



LIQUOR ADVERTISING PREVETTING SYSTEM

BACKGROUND

The Association of New Zealand Advertisers (ANZA) is responsible for administering the advertising industry's voluntary system of pre-vetting all liquor advertisements.

The Liquor Advertising Pre-Vetting System (LAPS) was introduced at the time liquor advertising on broadcast media was approved. Liquor advertisers, their advertising agencies and all media agreed to introduce a system which would make every endeavour to ensure compliance particularly with the Code for Advertising Liquor and also other advertising codes. The Advertising Standards Authority (ASA), of which ANZA, Communication Agencies Association (CAANZ) and media organisations are participating members, reviews the self-regulatory code from time to time, most recently in August 2003. A new Code was introduced at that time, effective from 1 September 2003.

Advertisers' Use of LAPS

The majority of liquor advertisers are members of ANZA and users of LAPS. However, with continuing changes of ownership and agencies within the industry, some advertisers and their agencies may not realise the importance of adhering to LAPS.

All liquor products, including those with advertising already approved in overseas markets, are required to have their advertising pre-vetted by LAPS.

New advertisers are required to register with ANZA prior to the LAPS Adjudicator commencing the pre-vetting process.

LAPS is a user-pays system with substantial benefits for ANZA members.

LAPS OBJECTIVES AND GUIDELINES

Objectives

1. Liquor advertising pre-vetting is a voluntary commitment to responsibility in advertising initiated by the liquor companies belonging to the Association of New Zealand Advertisers Inc. (ANZA). LAPS is supported by the Communication Agencies Association (CAANZ) and the media.
2. Advertisers participating in LAPS have agreed not to run consumer or trade advertisements unless the LAPS adjudicator first approves them.
3. The objective of the Liquor Advertising Pre-Vetting System is to ensure that liquor advertising and liquor sponsorship promotion meet all the standards prescribed by the self-regulatory Code for Advertising Liquor administered by the Advertising Standards Authority (ASA).

4. The LAPS Adjudicator will take into account the formal constraints of the ASA Code for Advertising Liquor. In making these judgements it will be necessary for advertisements to be in accordance with both the intention and 'spirit' of the Code.

Liquor advertisers and their advertising agencies are responsible for ensuring advertisements comply with the intention and spirit of all other Advertising Codes of Practice.

5. Content and form of advertisements should be consistent with the ongoing commitment of the liquor industry to the principle of moderation in the consumption of alcohol.
6. The whole rationale for regulations governing liquor advertising revolves around two fundamentals:
 - i) avoiding any message which could be seen as encouraging or endorsing excessive or inappropriate consumption, and
 - ii) remaining conscious, at all times, of the need to avoid advertising messages, which are aimed at minors.

7. **ASA Code for Liquor Advertising - effective 1st September 2003**
Basic Principles

- (1) Liquor advertisements shall neither conflict with nor detract from the need for responsibility and moderation in liquor consumption.
- (2) Liquor advertisements shall observe a high standard of social responsibility.
- (3)
 1. Liquor advertisements shall not depict or imply the consumption of liquor in potentially hazardous situations or include any unsafe practices.
 2. Liquor advertisements shall not offer motor vehicles or boats as prizes in any competition.
- (4)
 1. Liquor advertisements shall be directed to adult audiences. Liquor advertisements shall not be directed at minors nor have strong or evident appeal to minors in particular.
 2. Liquor advertisements shall not be shown on television between 6.00am and 8.30pm.
 3. Liquor advertisements shall not use or refer to identifiable heroes or heroines of the young.
- (5) Sponsorship advertisements and sponsorship credits shall clearly and primarily promote the sponsored activity, team or individual. The sponsor, the sponsorship and the items incidental to them, may only be featured in a subordinate manner.
- (6) Liquor advertisements shall not by any means, directly or by innuendo, contain any misleading description, claim or comparison about the product advertised, or about any other product, or suggest some special quality, which cannot be sustained.

GUIDELINES

The following guidelines are to assist in the interpretation of the basic principles above.

Preamble to ASA Code for Liquor Advertising

The preamble to the ASA Code states that emphasis shall be placed on the basic principles and spirit of the code. Spirit and intention allows importance to be placed on common sense. An advertisement may technically comply but be contrary to the spirit and therefore be in breach.

