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Belgium – Car Code amends & notes



Law/Code:	JEP/Febiac Car Code Belgium; amends to articles 6 and 10 effective 15 May 2014.
Context:	This is the explanatory note issued by JEP (Jury d'Ethique Publicitaire, the advertising self-regulatory organisation for Belgium) on the introduction of amends to articles 6 and 10 in the JEP/Febiac Car Code (Febiac - the Federation of Belgian Automotive and Bicycle Industry - is the car trade association in Belgium).
Key links:	Febiac: http://www.febiac.be/public/home.aspx Car Code: http://g-regs.com/downloads/BEcodeFebiacFR2014NEW.pdf JEP: http://www.jep.be/
Article 6 amend and comment:	<p>Former version: Describe or display in the text, sound or image any driving behaviour in contravention of driving regulations, the Highway Code or safety requirements. Moreover, it may not encourage such behaviour (Art. 6 Old version).</p> <p>New version (introduced 15th May 2014):</p> <p>Describe or display in the text, sound or image any behaviour on the road network that violates the Highway Code or safety requirements, except in the context of promoting the active and passive safety qualities of vehicles and components or accessories in compliance with Article 2 of this Code. In no case may advertising encourage such behaviour.</p> <p>Commentary:</p> <p>An exception is added to this provision that allows, in a limited number of cases, reference to be made to behaviour that violates the rules of the Highway Code or safety requirements. This is authorized only in the context of promoting the active and passive safety qualities of vehicles and components or accessories in compliance with Article 2 of the Febiac code.</p> <p>Caution: This modification does not allow unlimited references to be made to such behaviour in advertising communications!</p> <p>In no case may advertising encourage such behaviour.</p> <p>Moreover, the added exception must always be interpreted strictly and the advertisement will always have to comply with other applicable provisions of law and self-regulation, including those of the ICC Consolidated Code of Advertising and Marketing Communications Practice.</p>
Article 10 amend and comment:	<p>Former version: Use of or reference to children is in general prohibited apart from the sole exception of promoting road safety or responsible driving</p> <p>Under no circumstances may children be referred to in advertising that is related in any way, directly or indirectly, to dangerous or "sporting" conduct (Art. 10 Car Code)</p> <p>New version (introduced 15 May 2014):</p>

URL of source: <http://g-regs.com/downloads/BEcodeFebiacFR2014NEW.pdf>

Children may appear in a commercial in order to recommend behaviour that improves safety or to introduce safety or comfort features. Children may also appear in a commercial in a family context.

In no case shall reference be made to children in the commercial to recommend, directly or indirectly, any dangerous or "sports" behaviour.

When children - or any other occupant - are shown inside an automobile they must always wear the safety devices stipulated by law (seat belts, the correct seats for their age, airbags, etc.), unless it is indisputably obvious that the vehicle is not being used in normal road traffic conditions.

Commentary:

Under the old version of the Febiac Code, children could only appear in a commercial in one case: to recommend behaviour that improves safety or to introduce safety or comfort features.

The new version of the Febiac Code contains the addition that children may also appear in a commercial in a family context.

Caution: This modification does not allow unlimited use of children in advertising communications!

Children must never be used in a commercial to recommend, directly or indirectly, any dangerous or "sports" behaviour.

Moreover, this modification must be interpreted strictly and the advertisement will always have to comply with other applicable provisions of law and self-regulation, including those of the [ICC Consolidated Code of Advertising and Marketing Communications Practice](#).
