess civil enforcement powers. However, it can refer matters to a government regulatory agency i.e Advertisement Board that has civil enforcement powers.
Are case decisions publicly available?	N/A
Website link to decisions	If Yes, insert website link to decisions here: N/A

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	No. If Yes, please identify:
Website link to law, statute, regulations, or code	N/A
Which Government agency or other authority enforces the law, statute, regulations, or code?	N/A
Website link to government agency or other authority	N/A
Website link to decisions by agency or other authority	N/A
Is there a self-regulatory organization overseeing advertising to children?	N/A
Name of self-regulatory organization	N/A
Website link to organization	N/A
Website link to organization decisions	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	Advertisement Board	https://adboard.gov.np/	N/A
Beauty Care / Cosmetics and Fragrances	No	N/A	N/A	N/A

Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	Ministry of Communication and Information Technology, Department of Information and Broadcasting.	http://www.doinepal.gov.np/en/	N/A
CBD and/or Marijuana	Yes	Department of Drug Administration (DDA)	https://publichealthupdate.com/department-of-drug-administration-dda-ministry-of-health-and-population/	N/A
Dietary/Health Supplements and Vitamins	Yes	Department of food technology and quality control	http://www.dftqc.gov.np/	N/A
Environmental / Energy (including Oil & Gas)	No	<ol style="list-style-type: none"> 1) Clean Energy Nepal 2) Alternative Energy Promotion Center 	https://www.cen.org.np/ https://www.aepc.gov.np/	N/A
Fashion, textile, luxury goods	No	N/A	N/A	N/A
Financial and insurance services	Yes	<ol style="list-style-type: none"> 1) SEBON 2) Banking Finance and Insurance Institution of Nepal 	https://sebon.gov.np/about-sebon https://www.bfin.com.np/pages/vision-mission-objectives	N/A
Food and Agriculture	Yes	1) Department of food technology and quality control	http://www.dftqc.gov.np/	N/A

Gambling and Gaming	Yes	Advertisement Board	https://adboard.gov.np/	N/A
Healthcare/Medical (services)	Yes	Nepal Medical Council	https://www.nmc.org.np/23	N/A
Legal	Yes	1) Nepal Bar Council 2) Nepal Bar Association	https://nepalbarcouncil.org.np/en/home-page/ https://nepalbar.org.np/en/introduction/	N/A
Medical Devices/Equipment	Yes	1) Department of Drugs Administration 2) Department of Health Services	https://www.dda.gov.np/content/health-technology-product-an-medical-device-directive-2074 https://dohs.gov.np/about-us/	N/A
Pharmaceuticals	Yes	3) Department of Drugs Administration	https://www.dda.gov.np/content/health-technology-product-an-medical-device-directive-2074	N/A
Tobacco	Yes	Advertisement Board	https://adboard.gov.np/	N/A

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of	

action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	If Yes, please identify: Yes The Consumer Protection Act 2075 (2018)
Website link to law, statute, or code	https://www.lawcommission.gov.np/en/wp-content/uploads/2019/09/The-Consumer-Protection-Act-2075-2018.pdf

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country	Nepal Law Commission	https://lawcommission.gov.np/en/?p=14283
	Department of Information and Broadcasting	http://www.doinepal.gov.np/en/

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Verifier's name and law firm: Mr. Gourish K. Kharel, Principal, Kto Inc. _____

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	The Netherlands
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Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	Yes If Yes, please identify: in Section 3A, Title 3, Book 6 of the Dutch Civil Code “ Burgerlijk Wetboek ” or “ BW ” the rules following from the Unfair Commercial Practices Directive “ UCP Directive ” (Directive 2005/29/EC) are implemented into Dutch law. In addition to the Netherlands has an active system of self-regulation, the general advertising code is the “ Nederlandse Reclame Code ” or short: “ NRC ”.
Website link to law, statute, or code	Burgerlijk Wetboek: https://wetten.overheid.nl/BWBR0005289/2020-07-01 Nederlandse Reclame Code: https://www.reclamecode.nl/nrc/

Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	Autoriteit Consument & Markt “ ACM ” (Authority for Consumers & Markets)
Website link to government agency or other authority	https://www.acm.nl/nl
Does the agency/authority possess criminal enforcement powers?	No
Does the agency/authority possess civil enforcement powers?	No, but the ACM can impose administrative fines.
Are case decisions publicly available?	Yes

Government Regulatory Agency or Similar Authority	
Website link to decisions	If Yes, insert website link to decisions here: ACM decisions are not always published, but the court rulings on decisions of the ACM are published here: https://www.acm.nl/nl/publicaties/gerechtelijke-uitspraken

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	Stichting Reclame Code (" SRC ")
Website link to organization	https://www.reclamecode.nl/
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Are case decisions publicly available?	Yes
Website link to decisions	If Yes, insert website link to decisions here: https://www.reclamecode.nl/uitspraken/

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	Yes If Yes, please identify: the Code for advertising directed at children and young people (in Dutch: “ Kinder- en Jeugd reclamecode ” or “ KJC ”). Please note that this Code is part of the self-regulatory system and it is thus not embedded in the law as such.
Website link to law, statute, regulations, or code	https://www.reclamecode.nl/nrc/kinder-en-jeugd-reclamecode-kjc/
Which Government agency or other authority enforces the law, statute, regulations, or code?	The self-regulatory Advertising Code Authority, the <i>Stichting Reclame Code</i> “ SRC ” enforces the KJC against the advertiser in case of complaints submitted by for example a consumer or competitor at the SRC. The SRC does not independently start a procedure to enforce the KJC against an advertiser. However, when a complaint is filed against an advertisement, the SRC will apply the KJC if the advertisement or complaint gives cause to do so.
Website link to government agency or other authority	N/A
Website link to decisions by agency or other authority	N/A
Is there a self-regulatory organization overseeing advertising to children?	Yes
Name of self-regulatory organization	Stichting Reclame Code
Website link to organization	https://www.reclamecode.nl/
Website link to organization decisions	https://www.reclamecode.nl/uitspraken/

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	Stichting Verantwoorde Alcoholconsumptie "STIVA" (Foundation for Responsible Alcohol Consumption) is an industry organization consisting of Dutch producers and importers of beer, wine and spirits. STIVA actively promotes responsible alcohol consumption and responsible alcohol advertising.	See below https://stiva.nl/	N/A STIVA does not enforce the <i>Reclamecode voor alcoholhoudende dranken</i> "RVA" (Advertising code for alcoholic beverages) or <i>Reclamecode voor Alcoholvrij en Alcoholarm Bier</i> "RvAAB" (Advertising Code for Alcohol-free and Low-Alcohol Beer), nor does STIVA issues decisions thereto. The abovementioned advertising codes fall within the scope of the SRC, which publishes its decisions here: https://www.reclamecode.nl/uitspraken/

Beauty Care / Cosmetics and Fragrances	Yes	Nederlandse Cosmetica Vereniging “ NCV ”, the association of manufacturers and importers of cosmetics (products for personal care). NCV is included in the “platform of members” of the SRC.	See below https://www.ncv-cosmetica.nl/english/	N/A NCV created the Reclamecode Cosmetische Producten “ RCP ” (Advertising Code for cosmetic products). The abovementioned advertising code falls within the scope of the SRC, which publishes its decisions here: https://www.reclamecode.nl/uitspraken/
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	Commissariaat voor de Media “ Cvdm ” (Commissioner’s office for the media)	See below https://www.cvdm.nl/	See below https://www.cvdm.nl/besluiten
CBD and/or Marijuana	No		N/A	N/A
Dietary/Health Supplements and Vitamins	Yes	SRC can enforce on the basis of the <i>Code Aanprijzing Gezondheidsproduc ten</i> “ CAG ” (Code for health product promotion) De Keuringsraad (Inspection Board) can perform a preventive assessment of an advertisement on the basis of the CAG, on the request of the advertiser. The Keuringsraad can also proactively monitor compliance with the CAG and can take independently action	See below SRC: https://www.reclamecode.nl/ Keuringsraad: https://www.keuringsraad.nl/home	See below SRC: https://www.reclamecode.nl/uitspraken/ Keuringsraad: N/A.

		or at the request of a company (requests of consumers are referred to the SRC).		
Environmental / Energy (including Oil & Gas)	Yes	<p>SRC enforces environmental and energy claims based on the <i>Milieu reclamecode</i> “MRC” (Environmental Advertising Code)</p> <p>The ACM can enforce against sustainability claims on the basis of the UCP Directive. Recently, the ACM published its <i>Leidraad duurzaamheidsclaims</i> (Guidance sustainability claims) which is based on the EU UCP Guidance and EU Environmental Claims Guidance.</p>	Same as above	Same as above
Fashion, textile, luxury goods	No		N/A	N/A
Financial and insurance services	Yes	<p>Autoriteit Financiële Markten “AFM” (Dutch Authority Financial Markets) can enforce on the basis of the <i>Wet op het financieel toezicht</i> “Wft” (Financial Supervision Act).</p>	<p>See below https://www.afm.nl/</p>	<p>See below The AFM does not (publicly) issue decisions on the enforcement of advertising related to financial and insurance services. The AFM can issue administrative fines on the basis of the Wft.</p> <p>A decision of the AFM can be objected to (administrative law procedure). Against the decision on objection an appeal can be lodged with the administrative court. The decisions of the administrative court are</p>

				published here: https://uitspraken.rechtspraak.nl/
Food and Agriculture	Yes	<p>SRC enforces on the basis of the <i>Reclamecode voor Voedingsmiddelen</i> 2019 “RVV” (Advertising Code for Food Products)</p> <p>Nederlandse Voedsel- en Warenautoriteit “NVWA” (Netherlands Food and Consumer Product Safety Authority) can enforce on the basis of the <i>Warenwetbesluit informatie levensmiddelen</i> (Commodities Act Decree on Foodstuffs Information) which is applicable in addition to EU harmonized regulations such as Regulation (EU) No 1924/2006 (“<i>Claims Regulation</i>”) and Regulation EU No. 1169/2011 (Food information to consumers “<i>FIC</i>” <i>Regulation</i>).</p>	<p>See below</p> <p>SRC: same as above</p> <p>NVWA: https://www.nvwa.nl/</p>	<p>See below</p> <p>SRC: same as above</p> <p>NVWA does not (publicly) issue decisions on the enforcement of advertising or labelling related to food and agriculture. The NVWA can issue administrative fines on the basis of for example the <i>Warenwetbesluit informatie levensmiddelen</i>.</p> <p>A decision of the NVWA can be objected to (administrative law procedure). Against the decision on objection an appeal can be lodged with the administrative court. The decisions of the administrative court are published here: https://uitspraken.rechtspraak.nl/</p>
Gambling and Gaming	Yes	De Kansspelautoriteit	<p>See below</p> <p>Ksa: https://kansspelautoriteit.nl/</p>	<p>See below</p> <p>Ksa: https://kansspelautoriteit.nl/besluiten/</p>

		<p>"Ksa"(Dutch Gambling Authority), the supervising authority, can enforce on the basis of the <i>Wet op de kansspelen</i> (Dutch Betting and Gaming Act).</p> <p>SRC enforces advertising for games of chance offered by license holders based on the Dutch Betting and Gaming Act "RVK" (Reclamecode voor kansspelen die worden aangeboden door vergunninghouders ingevolge de Wet op de kansspelen (RVK) 2015)</p>	SRC: same as above	SRC: same as above
Healthcare/Medical (services)	Yes	<p>Stichting Code Geneesmiddelenreclame "CGR" (Foundation for the Code for Pharmaceutical Advertising) is a self-regulatory authority that enforces the <i>Gedragcode Geneesmiddelenreclame</i> (Code of conduct on pharmaceutical advertising).</p>	<p>See below CGR: https://www.cgr.nl/nl-NL/Home <u>SRC: same as above</u></p>	<p>See below CGR: https://www.cgr.nl/Klachten/Klachten/2021 SRC: same as above</p>

		In addition the SRC enforces the <i>Code medische Cosmetische Behandelingen uitgevoerd door Artsen "CCBA"</i> (Code Medical Cosmetic Treatments Performed by Doctors)		
Legal	No		N/A	N/A
Medical Devices/Equipment	Yes	<p>SRC enforces the <i>Code reclame voor Medische zelfzorg Hulpmiddelen 2019 "CMH"</i> (Advertising code for self-care medical products)</p> <p>The Keuringsraad can perform a preventive assessment of an advertisement on the basis of the CMH, on the request of the advertiser. The Keuringsraad can also proactively monitors compliance with the CMH and can independently take action or at the request of a company (requests of consumers are</p>	<p>See below</p> <p>SRC: same as above</p> <p>Keuringsraad: same as above</p> <p>IGJ: www.igj.nl</p>	<p>See below</p> <p>SRC: same as above</p> <p>Keuringsraad: same as above</p> <p>IGJ does not (publicly) issue decisions on the enforcement of advertising or labelling related to medicinal products, healthcare or medical devices. IGJ can issue administrative fines.</p> <p>A decision of IGJ can be objected to (administrative law procedure). Against the decision on objection an appeal can be lodged with the administrative court. The decisions of the administrative court are published here: https://uitspraken.rechtspraak.nl/</p>

		<p>referred to the SRC).</p> <p>The Dutch Health Health and Youth Care Inspectorate (“IGJ”) is the government institution responsible for enforcing laws and other regulations regarding for example medicinal products, healthcare and medical devices.</p>		
Pharmaceuticals	Yes	<p>SRC enforces the <i>Code Publieksreclame voor Geneesmiddelen</i> “CPG” (Advertising Code for advertising medicines to the general public)</p> <p>The Keuringsraad can perform a preventive assessment of an advertisement on the basis of the CPG, on the request of the advertiser. The Keuringsraad can also proactively monitors compliance with the CPG and can take independently take action or at the</p>	Same as above	Same as above

		request of a company (requests of consumers are referred to the SRC).		
Tobacco	No	There is no specific agency for the enforcement of tobacco advertising, but the Nederlandse Voedsel- en Warenautoriteit “ NVWA ” (the Netherlands Food and Consumer Product Safety Authority) can enforce the advertising ban for tobacco as laid down in the Dutch <i>Tabakswet</i> (Tobacco Act).	See below https://www.nvwa.nl/	N/A The NVWA does not (publicly) issue decisions on the enforcement of tobacco advertising. The NVWA can issue administrative fines on the basis of the <i>Tabakswet</i> .

