

Ad Standards Advisory Regarding Political and Election Advertising

Ad Standards developed this Advisory to make sponsors of political and election advertising aware of the principles for truthful, fair and accurate advertising outlined in the *Canadian Code of Advertising Standards (Code)*. Ad Standards hereby requests and encourages political parties and interest groups to adhere to these principles to enable the Canadian public to have the same high level of confidence in political and election advertising as they have in advertising by commercial entities for goods and services.

Ad Standards, the national advertising industry self-regulatory body, receives many complaints from members of the public expressing concerns about political and election advertising. They allege that advertising by political parties, candidates and interest groups is often misleading and unfairly disparages and denigrates individual candidates or party leaders.

While the *Code* applies to advertising by corporations for goods and services, "political advertising" and "election advertising" are special categories that are excluded from the application of the *Code*¹. The reason for this is that the *Code* is not intended to govern or restrict the free expression of public opinion or ideas through political or election advertising. The *Code* states, however, that "Canadians are entitled to expect that the standards in the *Code* will be respected in advertising by and for Canada's political parties and governments".

The following are excerpts from the applicable principles of the *Code*. (The *Code* is available at adstandards.ca/code)

Excerpts from the *Canadian Code of Advertising Standards*:

Clause 1 (Accuracy and Clarity)

Among the provisions of the *Code* are those that refer to "Accuracy and Clarity" in advertising.

For example:

"Advertisements must not contain, or directly or by implication make, inaccurate, deceptive or otherwise misleading claims, statements, illustrations or representations." [Clause 1(a)]

and:

¹ In the *Code*, "Political Advertising" is defined as advertising appearing at any time regarding a political figure, a political party, a government or political policy or issue publicly recognized to exist in Canada or elsewhere, or an electoral candidate. "Election Advertising", on the other hand, includes "Political Advertising," as well as advertising by governments at all levels about their policies, practices and programs. But the term "Election Advertising" is limited to all such advertising that appears between the time a vote is called and the day after the vote is held.

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"Advertisements must not omit relevant information if the omission results in an advertisement that is deceptive or misleading." [Clause 1(b)]

Clause 14 (Unacceptable Depictions and Portrayals)

Other provisions of the *Code* deal with "Unacceptable Depictions and Portrayals" in advertising. They include the requirement that:

"Advertisements shall not demean, denigrate or disparage one or more identifiable persons, group of persons, firms, organizations, industrial or commercial activities, professions, entities, products or services, or attempt to bring it or them into public contempt or ridicule." [Clause 14(c)]

Ad Standards offers a consultation service at no charge providing advice on how the principles expressed in the *Code* may apply to proposed political and/or election advertising.

For more information regarding the interpretation of the *Code* or Ad Standards' consultation service, please contact: Janet Feasby, Vice President, Standards at:

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About Ad Standards

Ad Standards is committed to fostering community confidence in Canadian advertising and to ensuring the integrity and viability of advertising through effective industry self-regulation. As an independent, not-for-profit body, we administer the *Canadian Code of Advertising Standards*, the principal instrument of advertising self-regulation in Canada, and a national mechanism for accepting and responding to consumer complaints about ads. Ad Standards Clearance Services reviews creative and offers consultative services in five categories, to help ensure advertising complies with relevant regulations.