High Standard of Social Responsibility

The new Code introduced the principle of a high standard of social responsibility for liquor advertising. This is the same standard required for financial and therapeutic advertising, and advertising to children.

The ALAC National Guidelines on the Naming, Packaging and Merchandising of Alcoholic Beverages have also been introduced into the Code.

People in Liquor Advertisements

The ASA Code requires that people portrayed in advertisements - as drinking liquor or visually prominent - shall be at least 25 years of age with their behaviour and appearance clearly appropriate for people of that age or older. This proviso also extends to activities, behaviour, clothing, use of music and animation that may be deemed to have a particular appeal to minors.

Unrealistic Outcomes

Care needs to be taken to ensure that liquor advertisements do not suggest or imply that liquor consumption, or presence, will create a significant change of mood or environment.

Sponsorship Advertisements

The code requires that any sponsorship advertisement should primarily promote the activity being sponsored. Care should be taken to ensure that the sponsor's name and/or logo is only mentioned in a subordinate way. Frequent reference to the sponsor, no matter how short, is inappropriate.

Crossover between Sponsorship and Liquor Advertisements

It is important to have distinctively different styles for liquor brand and sponsorship advertisements. Extreme care should be taken with graphics, layout, music, etc. Logos can be used in both liquor and sponsorship advertisements.

Heroes and Heroines of the Young

Heroes of the young cannot be used in liquor advertising. They may be used in liquor sponsorships where they are part of the team or individual activity being sponsored and where the branding of the sponsor is kept to a minimum. Advertisers should ensure that there is no strong or evident appeal to minors.

FURTHER INFORMATION

1. The LAPS Application for Approval Form and other relevant information, including the Code for Advertising Liquor, is available on the Association of New Zealand Advertisers website (ANZA) www.anza.co.nz
2. The full Advertising Codes of Practice are available from the Advertising Standards Authority (ASA) www.asa.co.nz.

3. The LAPS procedures detailed on the LAPS Application for Approval Form do not alter the pre-clearance requirements of the media bodies. Liquor advertisements must still be submitted for pre-publication or pre-broadcast approval to the appropriate clearance body e.g. TV commercials need TVCAB approval www.tvcab.co.nz

THE LAPS ADJUDICATOR

Ian Willetts is a New Zealander who has held a number of senior positions in FMCG companies in both New Zealand and Australia.

Ian is well versed in a dynamic, demanding competitive business environment and he has also been active in industry affairs, including a term as President of the NZ Food and Grocery Council.

His experience extends into other external organisations, both government and non-government to help ensure business and consumer requirements are better balanced.

Work history details include general management roles with Unilever, NZ Dairy Board, Kellogg and senior marketing roles in companies including The Bell Tea Company, NZ Wines & Spirits, and Cerebos Foods.

THE LAPS CODE CONSULTATIVE COMMITTEE

This Committee which meets twice yearly comprises representatives of public interest organisations including Alcohol Liquor Advisory Council, Land Transport Safety Authority, Ministry of Health, He Oranga Pounamu, Health Funding Authority and Students Against Drunk Driving (SADD). Industry representatives include major advertisers, Liquor Industry Associations, CAANZ, TVCAB and the LAPS Adjudicator. Meetings are chaired by ANZA.

The constructive meetings debate advertising shown in the previous six months and any complaints received by the ASCB.

SUMMARY

ANZA relies on the goodwill of liquor advertisers to use the LAPS system, and the media not to accept advertisements without an approval number.

If Liquor Advertising is to remain self-regulated, it is the responsibility of the industry to recognise the system set up for their benefit.

ANZA encourages all liquor advertisers to apply for membership - no matter how large or small their advertising budget.

For more information contact:

Jeremy Irwin

Executive Director

Association of New Zealand Advertisers Inc.

P O Box 9348

Newmarket

Auckland 1149

Ph: (09) 300-5932

Email: anza@anza.co.nz

LAPS Adjudicator

Ian Willetts

LAPS Adjudicator

304B Riddell Road

Glendowie
Auckland 1071
Ph: (09) 575 0677
Fax: (09) 575 1283
Mob: 021 811 822
Email: ianwillemts@xtra.co.nz

Alternate LAPS Adjudicator

Nigel Andrews
43 Tirohunga Drive
Henderson
Waitakere 0612
Ph: (09) 836 2680
Fax: (09) 837 5057
Mob: (027) 226 3748
Email: njandrews@xtra.co.nz