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	<p>Yes</p> <p>If Yes, please identify: a competitor can file legal actions for false or misleading advertising on the basis of Unfair Commercial Practices Directive “UCP Directive” (Directive 2005/29/EC) that is implemented in Articles 193a- 193j and 194-196 of book 6 of the Burgerlijk Wetboek “BW” (Dutch Civil Code). The Dutch Civil Code regulates three types of commercial practices: business-to-business, business-to-consumer and comparative advertising. There used to be a debate as to whether the provisions aimed at business-to-consumer relations can also be invoked in business-to-business relations. It is now generally accepted that this can be the case. Legal action before the courts initiated by an individual consumer based on the Dutch Civil Code is not common.</p>
Website link to law, statute, or code	https://wetten.overheid.nl/BWBR0005289/2020-07-01

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country	Global Advertising Lawyers Alliance (GALA)	www.galalaw.com

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Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	New Zealand
Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	Yes If Yes, please identify: <i>Fair Trading Act 1986 (NZ)</i>
Website link to law, statute, or code	www.legislation.govt.nz/act/public/1986/0121/latest/DLM96439.html
Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	Commerce Commission
Website link to government agency or other authority	https://comcom.govt.nz/
Does the agency/authority possess criminal enforcement powers?	Yes
Does the agency/authority possess civil enforcement powers?	Yes
Are case decisions publicly available?	Yes
Website link to decisions	If Yes, insert website link to decisions here: www.comcom.govt.nz/case-register
Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	Advertising Standards Authority (ASA)
Website link to organization	www.asa.co.nz/

Self-Regulatory Organizations	
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	Yes The organization can refer matters to the Commerce Commission
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	Yes The organization can refer matters to the Commerce Commission
Are case decisions publicly available?	Yes
Website link to decisions	If Yes, insert website link to decisions here: www.asa.co.nz/decisions/search-browse-decisions

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	Yes If Yes, please identify: Children and Young People's Advertising Code
Website link to law, statute, regulations, or code	www.asa.co.nz/codes/codes/children-and-young-people
Which Government agency or other authority enforces the law, statute, regulations, or code?	Commerce Commission
Website link to government agency or other authority	https://comcom.govt.nz/
Website link to decisions by agency or other authority	www.comcom.govt.nz/case-register
Is there a self-regulatory organization overseeing advertising to children?	Yes
Name of self-regulatory organization	ASA
Website link to organization	www.asa.co.nz/

Advertising to Children	
Website link to organization decisions	www.asa.co.nz/decisions/search-browse-decisions

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry? **	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	ASA Food Standards Australia & New Zealand Ministry of Justice regulates alcohol advertising through the <i>Sale and Supply of Alcohol Act 2012</i> (NZ)	Same as above www.foodstandards.govt.nz www.justice.govt.nz	Same as above N/A N/A
Beauty Care / Cosmetics and Fragrances	Yes	ASA Environmental Protection Agency	Same as above www.epa.govt.nz	Same as above N/A
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	ASA Broadcasting Standards Authority Commercial Approvals Bureau	Same as above www.bsa.govt.nz www.commercialapprovals.co.nz www.dia.govt.nz	Same as above www.bsa.govt.nz/decisions/all-decisions N/A N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry? **	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		Department of Internal Affairs regulates film advertising through the <i>Films, Videos, and Publications Classification Act 1993</i> (NZ)		
CBD and/or Marijuana	Yes	ASA Medsafe Association of New Zealand Advertisers Ministry of Health regulates Marijuana advertising and labelling through the <i>Misuse of Drugs Act 1975</i> (NZ)	Same as above www.medsafe.gov.nz www.anza.co.nz/taps www.health.govt.nz	Same as above N/A N/A N/A
Dietary/Health Supplements and Vitamins	Yes	ASA Medsafe Association of New Zealand Advertisers	Same as above Same as above Same as above	Same as above N/A N/A
Environmental / Energy (including Oil & Gas)	Yes	ASA Environmental Protection Agency	Same as above Same as above	Same as above N/A
Fashion, textile, luxury goods	Yes	ASA Environmental Protection Agency	Same as above Same as above	Same as above N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry? **	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		Commerce Commission	Same as above	N/A
Financial and insurance services	Yes	ASA Financial Markets Authority Commerce Commission Reserve Bank of New Zealand regulates insurance services advertising through the <i>Insurance (Prudential Supervision) Act 2010</i> (NZ)	Same as above https://www.fma.govt.nz/ Same as above https://www.rbnz.govt.nz/	Same as above https://www.fma.govt.nz/news-and-resources/cases/ N/A N/A
Food and Agriculture	Yes	ASA Ministry for Primary Industries regulates food and agriculture advertising and labelling through the <i>Animal Products Act 1999</i> and <i>Food Act 2014</i> (NZ)	Same as above Same as above	Same as above N/A
Gambling and Gaming	Yes	ASA Department of Internal Affairs	Same as above Same as above	Same as above N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry? **	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		regulates gambling advertising through the <i>Gambling Act 2003</i> (NZ)		
Healthcare/Medical (services)	Yes	ASA Medical Council of New Zealand	Same as above www.mcnz.org.nz	Same as above N/A
Legal	Yes	Ministry of Justice regulates legal advertising through the <i>Lawyers and Conveyancers Act (Lawyers: Conduct and Client Care) Rules 2008</i> (NZ) The New Zealand Law Society	See below www.justice.govt.nz/tribunals/lawyers-and-conveyancers/ www.lawsociety.org.nz	See below www.justice.govt.nz/tribunals/lawyers-and-conveyancers/lc-disciplinary-tribunal/lcdt-decisions/?Filter_Jurisdiction=279 www.lawsociety.org.nz/for-the-public/complaining-about-a-lawyer/standards-committee-decisions
Medical Devices/Equipment	Yes	Medsafe ASA Medical Council of New Zealand Association of New Zealand Advertisers Ministry of Health regulates medical device/equipment advertising and labelling through the	Same as above Same as above https://www.mcnz.org.nz/ Same as above Same as above	N/A Same as above N/A N/A N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry? **	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		<i>Medicines Act 1981 (NZ)</i>		
Pharmaceuticals	Yes	Medsafe ASA Ministry of Health regulates labelling of controlled drugs through the <i>Misuse of Drugs Act 1975 (NZ)</i> Association of New Zealand Advertisers	Same as above Same as above https://www.health.govt.nz/ Same as above	N/A Same as above N/A N/A
Tobacco	No	Ministry of Health regulates tobacco advertising through the <i>Smokefree Environments and Regulated Products Act 1990 (NZ)</i> (see below)	Same as above	N/A

** Note that the listed agencies are the key agencies/organisations only, and that the laws and rules regulated by other agencies/organisations may apply.

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	Yes If Yes, please identify: Fair Trading Act 1986

Private right of action for false advertising	
Website link to law, statute, or code	www.legislation.govt.nz/act/public/1986/0121/latest/DLM96439.html

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country	Ministry of Health	https://www.health.govt.nz/our-work/preventative-health-wellness/tobacco-control/smokefree-environments-legislation/smoke-free-environments-act
	Consumer Protection	www.consumerprotection.govt.nz
	Alcohol.org.nz	www.alcohol.org.nz
	Pharmacy Council NZ	www.pharmacycouncil.org.nz
	Real Estate Authority	www.rea.govt.nz
	Dental Council of New Zealand	www.dcnz.org.nz
	Electoral Commission	elections.nz
	WasteMINZ	www.wasteminz.org.nz
	Energise Web	www.energise.co.nz
	NZ Food & Grocery Council	www.fgc.org.nz
	Cosmetics NZ	www.cosmeticsnewzealand.org.nz
	Direct Selling Association	www.dsanz.co.nz

Although every effort has been made to verify the accuracy of this resource, readers are urged to check independently on matters of specific concern or interest. The resource is not intended to replace legal advice.

Contributor's name and law firm: Noelene Treloar, Of Counsel, Adrian M Trioli – Intellectual Property
 Verifier's name and law firm: Richard Watts, Simpson Grierson

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Panama
Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	<p>No.</p> <p>However, please be advised that there are general advertising provisions as they pertain to consumer protection matters as set forth under Law No. 45 of October 31, 2007 regarding consumer protection and competition defense rules. There are also several provisions dealing with advertising on specific matters such as human health related products and services are set forth in</p> <ul style="list-style-type: none"> (i) Law No. 66 of November 10, 1947: Sanitary Code, as amended by Law No. 13 of January 24, 2008 whereby measures for the control of tobacco are taken and Article 171 of the Sanitary Code regarding advertising and propaganda is amended. (ii) Executive Decree No. 230 of May 6, 2008 whereby Law No. 13 of 2008 is regulated and the Advertising and Propaganda Commission of the Ministry of Health is established. (iii) Resolution No. 0523 of February 21, 2019 whereby the internal regulation of the Advertising and Propaganda Commission of the Ministry of Health is regulated and approval procedures are established for advertising and propaganda; (iv) Executive Decree No. 46 of June 23, 2009 whereby Law No. 45 of October 31, 2007 regarding consumer protection and competition defense rules is regulated. (v) Executive Decree No. 299 of April 29, 1992 whereby advertising and propaganda for alcoholic beverages, cigarettes and tobacco is regulated; (vi) Law No. 45 of 1995 modified by Law No. 114 of November 18, 2019 whereby selective tax for alcoholic beverages is established; (vii) Resolution No. AN-4201-RTV of January 27, 2011 for television and broadcasting agencies agreement. (viii) Law No. 50 of November 23, 1995 whereby Breastfeeding is protected. (ix) Executive Decree No. 1457 of October 30, 2012 whereby Law No. 50 of 1995 on Breastfeeding is regulated.
Website link to law, statute, or code	https://www.acodeco.gob.pa/view.php?arbol=2&sec=1&pagi=0
Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	General advertising matters: Consumer Protection and Competition Defense Authority “ACODECO”. For health-related products and services: Advertising and Propaganda Commission from the Ministry of Health of the Republic of Panama.
Website link to government agency or other authority	https://www.acodeco.gob.pa/portada.php

Government Regulatory Agency or Similar Authority	
	http://www.minsa.gob.pa/
Does the agency/authority possess criminal enforcement powers?	No
Does the agency/authority possess civil enforcement powers?	Yes
Are case decisions publicly available?	Yes
Website link to decisions	https://oipanama.organojudicial.gob.pa/_index.php https://www.acodeco.gob.pa/view.php?arbol=5&sec=6&pagi=0

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	N/A
Website link to organization	N/A
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	<input type="text" value="Choose an item."/>
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	<input type="text" value="Choose an item."/>
Are case decisions publicly available?	<input type="text" value="Choose an item."/>
Website link to decisions	If Yes, insert website link to decisions here: N/A

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	Yes

Advertising to Children	
	<p>If Yes, please identify: Executive Decree No. 299 of April 29, 1992 in which is regulated the advertising and propaganda of alcoholic beverages, cigarettes and tobacco.</p> <p>There is also provisions in the Constitution and Criminal Code in connection with the content of publicly available material. The Criminal Code penalizes the action of offending the dignity, honor or decency of another persona through means of communications. This could apply for a case where a child is considered harmed by the unrestricted provision of a material which content may be view as inappropriate.</p> <p>There's also an specific regulation</p>
Website link to law, statute, regulations, or code	https://docs.panama.justia.com/federales/decretos-ejecutivos/299-de-1992-may-22-1992.pdf
Which Government agency or other authority enforces the law, statute, regulations, or code?	The Ministry of Health
Website link to government agency or other authority	http://www.minsa.gob.pa/
Website link to decisions by agency or other authority	https://www.acodeco.gob.pa/portada.php
Is there a self-regulatory organization overseeing advertising to children?	No
Name of self-regulatory organization	N/A
Website link to organization	N/A
Website link to organization decisions	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	Advertising and Propaganda Commission of the Ministry of Health Ministry of Economy and Finance	http://www.minsa.gob.pa/ https://www.mef.gob.pa/	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Beauty Care / Cosmetics and Fragrances	Yes	Advertising and Propaganda Commission of the Ministry of Health	Same as above	N/A
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	Public Services Authority (ASEP)	https://www.asep.gob.pa/	N/A
CBD and/or Marijuana	Yes	Advertising and Propaganda Commission of the Ministry of Health	Same as above	N/A
Dietary/Health Supplements and Vitamins	Yes	Advertising and Propaganda Commission of the Ministry of Health	Same as above	N/A
Environmental / Energy (including Oil & Gas)	Yes	Authority for Consumer Protection and Competition Defense (ACODECO)	https://www.acodeco.gob.pa/portada.php	N/A
Fashion, textile, luxury goods	Yes	Authority for Consumer Protection and Competition Defense (ACODECO)	Same as above	N/A
Financial and insurance services	Yes	Authority for Consumer Protection and Competition Defense (ACODECO)	Same as above	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Food and Agriculture	Yes	Advertising and Propaganda Commission of the Ministry of Health	Same as above	N/A
Gambling and Gaming	Yes	The Panamanian Game Control Board of the Ministry of Economy and Finance	https://www.mef.gob.pa/secretaria-ejecutiva-junta-de-control-de-juegos/	N/A
Healthcare/Medical (services)	Yes	Advertising and Propaganda Commission of the Ministry of Health	Same as above	N/A
Legal	Yes	Authority for Consumer Protection and Competition Defense (ACODECO)	Same as above	N/A
Medical Devices/Equipment	Yes	Advertising and Propaganda Commission of the Ministry of Health	Same as above	N/A
Pharmaceuticals	Yes	Advertising and Propaganda Commission of the Ministry of Health	Same as above	N/A
Tobacco	Yes	Advertising and Propaganda Commission of the Ministry of Health	Same as above	N/A

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	Yes If Yes, please identify: Law No. 5 of January 11, 2007, which allows companies to initiate civil actions against other companies in cases of unfair competition including false advertisement matters.
Website link to law, statute, or code	http://www.oas.org/juridico/spanish/mesicic2_pan_anexo_13_sp.pdf

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country	Panamanian Association of Advertising Agencies	http://www.apap.com.pa/

Contributor's name and law firm: Alfaro, Ferrer y Ramírez –Marycarmen González.
 Verifier's name and law firm: Icaza, González-Ruiz & Alemán- Gabriela Tejada de Britton

Country/Jurisdiction	Philippines
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Advertising Law, Statute, or Code	
<p>Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)</p>	<p>Yes</p> <p>If Yes, please identify:</p> <ul style="list-style-type: none"> - Republic Act (RA) No. 7394, The Consumer Act of the Philippines The law sets down general rules to protect consumers from false, deceptive and misleading advertisements. - Ad Standards Council Code of Ethics (ASC Code of Ethics) This is non-legally binding. For the most part, the advertising industry in the Philippines is self-regulatory. However, the Department of Trade and Industry (DTI), the regulatory body designated under RA 7394 to implement the law on advertising, recognizes the Ad Standards Council (ASC) and the ASC Code of Ethics under a Memorandum of Understanding (MOU) as a means of implementing RA 7394 through the pre and post-screening of advertising material content. The ASC is tasked to monitor advertisements in the Philippines to ensure compliance with the law and pertinent regulations, and to appear as witness upon DTI's request, in cases involving false, deceptive, and misleading advertisements. (Source Link)] <p>Advertising which pertains to specific content are governed by special laws such as:</p> <ul style="list-style-type: none"> - RA 9211, Tobacco Regulation Act of 2003, as amended by RA 10643 Amends Section 94 of RA 7394 on labels in cigarettes and provides the rules and regulations for the advertisement and promotion of tobacco products in the Philippines. - RA No. 9006, Fair Elections Act Deals with political advertisements during the election period, under the regulation of the Commission on Elections (COMELEC). - RA No. 3720, The Food, Drug and Cosmetic Act, as amended by RA No. 9711, The Food and Drug Administration (FDA) Act of 2009 Deals with the labelling, advertising and promotion of health products, such as medicines under the regulation of the Department of Health (DOH) through the FDA. - RA 10611, Food Safety Act of 2013 Penalizes the mislabeling, misbranding and false advertising of any food products under the regulation of the DOH through the FDA. - RA 9755, Anti-Child Pornography Act of 2009 Penalizes the promotion and advertisement of child pornography advertisements, including “pandering” which refers to the act of offering, promoting, advertising, representing or distributing through any means

Advertising Law, Statute, or Code	<p>any material that is intended to cause another to believe that it contains any form of child pornography, regardless of actual content.</p> <ul style="list-style-type: none"> - RA 11765, Financial Products and Services Consumer Protection Act Repeals Articles 131 to 147 of RA 7394 on consumer credit transactions and lays down the requirements for the advertising of financial products and services, under the regulation of the Banko Sentral ng Pilipinas (BSP), the Securities and Exchange Commission (SEC), the Insurance Commission, and the Cooperative Development Authority (CDA).
Website link to law, statute, or code	<ol style="list-style-type: none"> 1. RA 7394, Consumer Act of the Philippines: https://www.officialgazette.gov.ph/1992/04/13/republic-act-no-7394-s-1992/ 2. ASC Guidebook and Code of Ethics [updated March 2019]: https://asc.com.ph/wp-content/uploads/2016/06/ASC_Guidebook.pdf 3. RA 9211, Tobacco Regulation Act of 2003 [Link], as amended by RA 10643 [Link] 4. RA No. 9006, Fair Elections Act: https://www.officialgazette.gov.ph/2001/02/12/republic-act-no-9006/ 5. RA No. 3720, The Food, Drug and Cosmetic Act, as amended by RA No. 9711, The Food and Drug Administration (FDA) Act of 2009: https://www.pntr.gov.ph/wp-content/uploads/2021/04/RA-3720.pdf; https://www.officialgazette.gov.ph/2009/08/18/republic-act-no-9711/ 6. RA 10611, Food Safety Act of 2013: https://www.officialgazette.gov.ph/2013/08/23/republic-act-no-10611/ 7. RA 9755, Anti-Child Pornography Act of 2009: https://www.officialgazette.gov.ph/2009/11/17/republic-act-no-9775-s-2009/ 8. Financial Products and Services Consumer Protection Act, RA 11765 [Link]
Government Regulatory Agency or Similar Authority	<p>Department of Trade and Industry (DTI) / Department of Health (DOH) through the Food and Drug Administration (FDA)</p> <p>Under Article 109 of RA 7394, the DTI shall enforce the provisions of the Consumer Act and its implementing rules and regulations relating to advertising and sales promotions of consumer goods and services. However, the DOH shall be the implementing agency for food, drugs, cosmetics, devices, and hazardous substances. Pursuant to Section 6 of the FDA Act, the regulation of the promotion, advertisement and sponsorship of health products (food, drugs, cosmetics, devices, biologicals, vaccines, in-vitro diagnostic reagents, and household/urban hazardous substances) have been relegated to the FDA.</p>
Name of primary government agency or other authority overseeing advertising regulations	

