

Full title of law or regulation	Consolidated ICC Code of Advertising and Marketing Communication Practice http://www.codescentre.com/media/2083/660_consolidated_icc_code_2011_final_with_covers.pdf
Title of relevant section	Children and young people, article 18. Data Protection and Privacy; extract from Article 19. Chapter D, article D5, Digital Marketing Communications and Children
Article 18	<p>Special care should be taken in marketing communications directed to or featuring children or young people. The following provisions apply to marketing communications addressed to children and young people as defined in national laws and regulations relevant to such communications.</p> <ul style="list-style-type: none"> • Such communications should not undermine positive social behaviour, lifestyles and attitudes • Products unsuitable for children or young people should not be advertised in media targeted to them, and advertisements directed to children or young people should not be inserted in media where the editorial matter is unsuitable for them. <p>Material unsuitable for children should be clearly identified as such.</p> <p>For rules on data protection relating specifically to children’s personal information see article 19.</p> <p><i>Inexperience and credulity</i></p> <p>Marketing communications should not exploit inexperience or credulity, with particular regard to the following areas:</p> <ol style="list-style-type: none"> 1. When demonstrating a product’s performance and use, marketing communications should not <ol style="list-style-type: none"> a. Minimise the degree of skill or understate the age level generally required to assemble or operate products; b. Exaggerate the true size, value, nature, durability and performance of the product; c. Fail to disclose information about the need for additional purchases, such as accessories, or individual items in a collection or series, required to produce the result shown or described. 2. While the use of fantasy is appropriate for younger as well as older children, it should not make it difficult for them to distinguish between reality and fantasy. 3. Marketing communications directed to children should be clearly distinguishable to them as such. <p><i>Avoidance of harm</i></p> <p>Marketing communications should not contain any statement or visual treatment that could have the effect of harming children or young people mentally, morally or physically. Children and young people should not be portrayed in unsafe situations or engaging in actions harmful to themselves or others, or be encouraged to engage in potentially hazardous activities or behaviour.</p> <p><i>Social values</i></p> <p>Marketing communications should not suggest that possession or use of the promoted product will give a child or young person physical, psychological or social advantages over other children or young people, or that not possessing the product will have the opposite effect.</p> <p>Marketing communications should not undermine the authority, responsibility, judgment or tastes of parents, having regard to relevant social and cultural values.</p> <p>Marketing communications should not include any direct appeal to children and young</p>

people to persuade their parents or other adults to buy products for them.

Prices should not be presented in such a way as to lead children and young people to an unrealistic perception of the cost or value of the product, for example by minimising them. Marketing communications should not imply that the product being promoted is immediately within the reach of every family budget.

Marketing communications which invite children and young people to contact the marketer should encourage them to obtain the permission of a parent or other appropriate adult if any cost, including that of a communication, is involved

For other specific rules on marketing communications with regard to children:

- In the digital interactive media see chapter D, article D5;
- Within the context of food and non-alcoholic beverages see the ICC Framework for responsible food and beverage marketing communication.

Article 19

Data Protection and Privacy

Note: we have extracted this paragraph from fuller provisions for data protection. See the full Code for this context.

Children's personal information

When personal information is collected from individuals known or reasonably believed to be children 12 and younger, guidance should be provided to parents or legal guardians about protecting children's privacy if feasible.

Children should be encouraged to obtain a parent's or other appropriate adult's permission before providing information via digital interactive media, and reasonable steps should be taken to check that such permission has been given.

Only as much personal information should be collected as is necessary to enable the child to engage in the featured activity.

Data collected from children should not be used to address marketing communications to the children's parents or other family members without the consent of the parent.

Identifiable personal information about individuals known to be children should only be disclosed to third parties after obtaining consent from a parent or legal guardian or where disclosure is authorised by law. (Third parties do not include agents or others who provide technical or operational support to the marketer and who do not use or disclose children's personal information for any other purpose.)

Additional rules specific to marketing communications to children using digital interactive media can be found in chapter D, article D5.

Chapter D Article D5

Digital marketing communications and children

- Parents and/or guardians should be encouraged to participate in and/or supervise their children's interactive activities;
 - Identifiable personal information about individuals known to be children should only be disclosed to third parties after obtaining consent from a parent or legal guardian where disclosure is authorised by law. Third parties do not include agents or others who provide support for operational purposes of the website and who do not use or disclose a child's personal information for any other purpose;
 - Websites devoted to products or services that are subject to age restrictions such as alcoholic beverages, gambling and tobacco products should undertake measures to restrict access to such websites by minors;
 - Digital marketing communications directed at children in a particular age group should be appropriate and suitable for such children.
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