

G-Regs™

Germany – DDV Code of Ethics



Full title DDV Code of Ethics (version 03/02/2012)
(Deutscher Dialogmarketing Verband – German Direct / Dialog Marketing Association)

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The members affiliated to the DDV, *Deutscher Dialogmarketing Verband e.V., Frankfurt*, perform their activities under the following code of ethics. They recognise these rules as the basis for their business actions and undertake to comply with the same.

At the same time, the members of the DDV also expect other companies active in the area of dialogue marketing to recognise and observe the rules of this code of ethics in the interests of preserving and furthering the reputation of the dialogue marketing sector.

Chapter

I. Preliminary note

Clauses

1. The members affiliated to the DDV employ all forms of dialogue communication. This code of ethics applies, insofar as the provisions are applicable to a company's specific orientation, to the entire value-added chain of dialogue marketing – to both service providers and users. It is applicable for all marketing measures via which DDV members communicate with private persons, companies and organisations for advertising purposes – regardless of the means of communication or forms of marketing.
2. Only fair dialogue marketing can develop and strengthen the trust of consumers in dialogue marketing. The aim is to be perceived as partners by the respective target group.

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3. The members of the DDV respect the statutes, case law and all requirements demanded of a prudent businessman. In particular, the rules regarding consumer and data protection as well as competition law represent a standard for their actions.
 4. In addition, the members of the DDV gear their activities towards the national and international codes of conduct that have emerged by way of self-regulation.
 5. DDV member companies engaged in dialogue marketing employ specially trained personnel for their assignments. They ensure that the specialist knowledge of their staff is kept constantly up to date.
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Chapter

II. Principles to be followed by all DDV members in the following areas

Section

1. Truthfulness and transparency

All contacts made via a means of dialogue marketing for marketing purposes must be recognisable/ identifiable as a marketing pitch by the target audience.

Dialogue marketing materials must always disclose the identity of the provider.

The consumer must be given complete and truthful information about products and services.

Section

2. Observance of consumer rights

The members affiliated to the DDV pay great attention to observing consumer rights. They ensure, in particular, that consumers are informed about their legal right of withdrawal in a due and proper manner.

Section

3. Principles of Data Protection / DDV Robinson List

Clause

3.1 Data protection / Privacy

The members affiliated to the DDV exercise special care in the handling of personal data (name, address and other details) of their customers and interested parties. They place their personnel and contractual partners under an obligation to comply with data protection.

DDV members processing personal data as contract data processors are advised to sign the DDV declaration of commitment entitled "Contract data processing and data handling" in its currently applicable form.

If the person subjected to the advertising has, in general terms or with regard to specific forms of advertising contact, lodged an objection with the company carrying out the advertising in relation to the use of his or her data, this wish must be complied with. Such objections shall lead to the immediate blocking of the name concerned for further advertising by the company.

The members of the DDV meet the wishes of affected consumers regarding the provision of information without any undue delay, e.g. concerning the volume and origin of their personal data stored or relating to the wish for details of recipients in the event of such data being transmitted. Incorrect data are corrected immediately.

Clause

3.2 DDV Robinson List for direct mail advertising

The members affiliated to the DDV observe the required consent of the addressee when sending advertising letters. In cases where legally permissible exemptions from the

requirement of consent exist, direct mail advertising sent to new customers is not to be addressed to those persons who have entered their names in the DDV Robinson List.

Entry in the DDV Robinson List is free of charge for consumers.

Section**4. Telephone marketing / Telemarketing**

The principles of truthfulness and transparency apply to telephone marketing campaigns of all types. The name of the person calling and that of the advertiser are to be given at the beginning of outgoing telephone calls. Activities in the field of market, opinion and social research for social purposes are conducted exclusively as such, with no downstream sales or marketing.

Telephone calls to private individuals for advertising purposes are not made without express consent given beforehand (i.e. prior express consent)

Furthermore, telephone contact with private individuals can only take place between 8 a.m. and 8 p.m. on working days, unless requested otherwise by the customer.

Customers' needs for peace and quiet on Saturdays are to be respected through restraint in making contact.

Telephone marketing personnel must not use sales techniques or wording that come across as intrusive. All the rules regarding courtesy must be observed during telephone calls. All substantive statements are to be defined at the beginning of a campaign, e.g. in specific telephone guidelines or framework requirements. Those making the telephone contacts must adhere to these guidelines and requirements.

Section**5. Digital media**

The members acknowledge as the main principle in the promotional use of digital media that nobody is to be sent digital advertising messages against his or her will. They also observe the opt-in procedure recommended by the German Dialogue Marketing Association.

When collecting contact data, they take care to ensure that these are not generated with the help of false promises of winning something.

Every advertising message via digital media must contain a reference to the possibility of revocation so that the recipient can unsubscribe effectively. It is to be ensured by way of an easily recognisable sender ID that the recipient can contact the sender at any time.

Section**6. Prize Draws/ Lotteries as "attention grabbing" advertising for product and service offers**

In dialogue marketing, free draws, competitions, lotteries, prize competitions and other game-based incentives can be used as advertising for an offer. DDV members do not employ these measures in an unfair manner or with unfair or dishonest content.

Section**7. Offers to children and young persons**

DDV members will not take advantage in advertising aimed at minors of the natural credulity or lack of experience of this target group or exploit their dependence. If legal transactions effected by minors do not have the consent of their guardians, they are declared null and void.

Section**8. Sustainability**

DDV members avoid unnecessary environmental pollution by:

- keeping a check on the DDV Robinson List and regularly updating its own advertising objection/ suppression lists,
 - preferably using environmentally friendly paper and packaging materials or recommending this to their customers,
 - designing production processes to limit surpluses and waste to a minimum,
 - also describing measures for the sustainability practised in their own companies to others in an understandable, truthful and complete manner as far as possible so as to encourage other companies to conduct themselves in the same way.
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Chapter

III. Area-specific codes of ethics of the councils.

Members of the councils are subject to the respective area-specific code of ethics of the councils in addition to this basic code of ethics.

Chapter

IV. Punishment of infringements/monitoring.

Infringements against this code of ethics are dealt with according to the principles provided for under the DDV constitution in relation to conduct harming the association. Frankfurt/Main, 3rd Feb 2012