Government Regulatory Agency or Similar Authority	
Website link to government agency or other authority	DTI: https://www.dti.gov.ph/ DOH: https://doh.gov.ph/ FDA: https://www.fda.gov.ph/
Does the agency/authority possess criminal enforcement powers?	<p>No</p> <p>The Consumer Act provides for criminal penalties which include imprisonment and fines, for violations of its provisions but the DOH-FDA and/or DTI cannot impose such penalties directly. They may, however, file a complaint before the prosecutor's office which will file the necessary information in a regular court of competent jurisdiction.</p>
Does the agency/authority possess civil enforcement powers?	<p>No.</p> <p>Under the Consumer Act, any person who may suffer loss, damage or injury due to a false, misleading or deceptive advertisement may file a complaint in their own name with any court of competent jurisdiction to recover damages, cost of suit and reasonable attorney's fees. The DOH-FDA and/or DTI has no jurisdiction over such complaint.</p> <p>However, the DOH-FDA and/or the DTI can impose administrative penalties and sanctions, such as fines and cease & desist orders, pursuant to complaints filed by a consumer or upon their own initiative.</p>
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here: N/A

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	Ad Standards Council (ASC) The ASC is a non-stock, non-profit organization established by the Kapisanan ng Brodkaster ng Pilipinas (KBP) together with the Philippine Association of National Advertisers (PANA), and the Association of Accredited Advertising Agencies – Philippines (4As) to handle the screening of all broadcast, out-of-home, print, digital and mobile advertng, and the settlement of disputes regarding advertising content. The ASC took over the functions of the Advertising Content and Review Committee (ACRC) of the AdBoard in 2008.
Website link to organization	https://asc.com.ph/
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	<p>No</p> <p>The ASC can refer the matter to the DTI and/or DOH-FDA, which has the power to direct the filing of a complaint in court for violations of RA 7394, specifically on advertising (Article 122, RA 7394).</p>

Self-Regulatory Organizations	
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has civil enforcement powers?	<p>Yes</p> <p>To clarify, the ASC has jurisdiction only over violations of the ASC Code of Ethics and Manual of Procedures, for which it can impose sanctions and penalties, such as cease and desist orders, fines, and recall of clearance. But while it handles consumer complaints, it has no power to award damages. The ASC can refer the matter to the DTI and/or the DOH-FDA, which can file the appropriate case in the courts for violation of the Consumer Act and its implementing rules/regulations but civil cases for damages are to be filed by the complainant themselves.</p>
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here: N/A

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	<p>Yes</p> <p>If Yes, please identify:</p> <p>Article III of the ASC Code of Ethics provides for the Standards for the Protection of Children.</p> <p>The following laws also have provisions specific to advertising to children:</p> <ol style="list-style-type: none"> 1. RA 8370, Children’s Television Act of 1997 Established the National Council for Children’s Television, whose functions include monitoring, reviewing, and classifying children’s television programs and advertisements aired during the hours known to be child-viewing hours in order to take appropriate action such as disseminating information to the public and bringing monitoring results to the attention of concerned agencies for appropriate action. 2. RA 9211, Tobacco Regulation Act of 2003 Prohibits tobacco advertisements aimed at, or particularly appealing to persons under eighteen (18) years of age. 3. RA 10354, The Responsible Parenthood and Reproductive Health Act of 2012 Imposes a duty on corporate citizens to exercise prudence in advertising its products or services through all forms of media, especially on matters relating to sexuality, taking into consideration its influence on children and the youth.
Website link to law, statute, regulations, or code	<ol style="list-style-type: none"> 1. ASC Code of Ethics: https://asc.com.ph/wp-content/uploads/2016/06/ASC_Guidebook.pdf 2. RA 8370, Children’s Television Act of 1997: https://www.officialgazette.gov.ph/1997/10/28/republic-act-no-8370/

Advertising to Children	
	<ol style="list-style-type: none"> 3. RA 9211, Tobacco Regulation Act of 2003: https://www.officialgazette.gov.ph/2003/06/23/republic-act-no-9211/; 4. RA 10354, The Responsible Parenthood and Reproductive Health Act of 2012: https://www.officialgazette.gov.ph/2012/12/21/republic-act-no-10354/
Which Government agency or other authority enforces the law, statute, regulations, or code?	<ol style="list-style-type: none"> 1. National Council for Children’s Television (NCCT) (Under RA 8370) 2. Inter-Agency Committee – Tobacco (IAC – Tobacco) (Under RA 9211)
Website link to government agency or other authority	<ol style="list-style-type: none"> 1. NCCT: https://ncct.gov.ph/ 2. IAC – Tobacco: None
Website link to decisions by agency or other authority	N/A
Is there a self-regulatory organization overseeing advertising to children?	Yes
Name of self-regulatory organization	Ad Standards Council (ASC)
Website link to organization	https://asc.com.ph/
Website link to organization decisions	None

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose “Same as above.”)			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	Ad Standards Council (ASC) and the Food and Drug Administration (FDA)	See below ASC: https://asc.com.ph/ FDA: https://www.fda.gov.ph	See below ASC: N/A FDA: https://verification.fda.gov.ph/Home.php (List of FDA Authorizations)
Beauty Care / Cosmetics and Fragrances	Yes	ASC and FDA	Same as above	Same as above

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose “Same as above.”)			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	National Telecommunications Commission (NTC), Movie and Television Review and Classification Board (MTRCB), and Kapisanan ng Brodkaster ng Pilipinas (KBP)	See below NTC: https://ntc.gov.ph MTRCB: https://midas.mtrcb.gov.ph/site/#!/ KBP: https://www.kbp.org.ph/	N/A
CBD and/or Marijuana	Yes CBD or Marijuana is still illegal in the Philippines under RA 9165, or the Comprehensive Dangerous Drugs Act of 2002.	Philippine Drug Enforcement Agency (PDEA) DOH-FDA	See below PDEA: https://pdea.gov.ph	Same as above
Dietary/Health Supplements and Vitamins	Yes	ASC and FDA	Same as above	Same as above
Environmental / Energy (including Oil & Gas)	Yes	Department of Energy (DOE)	See below https://www.doe.gov.ph/?withshield=1	N/A
Fashion, textile, luxury goods	No	Department of Trade and Industry (DTI)	See below https://www.dti.gov.ph	N/A
Financial and insurance services	Yes	Department of Finance (DOF) / Financial Regulators – Banko Sentral ng Pilipinas, Securities and Exchange Commission, and	See below https://www.dof.gov.ph/ https://www.bsp.gov.ph/ https://www.sec.gov.ph/ https://www.insurance.gov.ph/	See below SEC (Decisions): https://www.sec.gov.ph/sec-issuances/decisions/

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		Insurance Commission (under RA 11765)		IC (Legal Opinions): https://www.insurance.gov.ph/legal-opinions/
Food and Agriculture	Yes	ASC, FDA, Fertilizer and Pesticide Authority (FPA), Department of Environment and Natural Resources (DENR)	Same as above https://fpa.da.gov.ph/NW/index.php https://www.denr.gov.ph/	Same as above
Gambling and Gaming	Yes	Philippine Amusement and Gaming Corporation (PAGCOR)	See below www.pagcor.ph/regulatory/index.php	N/A
Healthcare/Medical (services)	Yes	ASC, FDA and Department of Health (DOH)	See below https://doh.gov.ph	N/A
Legal	Yes	Supreme Court	See below https://sc.judiciary.gov.ph/	See below https://elibrary.judiciary.gov.ph/
Medical Devices/Equipment	Yes	ASC and FDA	Same as above	Same as above
Pharmaceuticals	Yes	ASC, FDA and DOH	Same as above	Same as above
Tobacco	Yes	FDA, DOH and IAC - Tobacco	Same as above N/A for IAC-Tobacco	Same as above

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or	Yes

Private right of action for false advertising	
businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	<p>If Yes, please identify: <i>Republic Act No. 7394, Consumer Act of the Philippines</i></p> <p>Article 122 of the Consumer Act states that any person who may suffer loss, damage or injury due to a false, misleading or deceptive advertisement may file a complaint with injunction in his own name with any court of competent jurisdiction to recover damages, cost of suit and reasonable attorney's fees.</p> <p>Article 159 of the same law provides that the DOH-FDA and/or DTI may commence an investigation upon petition or upon letter-complaint from any consumer. If the concerned department makes a finding of prima facie violation of any provisions of the Consumer Act, or any rule or regulation promulgated under its authority, it may motu proprio or upon verified complaint commence formal administrative action against any person who appears responsible therefor.</p>
Website link to law, statute, or code	https://www.officialgazette.gov.ph/1992/04/13/republic-act-no-7394-s-1992/

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country	Philippine Competition Commission	https://www.phcc.gov.ph/about-us/

Contributor's name and law firm: Danielle Francesca T. C. San Pedro and John Michael D. Zaldivar, Villaraza & Angangco
Verifier's name and law firm: Monica G. Bugayong, Federis & Associates

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Portugal
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Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	Yes If Yes, please identify: Advertising Code, Decree-Law 330/90, of October 23
Website link to law, statute, or code	https://www.pgdlisboa.pt/leis/lei_print_articulado.php?tabela=leis&artigo_id=&nid=390&nversao=&tabela=leis

Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	Consumer Directorate (Direção Geral do Consumidor)
Website link to government agency or other authority	https://www.consumidor.gov.pt/
Does the agency/authority possess criminal enforcement powers?	Yes
Does the agency/authority possess civil enforcement powers?	No
Are case decisions publicly available?	No Decisions are not generally available, but at times it is possible to access them.
Website link to decisions	If Yes, insert website link to decisions here:

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	Advertising Self-Regulation (Auto Regulação Publicitária)
Website link to organization	https://auto-regulacaopublicitaria.pt/
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No

Self-Regulatory Organizations	
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	Yes Advertising Self-Regulation monitors advertising, but mostly has a voluntary participation basis.
Are case decisions publicly available?	Yes
Website link to decisions	https://auto-regulacaopublicitaria.pt/deliberacoes-2/

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	Yes If Yes, please identify: Advertising Code, Decree-Law 330/90, of October 23
Website link to law, statute, regulations, or code	https://www.pgdlisboa.pt/leis/lei_print_articulado.php?tabela=leis&artigo_id=&nid=390&nversao=&tabela=leis
Which Government agency or other authority enforces the law, statute, regulations, or code?	Consumer Directorate (Direção Geral do Consumidor)
Website link to government agency or other authority	https://www.consumidor.gov.pt/
Website link to decisions by agency or other authority	
Is there a self-regulatory organization overseeing advertising to children?	No
Name of self-regulatory organization	Auto Regulação Publicitária (generic, not specific for children)
Website link to organization	
Website link to organization decisions	

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	Consumer Directorate (Direção Geral do Consumidor)	See below https://www.consumidor.gov.pt/	Choose an item.
Beauty Care / Cosmetics and Fragrances	Yes	INFARMED, I.P.	See below https://www.infarmed.pt/	Choose an item.
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	ERC - Regulatory Authority for the Media (Entidade Reguladora para a Comunicação Social)	See below https://www.erc.pt/	Choose an item. https://www.erc.pt/pt/deliberacoes/deliberacoes
CBD and/or Marijuana	Yes	INFARMED, I.P.	See below https://www.infarmed.pt/	Choose an item.
Dietary/Health Supplements and Vitamins	Yes	ASAE - Safety Alimentary and Economic Authority	See below https://www.asae.gov.pt/	Choose an item.
Environmental / Energy (including Oil & Gas)	No		Choose an item.	Choose an item.
Fashion, textile, luxury goods	Yes	ASAE - Safety Alimentary and Economic Authority	See below https://www.asae.gov.pt/	Choose an item.
Financial and insurance services	Yes	ASF – Insurance Supervising Authority BdP – Banco de Portugal	See below https://www.asf.com.pt https://www.bportugal.pt/	Choose an item.

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Food and Agriculture	Yes	ASAE - Safety Alimentary and Economic Authority	See below https://www.asae.gov.pt/	<input type="text" value="Choose an item."/>
Gambling and Gaming	Yes	SRIJ – Services for Regulation and Inspection of Games	See below https://www.srij.turismodeportugal.pt/	<input type="text" value="Choose an item."/>
Healthcare/Medical (services)	Yes	ERS – Entity for the Regulation of Health	See below https://www.ers.pt	<input type="text" value="Choose an item."/>
Legal	Yes	OA – Portuguese Bar Association ON – Portuguese Notaries Association OSAE – Portuguese Association for Solicitors and Enforcement Agents	See below www.oa.pt www.notarios.pt www.osae.pt	See below https://portal.oa.pt/advogados/parecere-s-da-ordem/conselho-geral/
Medical Devices/Equipment	Yes	INFARMED, I.P.	See below https://www.infarmed.pt/	<input type="text" value="Choose an item."/>
Pharmaceuticals	Yes	INFARMED, I.P.	<input type="text" value="Choose an item."/> https://www.infarmed.pt/	<input type="text" value="Choose an item."/>
Tobacco	Yes	Consumer Directorate (Direção Geral do Consumidor)	See below https://www.consumidor.gov.pt/	<input type="text" value="Choose an item."/>

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	No If Yes, please identify: There is not specific laws on a right of action, but if false or misleading advertising can generate damages, individuals and business may file legal action under the general rules of civil liability
Website link to law, statute, or code	

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country		

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Verifier's name and law firm: António Corte-Real, Simões Garcia Corte-Real & Associados

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Russian Federation
Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	Yes If Yes, please identify: Federal Law on Advertising
Website link to law, statute, or code	http://en.fas.gov.ru/documents/documentdetails.html?id=14300 http://pravo.gov.ru/proxy/ips/?docbody=&nd=102105292
Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	Federal Antimonopoly Service (FAS)
Website link to government agency or other authority	https://en.fas.gov.ru/
Does the agency/authority possess criminal enforcement powers?	No The enforcement powers of FAS are more of a public (rather than civil) nature: so-called “administrative powers”.
Does the agency/authority possess civil enforcement powers?	No
Are case decisions publicly available?	Yes
Website link to decisions	If Yes, insert website link to decisions here: The availability of decisions depends on the type of the case. Certain cases of FAS and its territorial subdivisions are available at https://en.fas.gov.ru/documents/cases-decisions/ ; A FAS decision may be further appealed to a competent state commercial court, and such cases are available at https://kad.arbitr.ru/
Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	<ul style="list-style-type: none"> • Association of Communication Agencies of Russia (ACAR); • Association of Advertisers;

Self-Regulatory Organizations	
	<ul style="list-style-type: none"> • International Advertising Association (IAA); • National Association of Visual Communications (NAVC); • The Interactive Advertising Bureau (IAB); • Marketing Industry Association “Advertising Council”.
Website link to organization	<ul style="list-style-type: none"> • For ACAR: https://www.akarussia.ru/; • For Association of Advertisers: https://www.arek.su/; • For IAA https://www.iaaglobal.org/; • For NAVC https://navcrussia.ru/; • For IAB https://iabrus.ru/; • For Marketing Industry Association “Advertising Council” https://sovetreklama.ru/.
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has civil enforcement powers?	No However, the above-mentioned organizations may represent legal interests of its members in their relationship with public authorities; participate in consideration of cases by FAS regarding violation of advertising law by members of such organizations; challenge decisions and legal acts of Russian state agencies at courts.
Are case decisions publicly available?	Yes
Website link to decisions	If Yes, insert website link to decisions here: The availability of decisions depends on the type of the case. Certain cases of FAS and its territorial subdivisions are available at https://en.fas.gov.ru/documents/cases-decisions/ ; A FAS decision may be further appealed to a competent state commercial court, and such cases are available at https://kad.arbitr.ru/
Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	Yes If Yes, please identify: Russian Federal Law on Advertising regulates certain issues related to protection of children from inappropriate advertising, as well as to information safety and security for kids.
Website link to law, statute, regulations, or code	Art. 6 of Federal Law on Advertising https://en.fas.gov.ru/documents/documentdetails.html?id=14300

Advertising to Children	
	<p>In addition to this article, the Federal Law on Advertising has following provisions in respect to children and minors:</p> <p>Art. 10 - a ban on placing advertisements in textbooks, teaching aids, other educational literature intended for teaching children in basic educational programs of primary general, basic general, secondary general education, school diaries, school notebooks.</p> <p>Art. 21 – advertising of alcoholic beverages should not be directed to minors and placed in print media, audio and video products intended for children.</p> <p>Art. 24 - advertising of medicines should not be directed to minors.</p> <p>Art. 26 - advertising of military products should not be directed to minors and use their images.</p> <p>Art. 27 - advertising for risk-based games should not be directed to minors</p>
Which Government agency or other authority enforces the law, statute, regulations, or code?	FAS
Website link to government agency or other authority	https://en.fas.gov.ru/
Website link to decisions by agency or other authority	<p>The availability of decisions depends on the type of the case. Certain cases of FAS and its territorial subdivisions are available at https://en.fas.gov.ru/documents/cases-decisions/;</p> <p>A FAS decision may be further appealed to a competent state commercial court, and such cases are available at https://kad.arbitr.ru/</p>
Is there a self-regulatory organization overseeing advertising to children?	No
Name of self-regulatory organization	No
Website link to organization	
Website link to organization decisions	

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	FAS Federal Service for the Regulation of the Alcohol Market	Same as above https://fsrar.gov.ru/ (no English version of the web-site is available)	Same as above
Beauty Care / Cosmetics and Fragrances	Yes	FAS Federal Service for Surveillance on Consumer Rights' Protection and Human Wellbeing ("Rosпотребнадзор") Federal Service for Surveillance in Healthcare ("Roszdravnadzor")	Same as above https://fsrar.gov.ru/ (no English version of the web-site is available) https://roszdravnadzor.gov.ru/en	Same as above https://fsrar.gov.ru/legalacts/work/rezultaty_rassmotrenija_voprosov_pravoprimenitelnoj_praktiki
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	FAS Federal Service for Supervision of Communications, Information Technology and Mass Media ("Roskomnadzor")	Same as above http://eng.rkn.gov.ru/about/	Same as above
CBD and/or Marijuana	No	No	N/A	N/A
Dietary/Health Supplements and Vitamins	Yes	FAS	Same as above https://minzdrav.gov.ru/	Same as above

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		Ministry of Health of the Russian Federation	(no English version of the web-site is available)	
Environmental / Energy (including Oil & Gas)	Yes	FAS	Same as above	Same as above
Fashion, textile, luxury goods	Yes	FAS	Same as above	Same as above
Financial and insurance services	Yes	FAS	Same as above	Same as above
Food and Agriculture	Yes	FAS Ministry of Agriculture of the Russian Federation	Same as above https://mcx.gov.ru/en/	Same as above
Gambling and Gaming	Yes	FAS	Same as above	Same as above
Healthcare/Medical (services)	Yes	FAS Ministry of Health of the Russian Federation	Same as above https://minzdrav.gov.ru/ (no English version of the web-site is available)	Same as above
Legal	Yes	FAS	Same as above	Same as above
Medical Devices/Equipment	Yes	FAS Ministry of Health of the Russian Federation	Same as above https://minzdrav.gov.ru/ (no English version of the web-site is available)	Same as above

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Pharmaceuticals	Yes	FAS Ministry of Health of the Russian Federation	Same as above	Same as above
Tobacco	Yes	FAS Ministry of Health of the Russian Federation	Same as above https://minzdrav.gov.ru/ (no English version of the web-site is available)	Same as above

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	Yes If Yes, please identify: Federal Law on Advertising
Website link to law, statute, or code	http://en.fas.gov.ru/documents/documentdetails.html?id=14300 http://pravo.gov.ru/proxy/ips/?docbody=&nd=102105292

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country	Russian Association of Communicative Agencies	https://www.akarussia.ru/
	Russian Association for Public Relations	https://www.raso.ru/

Other resources	Association or Organization	Website Link

Contributor's name and law firm: Elena Buranova, KIAP, Attorneys at Law
Verifier's name and law firm: Yana Tsygankova, Rouse

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Rwanda
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Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	No If Yes, please identify:
Website link to law, statute, or code	N/A

Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	Rwanda Utilities Regulation Authority
Website link to government agency or other authority	https://rura.rw/index.php?id=282
Does the agency/authority possess criminal enforcement powers?	No
Does the agency/authority possess civil enforcement powers?	No
Are case decisions publicly available?	Yes
Website link to decisions	If Yes, insert website link to decisions here: https://rura.rw/index.php?id=268

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	N/A
Website link to organization	N/A
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No

Self-Regulatory Organizations	
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here: N/A

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	No If Yes, please identify:
Website link to law, statute, regulations, or code	N/A
Which Government agency or other authority enforces the law, statute, regulations, or code?	Ministry Of Gender and Family Promotion
Website link to government agency or other authority	https://www.migeprof.gov.rw/publications/laws?tx_filelist_filelist%5B%40widget_0%5D%5BcurrentPage%5D=2&cHash=c671d269ca6866320d0c66fbb955615f
Website link to decisions by agency or other authority	N/A
Is there a self-regulatory organization overseeing advertising to children?	No
Name of self-regulatory organization	N/A
Website link to organization	N/A
Website link to organization decisions	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	Rwanda Food and Drugs Authority (Rwanda FDA)	<input type="text" value="Choose an item."/> https://www.rwandafda.gov.rw/home	Choose an item. https://www.rwandafda.gov.rw/publications?tx_filelist_filelist%5Baction%5D=list&tx_filelist_filelist%5Bcontroller%5D=File&tx_filelist_filelist%5Bpath%5D=%2Fuser_upload%2FRwandaFDA%2FPublications%2FSafety_Alerts%2FProduct_Recalls%2F&cHash=367ab27c8b861d7ab4f25b89285c6c79
Beauty Care / Cosmetics and Fragrances	Yes	Rwanda Standard Board (RSB)	<input type="text" value="Choose an item."/> https://www.rsb.gov.rw/index.php?id=8	Choose an item. https://www.rsb.gov.rw/index.php?id=8
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	Rwanda Broadcasting Agency (RBA) Rwanda Utilities Regulatory Authority	<input type="text" value="Choose an item."/> https://www.rba.co.rw/ https://rura.rw/index.php?id=23	N/A
CBD and/or Marijuana	Yes	Rwanda Inspectorate, Competition and Consumer Protection Authority (RICA)	<input type="text" value="Choose an item."/> https://www.rica.gov.rw/home	Choose an item. https://www.rica.gov.rw/publication/application-forms
Dietary/Health Supplements and Vitamins	Yes	Rwanda Food and Drugs Authority (Rwanda FDA)	<input type="text" value="Choose an item."/> https://www.rwandafda.gov.rw/home	N/A
Environmental / Energy (including Oil & Gas)	Yes	Rwanda Utilities Regulatory Authority (RURA)	<input type="text" value="Choose an item."/> https://rura.rw/index.php?id=23 https://www.rema.gov.rw/home	Choose an item. https://rura.rw/index.php?id=208 N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		Rwanda Environmental Management Authority (REMA)		
Fashion, textile, luxury goods	Yes	Ministry of Trade and Industry (MINICOM)	Choose an item. https://www.minicom.gov.rw/	Choose an item. https://rwandatrade.rw/Products?l=en
Financial and insurance services	Yes	National Bank of Rwanda (BNR)	Choose an item. https://www.bnr.rw/home/	N/A
Food and Agriculture	Yes	Rwanda Food and Drugs Authority (Rwanda FDA)	Choose an item. https://www.rwandafda.gov.rw/home	N/A
Gambling and Gaming	Yes	Ministry of Trade and Industry of Rwanda (MINICOM)	Choose an item. https://www.minicom.gov.rw	N/A
Healthcare/Medical (services)	Yes	Rwanda Biomedical Center (RBC)	Choose an item. https://rbc.gov.rw/index.php?id=188	N/A
Legal	Yes	Rwanda Bar Association (RBA)	Choose an item. https://www.rwandabar.org.rw/	Choose an item. https://www.rwandabar.org.rw/laws-and-articles
Medical Devices/Equipment	Yes	Rwanda Biomedical Center (RBC)	Choose an item. https://rbc.gov.rw/index.php?id=188	N/A
Pharmaceuticals	Yes	Rwanda Food and Drugs Authority (Rwanda FDA)	Choose an item.	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
			https://www.rwandafda.gov.rw/home	
Tobacco	Yes	Rwanda Food and Drugs Authority (Rwanda FDA)	<input type="text" value="Choose an item"/> https://www.rwandafda.gov.rw/home	N/A

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	Yes If Yes, please identify: Law N°36/2012 OF 21/09/2012 Relating to Competition and Consumer Protection
Website link to law, statute, or code	https://www.rica.gov.rw/publication/laws

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country		

Contributor's name and law firm: Consolate Ndagire- Cedar Ark Law

Verifier's name and law firm: Jenny Pienaar- Adams & Adams

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Saudi Arabia
Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	<p>Yes</p> <p>1- Law of Printed Materials and Publication promulgated by Royal Decree, M/32, 3/9/1421 H [November 29, 2000] as amended by Royal Decree M/20 dated 11/4/1433 H [March 04, 2012] and Royal Decree M/18 dated 2/2/1441 H [October 01, 2019]</p> <p>2- Implementing Regulation for Law of Printed Materials and Publication issued by Ministerial Decision M/W/2759/M dated 16/6/1422 H [September 04, 2001] as amended by Ministerial Decree 91513 dated 9/11/1439 H [July 22, 2018]</p> <p>3- Audiovisual Media Law promulgated by Royal Decree M/33 dated 25/3/1439 H [December 13, 2017]</p> <p>4- Implementing Regulations for Audiovisual Media Law issued by Ministerial Decision 16927 dated 4/3/1440 H [November 12, 2018]</p>
Website link to law, statute, or code	<p>1- Law of Printed Materials and Publication: معالى وزير الثقافة والإعلام (media.gov.sa)</p> <p>2- Implementing Regulations for Law of Printed Materials and Publication: اللائحة التنفيذية لنظام المطبوعات والنشر الأخير (media.gov.sa)</p> <p>3- Audiovisual Media Law: هيئة الخبراء.ai (qcam.gov.sa)</p> <p>4- Implementing Regulations for Audiovisual Media Law: اللائحة التنفيذية لنظام الإعلام المرئي والمسموع الهيئة العامة للإعلام المرئي والمسموع (qcam.gov.sa)</p>
Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	Ministry of Media and General Commission for Audiovisual Media

Government Regulatory Agency or Similar Authority	
Website link to government agency or other authority	Ministry of Media: Home Minister of Media General Commission for Audiovisual Media: الهيئة العامة للإعلام المرئي والمسموع (gcam.gov.sa)
Does the agency/authority possess criminal enforcement powers?	Yes The authorities have the power to impose fines, order withdrawal of advertisements and order temporary or permanent suspension of entitles violating the governing laws.
Does the agency/authority possess civil enforcement powers?	Yes The authorities have the power to impose fines, order withdrawal of advertisements and order temporary or permanent suspension of entitles violating the governing laws.
Are case decisions publicly available?	Yes for cases handled by General Commission for Audiovisual Media only
Website link to decisions	بوابة الدخول الموحد لمنظومة الإعلام (media.gov.sa) – note that access is restricted to residents of Saudi Arabia

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	N/A
Website link to organization	N/A
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Are case decisions publicly available?	No
Website link to decisions	N/A

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute,	Yes

Advertising to Children	
regulations, or code regulating advertising to children?	There are no specific laws addressing advertising to children however, the subject is addressed in the provisions of the following laws and regulations: 1- Child Protection Law promulgated by Royal Decree M/14 dated 3/2/1936 H [November 25, 2014] 2- Executive Regulation for Child Protection Law issued in 2015 3- Implementing Regulations for Audiovisual Medial Law
Website link to law, statute, regulations, or code	Child Protection Law: تفاصيل النظام (boe.gov.sa) Executive Regulations for Child Protection Law: اللائحة التنفيذية لنظام حماية الطفل.docx (live.com)
Which Government agency or other authority enforces the law, statute, regulations, or code?	Ministry of Human Resources and Social Development
Website link to government agency or other authority	https://hrsd.gov.sa/en
Website link to decisions by agency or other authority	N/A
Is there a self-regulatory organization overseeing advertising to children?	No
Name of self-regulatory organization	N/A
Website link to organization	N/A
Website link to organization decisions	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	No	Advertising of Alcohol is prohibited in Saudi Arabia	N/A	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Beauty Care / Cosmetics and Fragrances	Yes	-The Saudi Foods and Drug Authority - SASO Saudi Arabian Standards Organization	See below https://www.sfda.gov.sa/en/ https://www.iso.org/organization/1516.html	N/A
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	General Commission for Audiovisual Media	Same as above	Same as above
CBD and/or Marijuana	No	Advertising of Drugs is prohibited in Saudi Arabia	N/A	N/A
Dietary/Health Supplements and Vitamins	Yes	-The Saudi Foods and Drug Authority -SASO Saudi Arabian Standards Organization	Same as above	Same as above
Environmental / Energy (including Oil & Gas)	Yes	The General Authority for Meteorology and Environmental Protection	See below https://www.pme.gov.sa/	N/A
Fashion, textile, luxury goods	Yes	-SASO Saudi Arabian Standards Organization	Same as above	Same as above
Financial and insurance services	Yes	The Saudi Central Bank	See below	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
			https://www.sama.gov.sa/en-US/pages/default.aspx	
Food and Agriculture	Yes	The Saudi Foods and Drug Authority	Same as above	N/A
Gambling and Gaming	No	Gambling and gaming is prohibited in Saudi Arabia. marketing of computer and console games is regulated by the General Commission for Audiovisual Media.	N/A	N/A
Healthcare/Medical (services)	Yes	The Ministry of Health (MoH) Cooperative Council of Health Insurance (CCHI)	See below https://www.moh.gov.sa/en/Pages/default.aspx	N/A
Legal	Yes	Supreme Judicial Council of Saudi Arabia	See below https://www.scj.gov.sa/	N/A
Medical Devices/Equipment	Yes	The Saudi Foods and Drug Authority	Same as above	N/A
Pharmaceuticals	Yes	The Saudi Foods and Drug Authority	Same as above	N/A
Tobacco	No	Advertising of Tobacco is prohibited in Saudi Arabia.	N/A	N/A

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	Yes Currently consumers can file complaints before the Ministry of Commerce and the General Commission for Audiovisual Media in relation to false or misleading advertising. A draft Consumer Protection System Law addressing false advertising has been circulated by the Ministry of Commerce but is not yet promulgated
Website link to law, statute, or code	Draft Consumer Protection System Law: https://istitlaa.ncc.gov.sa/ar/trade/mci/consumer/Documents/%D9%85%D8%B4%D8%B1%D9%88%D8%B9%20%D9%86%D8%B8%D8%A7%D9%85%20%D8%AD%D9%85%D8%A7%D9%8A%D8%A9%20%D8%A7%D9%84%D9%85%D8%B3%D8%AA%D9%87%D9%84%D9%83.pdf

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country	Consumer Protection Association	https://cpa.org.sa/
	Ministry of Media	https://www.media.gov.sa/en/document-library
	Ministry of Commerce	https://mci.gov.sa/en
	Saudi business center (Phone number outside Saudi Arabia 00966118387888/ inside Saudi Arabia :199080)	https://business.sa/

Contributor's name and law firm: Jihad al Hassan - JAH Intellectual Property

Verifier's name and law firm: Hisham Zahr – Saba IP

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Singapore
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Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	<p>Yes</p> <p>If Yes, please identify:</p> <p>Consumer Protection (Fair Trading) Act (Cap. 52A)</p> <p>Singapore Code of Advertising Practice</p>
Website link to law, statute, or code	<p>https://sso.agc.gov.sg/Act/CPFTA2003#pr9-ps1-</p> <p>https://asas.org.sg/Portals/0/SCAP%202008_1.pdf</p>

Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	<p>Competition and Consumer Commission of Singapore (“CCCS”)</p> <p>The CCCS oversees consumer protection legislation, which includes advertising prohibitions.</p>
Website link to government agency or other authority	https://www.cccs.gov.sg/
Does the agency/authority possess criminal enforcement powers?	<p>No.</p> <p>In relation to its consumer protection role, the CCCS generally only administers the Consumer Protection (Fair Trading) Act (Cap. 52A) by gathering evidence against persistent errant retailers and filing timely injunctions against them. However, should these injunctions not be complied with, CCCS may enforce compliance by commencing proceedings against such retailers for contempt of court, which is a criminal offence.</p>
Does the agency/authority possess civil enforcement powers?	Yes
Are case decisions publicly available?	Yes
Website link to decisions	<p>If Yes, insert website link to decisions here:</p> <p>https://www.cccs.gov.sg/cases-and-commitments/public-register/consumer-protection</p>

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	Advertising Standards Authority of Singapore (“ASAS”) <p>This is an advisory council to the Consumers Association of Singapore. ASAS regulates the advertising industry, and advertising practices, through the Singapore Code of Advertising Practice. However, while ASAS has the power to impose certain sanctions, the Code itself is but an industry code of practice and does not have the force of law as such.</p>
Website link to organization	https://asas.org.sg/
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	Yes
Are case decisions publicly available?	No.
Website link to decisions	If Yes, insert website link to decisions here:

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	No <p>There is no specific code which regulates advertising to children. However, the Singapore Code of Advertising Practice has specific guidelines regulating advertisements to children.</p> <p>In addition, there are specific guidelines on advertising of specific children-related products, for example the Sale of Infant Foods Ethics Committee’s Code of Ethics under the auspices of the Ministry of Health, which contains provisions concerning advertising relating to infant nutrition.</p> <p>If Yes, please identify:</p>
Website link to law, statute, regulations, or code	https://asas.org.sg/Portals/0/SCAP%202008_1.pdf https://asas.org.sg/About/Childrens-Code https://www.hpb.gov.sg/docs/default-source/default-document-library/5th-edition-of-the-sifecs-code_dec-2020.pdf

Advertising to Children	
Which Government agency or other authority enforces the law, statute, regulations, or code?	-
Website link to government agency or other authority	-
Website link to decisions by agency or other authority	-
Is there a self-regulatory organization overseeing advertising to children?	Yes
Name of self-regulatory organization	Advertising Standards Authority of Singapore
Website link to organization	https://asas.org.sg/
Website link to organization decisions	-

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	Advertising Standards Authority of Singapore	Same as above	N/A
Beauty Care / Cosmetics and Fragrances	Yes	Health Sciences Authority	See below https://www.hsa.gov.sg/cosmetic-products/overview	See below https://www.hsa.gov.sg/announcements?contenttype=Press%20Releases
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	Infocomm Media Development Authority	See below https://www.imda.gov.sg/regulations-and-licensing/Regulations/Codes-of-Practice/Codes-of-Practice-and-Guidelines---Media	See below https://www.imda.gov.sg/regulations-and-licensing-listing/competition-management/Enforcement-Decisions/Contraventions-of-Licence-Conditions-Codes-of-Practice-Directions-QOSS/Contraventions-of-Codes-of-Practice

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
CBD and/or Marijuana	Marijuana and Cannabidiols are illegal in Singapore	Central Narcotics Bureau	See below https://www.cnb.gov.sg/drug-information/plants-that-contain-controlled-drugs	N/A
Dietary/Health Supplements and Vitamins	Yes	Health Sciences Authority	See below https://www.hsa.gov.sg/health-supplements/advertisements-and-promotions-of-medicinal-products	Same as above
Environmental / Energy (including Oil & Gas)	Yes	National Environment Agency	See below https://e-services.nea.gov.sg/els/ELS.aspx	N/A
Fashion, textile, luxury goods	No		N/A	N/A
Financial and insurance services	Yes	Monetary Authority of Singapore	See below https://www.mas.gov.sg/	See below https://www.mas.gov.sg/regulation/enforcement/enforcement-actions
Food and Agriculture	Yes	Singapore Food Agency	See below https://www.sfa.gov.sg/food-information/labelling-packaging-information/general-information	N/A
Gambling and Gaming	Yes	Casino Regulatory Authority	See below https://www.cra.gov.sg/casino-regulations/statutes-regulations/regulations	N/A
Healthcare/Medical (services)	Yes	Ministry of Health	See below https://www.moh.gov.sg/licensing-and-regulation/regulations-guidelines-and-circulars/details/phmc-(advertisements)-regulations	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Legal	Yes	Law Society of Singapore	See below https://www.lawsociety.org.sg/our-community/complaints-against-lawyers/	N/A
Medical Devices/Equipment	Yes	Health Sciences Authority	See below https://www.hsa.gov.sg/medical-devices/advertisements-promotions	Same as above
Pharmaceuticals	Yes	Health Sciences Authority	See below https://www.hsa.gov.sg/therapeutic-products/advertisements	Same as above
Tobacco	Yes	Health Sciences Authority	See below https://www.hsa.gov.sg/tobacco-regulation	Same as above

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	Yes If Yes, please identify: Consumer Protection (Fair Trading) Act (Cap. 52A) In appropriate situations involving comparative advertising between trade competitors, the relevant provisions in our Trade Marks Act concerning the use of trade marks in comparative advertising may arise.
Website link to law, statute, or code	https://sso.agc.gov.sg/Act/CPFTA2003

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country		

Other resources	Association or Organization	Website Link

Contributor's name and law firm: Lorraine Anne Tay / Bird & Bird ATMD LLP

Verifier's name and law firm: Stanley Lai, SC / Allen & Gledhill LLP

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Republic of Korea (South Korea)
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Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	Yes A. If Yes, please identify: ACT ON FAIR LABELING AND ADVERTISING
Website link to law, statute, or code	https://www.law.go.kr/LSW/lsInfoP.do?efYd=20211230&lsiSeq=225125#0000 English translation: https://www.law.go.kr/LSW/lsInfoP.do?lsiSeq=199185&chrClsCd=010203&urlMode=engLsInfoR&viewCls=engLsInfoR#0000

Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	Fair Trade Commission
Website link to government agency or other authority	https://www.ftc.go.kr/eng/index.do
Does the agency/authority possess criminal enforcement powers?	Yes
Does the agency/authority possess civil enforcement powers?	Yes
Are case decisions publicly available?	Yes
Website link to decisions	If Yes, insert website link to decisions here: https://case.ftc.go.kr/ocp/co/ltfr.do

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	The Voice for Consumers
Website link to organization	https://cuk.or.kr/main/main.asp
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory	Yes

Self-Regulatory Organizations	
agency that has criminal enforcement powers?	
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	Yes
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here:

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	No If Yes, please identify:
Website link to law, statute, regulations, or code	
Which Government agency or other authority enforces the law, statute, regulations, or code?	
Website link to government agency or other authority	
Website link to decisions by agency or other authority	
Is there a self-regulatory organization overseeing advertising to children?	No
Name of self-regulatory organization	
Website link to organization	
Website link to organization decisions	

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	Ministry of Health and Welfare	See below http://www.mohw.go.kr/eng/index.jsp	N/A
Beauty Care / Cosmetics and Fragrances	Yes	Korea Cosmetic Association	See below https://kcia.or.kr/home/main/	N/A
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	Korea Communications Commission	See below https://kcc.go.kr/user/ehpMain.do	N/A
CBD and/or Marijuana	Yes	Ministry of Food and Drug Safety	See below https://www.mfds.go.kr/eng/index.do	N/A
Dietary/Health Supplements and Vitamins	Yes	Ministry of Food and Drug Safety	See below https://www.mfds.go.kr/eng/index.do	N/A
Environmental / Energy (including Oil & Gas)	No		Choose an item.	Choose an item.
Fashion, textile, luxury goods	No		Choose an item.	Choose an item.
Financial and insurance services	Yes	Financial Supervisory Service	See below https://www.fss.or.kr/eng/main/main.do	N/A
Food and Agriculture	Yes	Ministry of Food and Drug Safety	See below https://www.mfds.go.kr/eng/index.do	N/A
Gambling and Gaming	Yes	Korea Game Policy Autonomous Organization	See below http://www.gsok.or.kr/	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Healthcare/Medical (services)	Yes	Medical Advertising Review Committee under Korea Medical Association	See below https://www.admedical.org/main.do	N/A
Legal	No		Choose an item.	Choose an item.
Medical Devices/Equipment	Yes	Medical Devices Advertising Review Committee under Korea Medical Devices Industry Association	See below http://adv.kmdia.or.kr/ADV/main.asp	N/A
Pharmaceuticals	Yes	Pharmaceuticals Advertising Review Committee under Korea Pharmaceutical and Bio-Pharma Manufacturers Association	See below https://www.kpbma.or.kr/english	N/A
Tobacco	Yes	Ministry of Health and Welfare	See below http://www.mohw.go.kr/eng/index.jsp	N/A

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or	No If Yes, please identify:

Private right of action for false advertising	
businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	
Website link to law, statute, or code	

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country	Korea Advertising Review Board (KARB)	http://www.karb.or.kr/

Contributor's name and law firm: YoungJoo Song (Ms.) KAI International IP Law Firm

Verifier's name and law firm: Keum Nang Park (Ms.) Lee & Ko

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Taiwan R.O.C.
Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	No If Yes, please identify:
Website link to law, statute, or code	
Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	Fair Trade Commission Note: According to a resolution made in a panel meeting of the Consumer Protection Committee in 1995, when the content of an advertisement is governed by a specialized law or regulation, the supervisory agency of such an advertisement shall be the competent authority of such a law or regulation. When no specialized laws or regulations can be identified, the FTC shall be the supervisory government agency for the advertisements.
Website link to government agency or other authority	https://www.ftc.gov.tw/ https://www.ftc.gov.tw/internet/english/index.aspx
Does the agency/authority possess criminal enforcement powers?	No
Does the agency/authority possess civil enforcement powers?	No
Are case decisions publicly available?	Yes
Website link to decisions	If Yes, insert website link to decisions here: https://www.ftc.gov.tw/internet/main/decision/decisionList.aspx (Chinese version only)
Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	Consumers' Foundation, Chinese Taipei

Self-Regulatory Organizations	
Website link to organization	https://www.consumers.org.tw/
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No Note: The Consumers' Foundation can file a civil lawsuit to claim damages in its own name by being transferred the right to claim damages.
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here:

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	Yes Note: only for food products If Yes, please identify: Regulations Governing Advertisement and Promotion of Food Products Not Suitable for Long-term Consumption by Children
Website link to law, statute, regulations, or code	https://law.moj.gov.tw/ENG/LawClass/LawAll.aspx?pcode=L0040123
Which Government agency or other authority enforces the law, statute, regulations, or code?	Taiwan Food and Drug Administration
Website link to government agency or other authority	https://www.fda.gov.tw/
Website link to decisions by agency or other authority	https://pmds.fda.gov.tw/illegalad/
Is there a self-regulatory organization overseeing advertising to children?	Yes
Name of self-regulatory organization	Consumers' Foundation, Chinese Taipei
Website link to organization	https://www.consumers.org.tw/
Website link to organization decisions	

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	National Treasury Administration, Ministry of Finance	See below https://www.nta.gov.tw/	Choose an item.
Beauty Care / Cosmetics and Fragrances	Yes	Taiwan Food and Drug Administration	See below https://www.fda.gov.tw/	See below https://pmds.fda.gov.tw/illegalad/
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	National Communications Commission	See below https://www.ncc.gov.tw/	Choose an item. https://www.ncc.gov.tw/chinese/gradation.aspx?site_content_sn=64
CBD and/or Marijuana Note: these products are illegal in Taiwan	No		N/A	Choose an item.
Dietary/Health Supplements and Vitamins	Yes	Taiwan Food and Drug Administration	See below https://www.fda.gov.tw/	See below https://pmds.fda.gov.tw/illegalad/
Environmental / Energy (including Oil & Gas)	Yes	Environmental Protection Administration	N/A https://law.moj.gov.tw/ENG/LawClass/LawAll.aspx?pcode=O0060031	Choose an item.
Fashion, textile, luxury goods	No		N/A	Choose an item.
Financial and insurance services	Yes	Financial Supervisory Commission	See below https://www.fsc.gov.tw/	N/A
Food and Agriculture	Yes	Taiwan Food and Drug Administration	See below https://www.fda.gov.tw/	See below https://pmds.fda.gov.tw/illegalad/

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Gambling and Gaming Note: public gambling and gaming services are illegal in Taiwan	No		N/A	Choose an item.
Healthcare/Medical (services)	Yes	Ministry of Health and Welfare	See below https://dep.mohw.gov.tw/	See below https://pmds.fda.gov.tw/illegalad/
Legal	Yes	Ministry of Justice Taiwan Bar Association	See below https://www.moj.gov.tw/ https://www.twba.org.tw/	N/A
Medical Devices/Equipment	Yes	Taiwan Food and Drug Administration	See below https://www.fda.gov.tw/	See below https://pmds.fda.gov.tw/illegalad/
Pharmaceuticals	Yes	Taiwan Food and Drug Administration	See below https://www.fda.gov.tw/	Same as above https://pmds.fda.gov.tw/illegalad/
Tobacco	Yes	Ministry of Health and Welfare	See below https://www.mohw.gov.tw/	N/A

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	Yes If Yes, please identify: Fair Trade Act, Consumer Protection Act
Website link to law, statute, or code	https://law.moj.gov.tw/ENG/LawClass/LawAll.aspx?pcode=J0150002 https://law.moj.gov.tw/ENG/LawClass/LawAll.aspx?pcode=J0170001

Other resources	Association or Organization	Website Link	
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country			

Contributor's name and law firm: Tony T.Y. Chang, Julia Y.M. Hung, Samuel Y.C. Cheng (Saint Island International Patent and Law Offices)

Verifier's name and law firm: Lynn, Y.L. Chung (Louis International Patent Office)

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Thailand
Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	<p>Yes</p> <p>If Yes, please identify:</p> <p>Consumer Protection Act, B.E. 2522 (1979) (Part 1 of Chapter 2, Consumer Protection in Advertisement)</p>
Website link to law, statute, or code	<p>CONSUMER PROTECTION ACT B.E. 2522 (1979) (as amended up to the Consumer Protection Act (No. 3) B.E. 2556 (2013))</p> <p>CONSUMER PROTECTION ACT (No. 4) B.E. 2562 (2019) (to amend the Consumer Protection Act B.E. 2522 (1979))</p>
Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	<p>Consumer Protection Board and the Office of Consumer Protection Board (“OCPB”) (See Sections 10 and 20 of the Consumer Protection Act)</p> <p>Committee on Advertisement (See Section 14 of the Consumer Protection Act)</p>
Website link to government agency or other authority	OCPB's WEBSITE
Does the agency/authority possess criminal enforcement powers?	Yes (See Sections 39, 39/1 and 62 of the Consumer Protection Act)
Does the agency/authority possess civil enforcement powers?	Yes (See Sections 39 and 39/1 of the Consumer Protection Act)
Are case decisions publicly available?	<p>Yes</p> <p>The decisions of the President of the Court of Appeals related to consumer cases, including claims on advertising, were selectively published on the OCPB website. The latest decisions were in 2018.</p>
Website link to decisions	<p>If Yes, insert website link to decisions here:</p> <p>DECISIONS OF PRESIDENT OF THE COURT OF APPEALS</p>

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	There is no self-regulatory organization overseeing general advertising disputes in Thailand.
Website link to organization	N/A
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	Choose an item. N/A
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	Choose an item. N/A
Are case decisions publicly available?	Choose an item. N/A
Website link to decisions	If Yes, insert website link to decisions here:

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	No If Yes, please identify
Website link to law, statute, regulations, or code	N/A
Which Government agency or other authority enforces the law, statute, regulations, or code?	N/A
Website link to government agency or other authority	N/A
Website link to decisions by agency or other authority	N/A
Is there a self-regulatory organization overseeing advertising to children?	Yes
Name of self-regulatory organization	Advertising Association of Thailand (AAT)

Advertising to Children	
	The AAT Code of Ethics, which is applicable to only the members of AAT, includes a framework for advertising to children.
Website link to organization	AAT's WEBSITE
Website link to organization decisions	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	Office of the Alcoholic Beverage Control Committee (OABC), Department of Disease Control, Ministry of Public Health	See below OABC WEBSITE	N/A
Beauty Care / Cosmetics and Fragrances	Yes	Cosmetic Control Group, Food and Drug Administration, Ministry of Public Health	See below COSMETIC CONTROL GROUP WEBSITE	N/A
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	Broadcasting Consumer Protection Bureau and Telecommunications Consumer Protection Bureau, Office of the National Broadcasting and Telecommunications Commission (NBTC)	See below NBTC WEBSITE	N/A See below NBTC COMPLAINTS AND DECISIONS
CBD and/or Marijuana	Yes	Narcotics Control Division - Cannabis, Food and Drug Administration, Ministry of Public Health	See below NARCOTICS CONTROL DIVISION - CANNABIS WEBSITE	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Dietary/Health Supplements and Vitamins	Yes	Food Division, Food and Drug Administration (FDA), Ministry of Public Health	See below FOOD DIVISION WEBSITE	N/A
Environmental / Energy (including Oil & Gas)	No	N/A	N/A	N/A
Fashion, textile, luxury goods	No	N/A	N/A	N/A
Financial and insurance services	Yes	1) The Securities and Exchange Commission (SEC) 2) Office of Insurance Commission (OIC) 3) Bank of Thailand (BOT)	See below SEC WEBSITE OIC WEBSITE BOT WEBSITE	See below SUPREME COURT JUDGEMENTS
Food and Agriculture	Yes	1) For food - Food Division, Food and Drug Administration, Ministry of Public Health 2) For agriculture - Department of Agriculture (DOA), Ministry of Agriculture and Cooperatives	Same as above DOA WEBSITE	N/A
Gambling and Gaming	Yes	1) For gambling - Department of Provincial Administration (DOPA) , Ministry of Interior	See below DOPA WEBSITE DOCP WEBSITE	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		2) For Gaming (video games) – Department of Cultural Promotion (DOCP), Ministry of Culture		
Healthcare/Medical (services)	Yes	Department of Health Service Support, Ministry of Public Health	See below DEPARTMENT OF HEALTH SERVICE SUPPORT WEBSITE	N/A
Legal	Yes	Lawyers Council Under the Royal Patronage	See below LAWYERS COUNCIL UNDER THE ROYAL PATRONAGE WEBSITE	N/A
Medical Devices/Equipment	Yes	Medical Device Control Division, Food and Drug Administration, Ministry of Public Health	See below MEDICAL DEVICE CONTROL DIVISION WEBSITE	N/A
Pharmaceuticals	Yes	Medicines Regulation Division, Food and Drug Administration, Ministry of Public Health	See below MEDICINES REGULATION DIVISION WEBSITE	N/A
Tobacco	Yes	Office of Tobacco Products Control Committee (OTPC), Department of Disease Control, Ministry of Public Health	See below OTPC WEBSITE	N/A

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against	Yes If Yes, please identify:

Private right of action for false advertising	
others for false or misleading advertising (e.g., competitor lawsuits)	<p>Consumer Protection Act, B.E. 2522 (1979)</p> <p>Consumer Case Procedure Act B.E. 2551 (2008)</p> <p>Complaints to Office of the Consumer Protection Board (OCPB) are available.</p> <p>The grounds of claims may also include other criminal and civil liabilities, such as selling of products by means of deceptions under the Penal Code, or selling of products that do not correspond to the sample or the description given in the advertisement.</p>
Website link to law, statute, or code	<p>CONSUMER PROTECTION ACT B.E. 2522 (1979) (as amended up to the Consumer Protection Act (No. 3) B.E. 2556 (2013))</p> <p>CONSUMER PROTECTION ACT (No. 4) B.E. 2562 (2019) (to amend the Consumer Protection Act B.E. 2552 (1979))</p> <p>CONSUMER CASE PROCEDURE ACT B.E. 2551 (2008) (as amended up to the Consumer Case Procedure Act (No.2) B.E. 2556 (2013))</p> <p>CONSUMER CASE PROCEDURE ACT (No.3) B.E. 2558 (2015) (to amend the Consumer Case Procedure Act B.E. 2551 (2008))</p>

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country		

Contributor's name and law firm: Ms. Nontaya Chulajata of Rouse & Co International (Thailand) Limited
Verifier's name and law firm: Ms. Kulkanya Vorawanichar of LawPlus Ltd.

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Turkey
Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	<p>Yes</p> <p>If Yes, please identify:</p> <ol style="list-style-type: none"> 1- Turkish Commercial Law numbered 6102 2- Consumer Protection Law numbered 6502 3- Commercial Advertising and Unfair Commercial Practices Regulation 4- The Law on Radio and Television of Turkey Numbered 2954 5- The Law on the Establishment of Radio and Television Enterprises and Their Media Services Numbered 6112 6- The Procedures and Principles of Media Services Regulation
Website link to law, statute, or code	<ol style="list-style-type: none"> 1- https://www.mevzuat.gov.tr/mevzuat?MevzuatNo=6102&MevzuatTur=1&MevzuatTertip=5 2- https://www.mevzuat.gov.tr/mevzuat?MevzuatNo=6502&MevzuatTur=1&MevzuatTertip=5 3- https://www.mevzuat.gov.tr/mevzuat?MevzuatNo=20435&MevzuatTur=7&MevzuatTertip=5 4- https://www.mevzuat.gov.tr/mevzuat?MevzuatNo=2954&MevzuatTur=1&MevzuatTertip=5 5- https://www.mevzuat.gov.tr/mevzuat?MevzuatNo=6112&MevzuatTur=1&MevzuatTertip=5 6- https://www.mevzuat.gov.tr/mevzuat?MevzuatNo=15508&MevzuatTur=7&MevzuatTertip=5
Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	<ol style="list-style-type: none"> 1- Ministry of Trade - General Directorate of Consumer Protection and Market Surveillance – Board of Advertisement 2- Radio and Television Supreme Council
Website link to government agency or other authority	<ol style="list-style-type: none"> 1- https://tuketici.ticaret.gov.tr 2- https://www.rtuk.gov.tr/en
Does the agency/authority possess criminal enforcement powers?	Yes
Does the agency/authority possess civil enforcement powers?	Yes
Are case decisions publicly available?	Yes

Government Regulatory Agency or Similar Authority	
Website link to decisions	<p>If Yes, insert website link to decisions here:</p> <p>1- https://ticaret.gov.tr/tuketici/ticari-reklamlar/reklam-kurulu-kararlari 2- https://www.rtuk.gov.tr/ust-kurul-kararlari</p>

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	The Advertising Self-Regulatory Board
Website link to organization	https://www.rok.org.tr/en
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Are case decisions publicly available?	No
Website link to decisions	<p>If Yes, insert website link to decisions here:</p> <p>N/A</p>

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	<p>Yes</p> <p>If Yes, please identify:</p> <p>1- Consumer Protection Law numbered 6502 2- Commercial Advertising and Unfair Commercial Practices Regulation 3- The Law on the Establishment of Radio and Television Enterprises and Their Media Services Numbered 6112 4- The Procedures and Principles of Media Services Regulation</p>
Website link to law, statute, regulations, or code	<p>1- https://www.mevzuat.gov.tr/mevzuat?MevzuatNo=6502&MevzuatTur=1&MevzuatTertip=5 2- https://www.mevzuat.gov.tr/mevzuat?MevzuatNo=20435&MevzuatTur=7&MevzuatTertip=5 3- https://www.mevzuat.gov.tr/mevzuat?MevzuatNo=6112&MevzuatTur=1&MevzuatTertip=5</p>

Advertising to Children	
	4- https://www.mevzuat.gov.tr/mevzuat?MevzuatNo=15508&MevzuatTur=7&MevzuatTertip=5
Which Government agency or other authority enforces the law, statute, regulations, or code?	1- Ministry of Trade - General Directorate of Consumer Protection and Market Surveillance – Board of Advertisement 2- Radio and Television Supreme Council
Website link to government agency or other authority	1- https://tuketici.ticaret.gov.tr 2- https://www.rtuk.gov.tr/en
Website link to decisions by agency or other authority	1- https://ticaret.gov.tr/tuketici/ticari-reklamlar/reklam-kurulu-kararlari 2- https://www.rtuk.gov.tr/ust-kurul-kararlari
Is there a self-regulatory organization overseeing advertising to children?	Yes
Name of self-regulatory organization	The Advertising Self-Regulatory Board
Website link to organization	https://www.rok.org.tr/en
Website link to organization decisions	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose “Same as above.”)			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	Tobacco and Alcohol Market Regulatory Authority	See below https://www.tarimorman.gov.tr/TADB/Sayfalar/EN/AnaSayfa.aspx	N/A
Beauty Care / Cosmetics and Fragrances	Yes	Turkish Medicines and Medical Devices Agency	See below https://www.titck.gov.tr	N/A
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	Radio and Television Supreme Council	See below https://www.rtuk.gov.tr/en	See below https://www.rtuk.gov.tr/ust-kurul-kararlari

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
CBD and/or Marijuana	No	N/A	N/A	N/A
Dietary/Health Supplements and Vitamins	Yes	General Directorate of Food and Control	See below https://www.tarimorman.gov.tr/GKGM/Sayfalar/EN/AnaSayfa.aspx	N/A
Environmental / Energy (including Oil & Gas)	Yes	Energy Market Regulatory Authority	See below https://www.epdk.gov.tr/Home/En	See below https://www.epdk.gov.tr/Detay/Icerik/3-0-39/kurul-kararlari-
Fashion, textile, luxury goods	No		N/A	N/A
Financial and insurance services	Yes	1- Ministry of Treasury and Finance 2- Capital Markets Board of Turkey 3- Banking Regulation and Supervision Agency 4- Insurance Association of Turkey	See below 1- https://en.hmb.gov.tr 2- https://cmb.gov.tr 3- https://www.bddk.org.tr 4- https://www.tsb.org.tr/en	N/A
Food and Agriculture	Yes	General Directorate of Food and Control	Same as above	N/A
Gambling and Gaming	Yes	National Lottery	See below https://www.millipiyangoonline.com	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Healthcare/Medical (services)	Yes	1- Directorate General for Health Services 2- Turkish Medical Association	See below 1- https://shgm.saglik.gov.tr 2- https://www.ttb.org.tr/index.php	N/A
Legal	Yes	Union of Turkish Bar Associations	See below https://www.barobirlik.org.tr/en	See below https://www.barobirlik.org.tr/DisiplinKararlari
Medical Devices/Equipment	Yes	Turkish Medicines and Medical Devices Agency	Same as above	N/A
Pharmaceuticals	Yes	Turkish Medicines and Medical Devices Agency	Same as above	N/A
Tobacco	Yes	Tobacco and Alcohol Market Regulatory Authority	Same as above	N/A

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	Yes If Yes, please identify: Turkish Commercial Law numbered 6102 Consumer Protection Law numbered 6502 Commercial Advertising and Unfair Commercial Practices Regulation
Website link to law, statute, or code	https://www.mevzuat.gov.tr/mevzuat?MevzuatNo=6102&MevzuatTur=1&MevzuatTertip=5 https://www.mevzuat.gov.tr/mevzuat?MevzuatNo=6502&MevzuatTur=1&MevzuatTertip=5 https://www.mevzuat.gov.tr/mevzuat?MevzuatNo=20435&MevzuatTur=7&MevzuatTertip=5

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country	Turkish association of advertising agencies	http://rd.org.tr

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Verifier's name and law firm: Ankara Patent - Gonca ADALI BAŞMAKCI

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	United Arab Emirates
Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	<p>Yes</p> <p>If Yes, please identify:</p> <p>The advertisement sector in the UAE is not regulated by one single regulation or law. Instead, advertisement is regulated by a series of laws and regulations, namely:</p> <ol style="list-style-type: none"> a) Federal Law No. 15 of 1980 Printing and Publishing. b) Federal Law No. 5 of 2012 on Combatting Cybercrimes (as amended). c) Federal Law No. 4 of 2012 on the Regulation of Competition (which governs consumer protection and commercial activity, particularly in relation to the anti-competition practices and illegal monopolies. d) National Media Council (“NMC”) Resolution No. 35 of 2012 and NMC Advertising Guidelines. e) Decree No.6 of 2020 Regulating Advertisement in the Emirate of Dubai (Please note, this will annul order No. 30 of 1986 regarding supervision of advertisement in Dubai, and any other legislation that contradicts or challenges its articles). f) Federal Law No. 15 of 2020 on Consumer Protection. g) Federal Law No. 19 of 2016 regarding Combating Commercial Fraud with its implementing regulations. h) Cabinet Resolution No. 23 of 2017 on media content. i) Federal Law No. 3 of 2016 Concerning Child Rights Law "Wadeema" (note: Arabic only)(see further below).
Website link to law, statute, or code	<p>Federal Law No. 15 of 1980 Printing and Publishing</p> <ul style="list-style-type: none"> • http://menarights.org/sites/default/files/2017-07/UAE_PressAndPublishingLaw_EN.pdf <p>Federal Law No. 5 of 2012 on Combatting Cybercrimes</p> <ul style="list-style-type: none"> • http://ejustice.gov.ae/downloads/latest_laws/cybercrimes_5_2012_en.pdf <p>Federal Law No. 4 of 2012 on the Regulation of Competition</p> <ul style="list-style-type: none"> • https://www.economy.gov.ae/PublicationsArchiveEn/Federal%20Law%20No.%204%20of%202012%20on%20the%20Regulation%20of%20Competition.pdf <p>National Media Council (“NMC”) Resolution No. 35 of 2012</p> <ul style="list-style-type: none"> • Accessible on Westlaw <p>Decree No.6 of 2020 Regulating Advertisement in the Emirate of Dubai</p> <ul style="list-style-type: none"> • https://dlp.dubai.gov.ae/Legislation%20Reference/2020/Decree%20No.%20(6)%20of%202020%20Regulating%20Advertisements%20in%20the%20Emirate%20of%20Dubai.pdf

Advertising Law, Statute, or Code	
	<p>Federal Law No. 15 of 2020 on Consumer Protection</p> <ul style="list-style-type: none"> • Accessible via https://elaws.moj.gov.ae/engLEGI.aspx <p>Federal Law No. 19 of 2016 regarding Combating Commercial Fraud (together its implementing regulations).</p> <ul style="list-style-type: none"> • Accessible on Westlaw <p>Cabinet Resolution No. 23 of 2017 on Media Content.</p> <ul style="list-style-type: none"> • Accessible on Westlaw <p>Federal Law No. 3 of 2016 Concerning Child Rights Law "Wadeema" (note: Arabic only)</p> <ul style="list-style-type: none"> • https://www.mocd.gov.ae/handlers/download.ashx?YXNzZXQ9Mzc3Nw%3d%3d

Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	National Media Council
Website link to government agency or other authority	https://nmc.gov.ae/ar-ae/Pages/default.aspx
Does the agency/authority possess criminal enforcement powers?	No NMC may issue fines (these are considered administrative fines).
Does the agency/authority possess civil enforcement powers?	Yes
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here:

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	<p>There is no regulating body in the UAE that provides a forum for the submission and hearing of advertisement related complaints, the UAE legal systems provides a number of mechanism through which both the consumer and the trader can complain against irresponsible and misleading advertising.</p> <p>Complains should be submitted directly to NMC, however no specific mechanisms exist for children or their representative to file complaints in relation to advertisements.</p>

Self-Regulatory Organizations	
Website link to organization	https://nmc.gov.ae/ar-ae/Pages/default.aspx
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	Yes Sanctions issued by the NMC include: a) Advertisement withdrawal; b) issue of a public apology; c) fines d) closure of establishment; and/or e) suspension of media licence.
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here:

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	Yes If Yes, please identify: Federal Law No. 15 of 1980 on Printed Matters and Publication contains the following restrictions: (i) Article 72 prohibits the publication of “ <i>any opinions breaching public morality, insulting young persons or promoting subversive ideas</i> ”. Additionally, the National Media Council issued Resolution No. 35 of 2012 on the Standards of the Media Advertisement Content in respect of advertisement legislation. Under Article 4 of the Resolution, any “ <i>publication of contents offensive to children</i> ” is prohibited. The NMC states that all advertisement content shall “ <i>avoid disseminating information that harms or abuses children and women</i> ”.

Advertising to Children	
	<p>Federal Law No. 3 of 2016 Concerning Child Rights Law "Wadeema" stipulates, at Article 57, that the competent authority and the concerned entities shall take the following measures:</p> <ol style="list-style-type: none"> 1. <i>Ensure the safety of the products to prevent any threaten to the child's rights as stated in this law and lay down marketing advertisement controls that are consistent with the child's rights to health, survival and development.</i> 2. <i>Ensure that the commercial activities do not endanger children.</i>
<p>Website link to law, statute, regulations, or code</p>	<p>Federal law No. 15 of 1980 on Printed Matters and Publication</p> <ul style="list-style-type: none"> • http://menarights.org/sites/default/files/2017-07/UAE_PressAndPublishingLaw_EN.pdf <p>National Media Council Resolution No. 35 of 2012</p> <ul style="list-style-type: none"> • Accessible on Westlaw <p>Federal Law No. 3 of 2016 Concerning Child Rights Law "Wadeema" (note: Arabic only)</p> <ul style="list-style-type: none"> • https://www.mocd.gov.ae/handlers/download.ashx?YXNzZXQ9Mzc3Nw%3d%3d
<p>Which Government agency or other authority enforces the law, statute, regulations, or code?</p>	<p>National Media Council</p> <p>Codes: No specific advertising/marketing code of conduct in relation to children currently exists in the UAE. However, the Advertising Guide of the National Media Council states that:</p> <p><i>The media, persons and entities included in this Guide shall abide by the advertising content standards mentioned therein, and the following criteria in particular:</i></p> <p><i>(8) Avoid disseminating information that harms or abuses children and women, or any other social groups, or incites hatred and violence. (see https://u.ae/-/media/Media/Media-In-UAE/NMC-AD-Guide-EN-PDF-presntation.ashx)</i></p>
<p>Website link to government agency or other authority</p>	
<p>Website link to decisions by agency or other authority</p>	
<p>Is there a self-regulatory organization overseeing advertising to children?</p>	<p>No</p>
<p>Name of self-regulatory organization</p>	<p>N/A</p>
<p>Website link to organization</p>	<p>N/A</p>

Advertising to Children	
Website link to organization decisions	

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	The Advertising Standards prohibits the advertising of alcoholic beverages, narcotic substances, tobacco and smoking of any kind (and related goods or services) (Article 4). Businesses operating in the hospitality sector may apply for an alcohol licence through the Dubai police General Headquarters ("DPGH").	https://u.ae › NMC-AD-Guide-EN-PDF-presentation	N/A <i>Note: the actual web address has a typographical error in the spelling of 'presentation'.</i>
Beauty Care / Cosmetics and Fragrances	Yes	Emirates Standardisation and Meteorological Authority ("ESMA") is the body established and mandated by the Federal Law No 28 of 2001 to regulate and supervise the personal care sector in the country.	https://www.esma.gov.ae/en-us	N/A
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	In accordance to Cabinet Resolution 14/2006 NMC is the national media regulator in the UAE. Additionally, the NMC's Media Content Management ("MCM") is responsible for ensuring compliance with the applicable laws and covers all advertisement audience.	https://nmc.gov.ae/en-us/NMC/Pages/Laws-and-Legislations.aspx	N/A
CBD and/or Marijuana	Yes	Cannabis possession is illegal in the United Arab Emirates.	https://u.ae/en/information-and-services/health-and-	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		<p>Article 7 of Federal Law No 14 of 1995 and its amendments (the Anti-Narcotic Psychotropic Substances Law) provides that <i>"except in the cases authorised and under the conditions provided for, the procurement, import, export, manufacture, extraction, separation, production, acquisition and abuse of narcotic drugs and psychotropic substances"</i> listed in schedules 3, 5, 6, 7 and 8 of the Law shall be prohibited.</p> <p>Healthcare Operators shall not store, distribute, dispense, administer, and/or handle narcotics, controlled, or semi-controlled drugs without approvals from MOHAP and Dubai Health Care City.</p>	fitness/drugs-and-controlled-medicines	
Dietary/Health Supplements and Vitamins	Yes	<p>Health and Safety Dubai Municipality.</p> <p>Abu Dhabi Agriculture and Food Safety Authority</p> <p>Municipalities of other Emirates</p>	<p>https://www.dm.gov.ae/municipality-business/health-and-safety/</p> <p>https://www.adafsa.gov.ae/english/aboutadfca/pages/default.aspx</p>	N/A
Environmental / Energy (including Oil & Gas)	Yes	The Federal Ministry of Energy and Industry (the Ministry of Energy) is the primary regulator at the federal level and is responsible for establishing policies for the water and electricity sectors in the UAE and ensuring that other authorities	https://www.moei.gov.ae/en/home.aspx	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		<p>and companies in the state comply with its policies.</p> <p>The oil and gas resources of each emirate are more specifically regulated therein:</p> <ol style="list-style-type: none"> 1. In Abu Dhabi, the Supreme Petroleum Council creates and oversees the implementation of general and fiscal policy in relation to domestic oil and gas resources. The council also functions as ADNOC's board of directors. 2. In Dubai, the Dubai Supreme Council of Energy is responsible for policy development with a view to developing new energy sources. 3. In Sharjah, the Petroleum Council of Sharjah is responsible for regulating the oil and gas industry and granting concessions. 		
Fashion, textile, luxury goods	No	N/A	N/A	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Financial and insurance services	Yes	<p>Offshore –Dubai Financial Services Authority (“DFSA”).</p> <p>Onshore - Central Bank of the United Arab Emirates (“CBUAE”). Please note, insurance services were regulated by the Insurance Authority (“IA”), however Federal Decree No. 25 of 2020, the IA has now merged into the CBUAE.</p> <p>UAE Securities and Commodities Authority (“SCA”) regulates the businesses of the UAE stock exchanges of the UAE.</p>	<p>https://www.dfsa.ae</p> <p>https://www.centralbank.ae/sites/default/files/2021-01/Insurance%20Authority%20merger%20into%20CBUAE-%20English.pdf</p>	N/A
Food and Agriculture	Yes	<p>The Ministry of Climate Change & Environment works with its partners on implementing the law on safety of food and its executive regulations, which includes strict controls and standards to ensure food safety throughout the food chain.</p> <p>Health and Safety Dubai Municipality.</p> <p>Abu Dhabi Agriculture and Food Safety Authority</p> <p>Municipalities of other Emirates</p>	<p>https://u.ae/en/information-and-services/health-and-fitness/food-safety-and-health-tips</p> <p>https://www.dm.gov.ae/municipality-business/health-and-safety/</p> <p>https://www.adafsa.gov.ae/english/aboutadfca/pages/default.aspx</p>	N/A
Gambling and Gaming	Yes	The Penal Code defines gambling as “ <i>a game whereby each of the parties thereto agrees – in case he</i>	N/A	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose “Same as above.”)			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
		<p><i>is the loser – to pay the winner a certain sum of money or any other thing agreed upon”.</i></p> <p>It makes gambling an offence punishable by imprisonment and/or a fine. It also prohibits the opening or managing of a venue for gambling, or organizing a game of chance in a public place or in a venue for gambling.</p> <p>However, Gaming is a regulated and the Media National Council (“NMC”) is responsible for monitoring the content of materials published in the country, including electronic games. Also, the Publications and Publishing Law governs content, irrespective of whether the content is published digitally or through traditional mediums such as newspapers or magazines.</p>		
Healthcare/Medical (services)	Yes	<p>The Ministry of Health and Prevention (“MoHAP”).</p> <p>Federal Law No. 8 of 2019 On Medical Products, the Profession of Pharmacy and Pharmaceutical Facilities.</p>	<p>https://www.mohap.gov.ae/en/Pages/default.aspx</p> <p>https://www.mohap.gov.ae/FlipBooks/PublicHealthPolicies/PHP-LAW-EN-95/mobile/index.html</p>	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Legal	Yes	Department of Legal Affairs. Ministry of Justice	https://legal.dubai.gov.ae/en/Pages/default.aspx https://www.moj.gov.ae/en/home.aspx	N/A
Medical Devices/Equipment	Yes	Ministry of Health and Prevention ("MoHAP"). All medical devices must be approved by the UAE Ministry of Health Drug Registration and Control Department.	https://www.mohap.gov.ae/en/Pages/default.aspx	N/A
Pharmaceuticals	Yes	The Ministry of Health and Prevention ("MoHAP") is the primary body regulating the licensing of pharmaceutical companies in the United Arab Emirates.	https://www.mohap.gov.ae/en/Pages/default.aspx	N/A
Tobacco	Yes	Federal Law No. 15 of 2009 Regarding Tobacco Control is the principal law governing tobacco control in the United Arab Emirates. The Act is comprehensive and provides for restrictions on smoking in public places; restrictions on tobacco advertising, promotion and sponsorship; health warnings on packaging and labeling, among other areas.	https://u.ae/en/information-and-services/health-and-fitness/tobacco-and-alcohol-provisions#:~:text=Federal%20Law%20No.15%20of,schools)%2C%20health%20and%20sports%20facilities	N/A

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	No If Yes, please identify:
Website link to law, statute, or code	

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country		

Contributor's name and law firm: __James Dunne (Hadeb & Partners)_____

Verifier's name and law firm: ____Rasha Al Ardah (Al Tamimi & Company) _____

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Uganda
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Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	Yes If Yes, please identify: Look for advertising standards under the URL below
Website link to law, statute, or code	https://www.ucc.co.ug/guides-and-standards/

Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	The Uganda Communication Commission (UCC)
Website link to government agency or other authority	https://www.ucc.co.ug/guides-and-standards/
Does the agency/authority possess criminal enforcement powers?	No
Does the agency/authority possess civil enforcement powers?	Yes
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here: N/A

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	Uganda Communications Tribunal (Not operational yet) Uganda Advertising Association
Website link to organization	https://uaa.ug/
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here: N/A

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	Yes If Yes, please identify: The applicable regulations are the Advertising standards under UCC
Website link to law, statute, regulations, or code	https://www.ucc.co.ug/guides-and-standards/
Which Government agency or other authority enforces the law, statute, regulations, or code?	National Children Authority
Website link to government agency or other authority	https://mglsd.go.ug/national-children-authority/
Website link to decisions by agency or other authority	https://nca.go.ug/
Is there a self-regulatory organization overseeing advertising to children?	No

Advertising to Children	
Name of self-regulatory organization	N/A
Website link to organization	N/A
Website link to organization decisions	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	Uganda Alcohol Industry Association Alcohol Licensing Board	See below https://ugandaalcoholindustryassociation.com/	Choose an item.
Beauty Care / Cosmetics and Fragrances	No		N/A	Choose an item.
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	National Association of Broadcasters	See below https://nab.co.ug	N/A
CBD and/or Marijuana	No		N/A	N/A
Dietary/Health Supplements and Vitamins	Yes	Uganda National Herbalists Association National Drug Authority	See below https://www.nda.or.ug/herbal-medicine-guidelines/	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Environmental / Energy (including Oil & Gas)	Yes	Uganda Chamber of Mines and Petroleum National Environmental Management Authority Electricity Disputes Tribunal	See below https://www.ucmp.ug/ https://www.nema.go.ug/ https://edt.go.ug	N/A
Fashion, textile, luxury goods	Yes	Uganda Textile Society	See below https://ugandatextilesociety.org/	N/A
Financial and insurance services	Yes	Bank of Uganda Uganda Bankers Association Uganda Microfinance Regulatory Authority	See below https://www.bou.or.ug/bou/bouwebsite/BOU-HOME https://ugandabankers.org/ https://umra.go.ug/	N/A
Food and Agriculture	Yes	Uganda National Farmers Federation Diary Development Association	See below https://unffe.org.ug/ https://dda.go.ug/	Choose an item.
Gambling and Gaming	Yes	Lotteries and Gaming Regulatory Board	See below https://lgrb.go.ug/	Choose an item.
Healthcare/Medical (services)	Yes	Uganda Medical and Dental Practitioners Council Allied Health Professionals Council	See below https://www.umdpc.com/ https://www.ahpc.ug/	See below https://www.ahpc.ug/Forgeries.pdf

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Legal	Yes	Uganda Law Society Law Council of Uganda	See below https://uls.or.ug/node/239	N/A
Medical Devices/Equipment	Yes	Uganda National Association for Medical and Hospital Engineering	See below https://unamhe.or.ug/our-vision-2/	N/A
Pharmaceuticals	Yes	Pharmaceutical Society of Uganda	See below https://psu.or.ug/	N/A
Tobacco	Yes	Tobacco Control Committee	See below https://www.afro.who.int/news/uganda-launches-national-tobacco-control-committee	N/A

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	Yes If Yes, please identify: Uganda Communications Commissions Act The Advertising Standards
Website link to law, statute, or code	https://www.ucc.co.ug/wp-content/uploads/2017/09/Advertising-standard-2019-Final.pdf

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country	Uganda Consumer Protection Association	http://ugucpa.blogspot.com/
	Consumers Education Trust	https://mobile.twitter.com/consentug
	Uganda Consumer Action Network	https://vymaps.com/UG/Uganda-Consumer-Action-Network-UCAN-414322575344546/
	Uganda Information Technology Consumer Protection Association	
	I-Network Uganda	
	The Communication Peoples Parliament of Uganda	
	ICT Association of Uganda	https://ictau.ug/
	The Communication Peoples Parliament of Uganda	
	Uganda Consumer Intelligence, Compliance Bureau	

Contributor's name and law firm: Paul Asiimwe- SIPI LAW ASSOCIATES

Verifier's name and law firm: Jenny Pienaar- Adams & Adams

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	USA
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Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	<p>Yes</p> <p>If Yes, please identify: Federal Trade Commission Act, 15 U.S.C. §§ 41 et seq.; Lanham Act, 15 U.S.C. §§ 1051 et seq.</p> <p>Each state and municipality has separate and specific advertising laws, including with respect to price advertising, advertising formats and disclosures, and other promotion regulation.</p> <p>In addition to general laws, there are various advertising regulations and codes, which are enforced through other government agencies including, Federal Communications Commission (FCC), Food and Drug Administration (FDA), Consumer Products Safety Commission (CPSC), and others. Examples include: television/radio advertising (FCC), advertising of food and drug products (FDA), and warning labels and related requirements (CPSC).</p>
Website link to law, statute, or code	<p>https://www.ftc.gov/enforcement/statutes/federal-trade-commission-act;</p> <p>https://www.law.cornell.edu/uscode/text/15/chapter-22</p>

Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	Federal Trade Commission (FTC)
Website link to government agency or other authority	www.ftc.gov
Does the agency/authority possess criminal enforcement powers?	<p>Yes</p> <p>*By referral to Department of Justice</p>
Does the agency/authority possess civil enforcement powers?	Yes
Are case decisions publicly available?	Yes
Website link to decisions	If Yes, insert website link to decisions here: https://www.ftc.gov/enforcement/cases-proceedings

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	National Advertising Division (NAD) of Better Business Bureau National Programs
Website link to organization	http://ascreviews.org/category/nad/
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	Yes *By referral only
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	Yes *By referral only
Are case decisions publicly available?	Yes *Subscription required
Website link to decisions	If Yes, insert website link to decisions here: Press releases: http://ascreviews.org/category/nad/nad-press-releases/ Case decisions: http://case-report.bbb.org/Search/LatestCases

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	Yes If Yes, please identify: Children's Online Privacy Protection Act of 1998 ("COPPA"), 15 U.S.C. 6501–6505. In addition to COPPA, there are various regulations and codes directed to children's advertising, which are primarily enforced through government agencies including FTC, Federal Communications Commission (FCC), Food and Drug Administration (FDA), Consumer Products Safety Commission (CPSC), and others. Examples include: advertising to children generally and privacy issues (FTC), television advertising to children (FCC), advertising of food and drug products to children (FDA), and warning labels and related requirements for children's products (CPSC).
Website link to law, statute, regulations, or code	https://www.ftc.gov/enforcement/rules/rulemaking-regulatory-reform-proceedings/childrens-online-privacy-protection-rule
Which Government agency or other authority enforces the law, statute, regulations, or code?	FTC, FCC, FDA, CPSC
Website link to government agency or other authority	https://www.ftc.gov/ https://www.fcc.gov/

Advertising to Children	
	https://www.fda.gov/ https://cpsc.gov/
Website link to decisions by agency or other authority	https://www.ftc.gov/enforcement/cases-proceedings https://www.fcc.gov/proceedings-actions https://www.fda.gov/inspections-compliance-enforcement-and-criminal-investigations/compliance-actions-and-activities https://cpsc.gov/Regulations-Laws--Standards
Is there a self-regulatory organization overseeing advertising to children?	Yes
Name of self-regulatory organization	Children's Advertising Review Unit (CARU) of Better Business Bureau National Programs
Website link to organization	https://bbbprograms.org/programs/caru
Website link to organization decisions	Press releases: http://ascreviews.org/category/caru/caru-press/ Case decisions: http://case-report.bbb.org/Search/LatestCases

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	Alcohol and Tobacco Tax and Trade Bureau (TTB) State specific regulation	See below www.ttb.gov	See below https://www.ttb.gov/rulings
Beauty Care / Cosmetics and Fragrances	Yes	FTC FDA	Same as above	Same as above

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	FCC	Same as above	Same as above
CBD and/or Marijuana	Yes	FTC FDA State specific laws	Same as above	Same as above
Dietary/Health Supplements and Vitamins	Yes	FTC FDA U.S. Department of Agriculture (USDA)	Same as above www.usda.gov	Same as above
Environmental / Energy (including Oil & Gas)	Yes	FTC Environmental Protection Agency (EPA)	Same as above www.epa.gov	Same as above https://www.epa.gov/enforcement
Fashion, textile, luxury goods	Yes	FTC	Same as above	Same as above
Financial and insurance services	Yes	FTC Consumer Financial Protection Bureau (CFPB)	Same as above https://www.consumerfinance.gov/	Same as above
Food and Agriculture	Yes	FTC FDA USDA	Same as above	Same as above
Gambling and Gaming	Yes	FTC Various state gaming commissions and Department of Justice	See below www.justice.gov	See below https://www.justice.gov/resources

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Healthcare/Medical (services)	Yes	FTC Health and Human Services (HHS)	See below www.hhs.gov	N/A
Legal	Yes	Various state bar associations	N/A	N/A
Medical Devices/Equipment	Yes	FTC FDA	Same as above	Same as above
Pharmaceuticals	Yes	FTC FDA	Same as above	Same as above
Tobacco	Yes	TTB State specific regulation	Same as above	Same as above

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	Yes If Yes, please identify: Lanham Act, 15 U.S.C. §§ 1051 et seq. In addition to federal law, there are state specific regulations that add additional private rights of action.
Website link to law, statute, or code	https://www.law.cornell.edu/uscode/text/15/chapter-22

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information	Association of National Advertisers (ANA)	www.ana.net

Other resources	Association or Organization	Website Link
or resources related to advertising law and regulations for this country	Global Advertising Lawyers Alliance (GALA)	https://www.galalaw.com/
	International Advertising Association (IAA)	www.iaaglobal.org
	International Advertising Bureau (IAB)	www.iab.com

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Verifier's name and law firm: Monique Bhargava, Loeb & Loeb

Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Venezuela
Advertising Law, Statute, or Code	
<p>Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)</p>	<p>Yes</p> <p>If Yes, please identify:</p> <p>Commercial Advertising Law. Official Gazette No. 21.503 of September 6, 1944.</p> <p>Regulation of the Law on Commercial Advertising. Official Gazette No. 21.552 of November 3, 1944</p> <p>Regulation of the Tax Law on Alcohol and Alcoholic Species. Official Gazette No. 3.665 Extraordinary of December 5, 1985.</p> <p>Technical Standards on Definitions, Time and Conditions of Advertising and Promotions in Radio, Television and Subscription Broadcasting Services. Official Gazette No. 38.352 of January 6, 2006.</p> <p>Rules to Regulate Advertising on Financial Products and Services <u>made</u> by Banks, Saving and Loan Entities and Other Financial Institutions. Official Gazette No. 39.222 of July 16, 2009.</p> <p>Rules for Disclosure and Advertising of the Insurance Activity. Official Gazette No. 40,973 of August 24, 2016.</p> <p>Law of Social Responsibility in Radio, Television, and Electronic Media. Official Gazette N° 39.610 of October 20, 2016.</p> <p>Resolution No. 071 dated July 18, 2019, which establishes the guidelines for the total prohibition of advertising, promotion, sponsorship and the regulation of the sale of tobacco products throughout the national territory of the Bolivarian Republic of Venezuela, published in the Official Gazette No. 41,678 dated July 19, 2019.</p> <p>Regulations for the Promotion and Advertising of Medicines and Related Activities of March 03, 2020.</p>
Website link to law, statute, or code	<p>https://wipolex.wipo.int/es/legislation/details/10247</p> <p>https://wipolex-res.wipo.int/edocs/lexdocs/laws/es/ve/ve038es.html</p> <p>http://declaraciones.seniat.gob.ve/portal/page/portal/MANEJADOR_CONTENTIDO_SENIAT/01NOTICIAS/00IMAGENES/GACETAOFICIAL3665ALC.pdf</p> <p>http://www.conatel.gob.ve/wp-content/uploads/2014/11/Providencia-10.-Reforma-de-las-Normas-T%C3%A9cnicas-sobre-Definiciones-Tiempo-y-Condiciones-de-la-Publicidad-Propaganda-y-Promociones.pdf</p> <p>http://www.sudeban.gob.ve/wp-content/uploads/N_Prudenciales/11-DE-LA-PUBLICIDAD-Y-NUEVOS-PRODUCTOS/11-1-RES-291-09.pdf</p>

Advertising Law, Statute, or Code	
	https://pandectasdigital.blogspot.com/2016/08/normas-para-la-divulgacion-y-publicidad_24.html http://www.conatel.gob.ve/files/leyrs06022014.pdf https://pandectasdigital.blogspot.com/2019/08/lineamientos-para-la-prohibicion-total_4.html http://sacs.gob.ve/site/images/normativa/circulares/DROGA/norma_promocion_medicamentos.pdf

Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	Comisión Nacional de Telecomunicaciones (CONATEL). Superintendencia Nacional para la Defensa de los Derechos Socioeconómicos (SUNDDE). Instituto Nacional de Higiene Rafael Rangel (INHRR) Servicio Autónomo de Contraloría Sanitaria (SACS)
Website link to government agency or other authority	http://www.conatel.gob.ve/ http://www.sundde.gob.ve/ http://www.sacs.gob.ve/ http://www.inhrr.gob.ve/
Does the agency/authority possess criminal enforcement powers?	Yes
Does the agency/authority possess civil enforcement powers?	Yes
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here:

Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	Asociación Nacional de Anunciantes (ANDA)

Self-Regulatory Organizations	
	Federación Venezolana de Publicidad (FEVAP)
Website link to organization	http://www.andaven.org/ https://www.fevap.com/site/index.php
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here:

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	Yes If Yes, please identify: Law for the Child Protection. Official Gazette No. 6.185 of June 8, 2015.
Website link to law, statute, regulations, or code	https://enplural.org/files/vigente/leyorganica/lopna.pdf
Which Government agency or other authority enforces the law, statute, regulations, or code?	Public Ministry, Child Protection Council.
Website link to government agency or other authority	http://www.ministeriopublico.gob.ve/web/guest/principal http://www.defensoria.gob.ve/
Website link to decisions by agency or other authority	N/A
Is there a self-regulatory organization overseeing advertising to children?	No

Advertising to Children	
Name of self-regulatory organization	N/A
Website link to organization	N/A
Website link to organization decisions	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	Yes	CONATEL	Same as above	N/A
Beauty Care / Cosmetics and Fragrances	No		N/A	N/A
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	CONATEL	Same as above	N/A
CBD and/or Marijuana	Yes	CONATEL	Same as above	N/A
Dietary/Health Supplements and Vitamins	Yes	Instituto Nacional de Higiene "Rafael Rangel"	See below http://www.inhrr.gob.ve/index.php	N/A
Environmental / Energy (including Oil & Gas)	No		N/A	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Fashion, textile, luxury goods	No		N/A	N/A
Financial and insurance services	Yes	SUDEBAN	Same as above	N/A
Food and Agriculture	Yes	SUNDDE	Same as above	N/A
Gambling and Gaming	Yes	CONATEL	Same as above	N/A
Healthcare/Medical (services)	Yes	Instituto Nacional de Higiene "Rafael Rangel"	Same as above	N/A
Legal	No		N/A	N/A
Medical Devices/Equipment	Yes	Instituto Nacional de Higiene "Rafael Rangel"	Same as above	N/A
Pharmaceuticals	Yes	Instituto Nacional de Higiene "Rafael Rangel"	Same as above	N/A
Tobacco	Yes	CONATEL	N/A	N/A

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of	Yes

Private right of action for false advertising	
action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	If Yes, please identify: Antitrust Law, Official Gazette No. 40.549 of November 26, 2014.
Website link to law, statute, or code	http://www.conatel.gob.ve/wp-content/uploads/2015/04/Ley-Antimonopolio.pdf

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country		

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Questionnaire – Advertising Law & Regulation Resources

Country/Jurisdiction	Vietnam
Advertising Law, Statute, or Code	
Does this country/jurisdiction have a general advertising law, statute, or code? (If yes, please identify.)	Yes If Yes, please identify: Law on Advertising No. 16/2012/QH13 dated 21 June 2012, amended in 2018.
Website link to law, statute, or code	http://congbao.chinhphu.vn/loi-dung-van-ban-so-47-vbhn-vpqh-28204?cbid=25409
Government Regulatory Agency or Similar Authority	
Name of primary government agency or other authority overseeing advertising regulations	Ministry of Culture, Sports and Tourism (Art. 26.1 Decree 181/2013/ND-CP) Other authorities overseeing advertising regulations: The Ministry of Industry and Trade, the Ministry of Information and Communications, and the Ministry of Health.
Website link to government agency or other authority	https://bvhttdl.gov.vn/
Does the agency/authority possess criminal enforcement powers?	No
Does the agency/authority possess civil enforcement powers?	No
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here:
Self-Regulatory Organizations	
Name of self-regulatory organization overseeing general advertising disputes	Vietnam Advertising Association (VAA) VAA only conciliates disputes, settles complaints and denunciations of its members. (Art. 7.5 Association's Charter, at http://vaa.org.vn/p/dieu-le-hiep-hoi.html)
Website link to organization	http://vaa.org.vn/
Does organization possess criminal enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No

Self-Regulatory Organizations	
Does organization possess civil enforcement powers, or the power to refer matters to a government regulatory agency that has criminal enforcement powers?	No
Are case decisions publicly available?	No
Website link to decisions	If Yes, insert website link to decisions here:

Advertising to Children	
Does this country/jurisdiction have a specific advertising law, statute, regulations, or code regulating advertising to children?	No If Yes, please identify:
Website link to law, statute, regulations, or code	N/A
Which Government agency or other authority enforces the law, statute, regulations, or code?	N/A
Website link to government agency or other authority	N/A
Website link to decisions by agency or other authority	N/A
Is there a self-regulatory organization overseeing advertising to children?	No
Name of self-regulatory organization	N/A
Website link to organization	N/A
Website link to organization decisions	N/A

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
Alcohol	No	N/A	N/A	N/A
Beauty Care / Cosmetics and Fragrances	Yes (Art. 1.2 Circular 09/2015/TT-BYT)	Ministry of Health	See below https://moh.gov.vn/	N/A
Broadcast Communications, Media & Entertainment (e.g. TV, Radio, etc.)	Yes	Ministry of Culture, Sports and Tourism	See below https://bvhttdl.gov.vn/	N/A
CBD and/or Marijuana	No CBD and Marijuana are banned in Vietnam.	N/A	N/A	N/A
Dietary/Health Supplements and Vitamins	Yes (Art. 1.3a Circular 09/2015/TT-BYT)	Ministry of Health	See below https://moh.gov.vn/	See below Advertising content certification for food in general is available at http://xacnhanquangcao.vfa.gov.vn/tra-cuu
Environmental / Energy (including Oil & Gas)	No	N/A	N/A	N/A
Fashion, textile, luxury goods	No	N/A	N/A	N/A
Financial and insurance services	Yes For certain types of insurance only (Art. 30 Circular 135/2012/TT-BTC)	Ministry of Finance	See below https://mof.gov.vn/webcenter/portal/btcvn	N/A
Food and Agriculture	Yes	Ministry of Health	See below	See below

Industries	Name and website for government agencies or self-regulatory organizations (if any) with advertising and labeling regulations specific to these industries. (Note: please do not repeat the website if already given above; simply choose "Same as above.")			
	Is there an agency or self-regulatory organization specific to this industry?	If yes, what is the name of the agency or organization?	Website link to organization	Website link to decisions
	For milk and nutritional products for children only (Art. 1.6 Circular 09/2015/TT-BYT)		https://moh.gov.vn/	Advertising content certification for food in general is available at http://xacnhanquangcao.vfa.gov.vn/tra-cuu
Gambling and Gaming	Yes (Circular 24/2014/TT-BTTTT)	Ministry of Information and Communications	See below https://mic.gov.vn/	N/A
Healthcare/Medical (services)	Yes (Art. 1.7 Circular 09/2015/TT-BYT)	Ministry of Health	See below https://moh.gov.vn/	N/A
Legal	No	N/A	N/A	N/A
Medical Devices/Equipment	Yes (Art. 1.5 Circular 09/2015/TT-BYT)	Ministry of Health	See below https://moh.gov.vn/	N/A
Pharmaceuticals	Yes (Decree 54/2017/ND-CP, Art. 1.1 Circular 09/2015/TT-BYT)	Ministry of Health	Same as above	N/A
Tobacco	No Tobacco advertisements are banned in Vietnam.	N/A	N/A	N/A

Private right of action for false advertising	
Does this country/jurisdiction have a law, statute, or code with a private right of	Yes

Private right of action for false advertising	
action under which individuals or businesses may file legal actions against others for false or misleading advertising (e.g., competitor lawsuits)	If Yes, please identify: Competition Law No. 23/2018/QH14 dated 12 June 2018 (Art. 110.1) and Article 8.9 of the Advertising Law, as amended by the Advertising Law 2018.
Website link to law, statute, or code	https://vanban.chinhphu.vn/?pageid=27160&docid=206113

Other resources	Association or Organization	Website Link
List other associations or organizations (and their websites) offering information or resources related to advertising law and regulations for this country	Ho Chi Minh City Advertising Association	https://www.haa.vn/
	Danang Advertising Association	http://daa.org.vn/home.html

Contributor's name and law firm: Rouse Legal Vietnam Ltd.

Verifier's name and law firm: DNA Vietnam LLC

Organization	Full name	Title	Email
Rouse Legal Vietnam	Hong Yen Vu	Principal, Vietnam Country Manager	yvu@rouse.com
DNA Vietnam LLC (Verifier)	Thanh Son Dang	Managing Partner	son.dang@dnalaw.com.vn