

Full title of law or regulation	ICC Advertising and Marketing Communications Code 2018 <a href="https://cms.iccwbo.org/content/uploads/sites/3/2018/09/icc-advertising-and-marketing-communications-code-int.pdf">https://cms.iccwbo.org/content/uploads/sites/3/2018/09/icc-advertising-and-marketing-communications-code-int.pdf</a>
Title of relevant section	Children and teens, Article 18. Data Protection and Privacy; extract from Article 19. Chapter C, Article C7, Digital Marketing Communications and Children
18.1 General principles	<p>Special care should be taken in marketing communications directed to or featuring children or teens.</p> <ul style="list-style-type: none"> <li>➤ Such communications should not undermine positive social behaviour, lifestyles and attitudes</li> <li>➤ Products unsuitable for children or young people should not be advertised in media targeted to them.</li> <li>➤ Marketing communications directed to children or teens should not be inserted in media where the editorial matter is unsuitable for them.</li> </ul> <p>For rules on data protection relating specifically to children's personal data see article 19.</p> <p>For other specific rules on marketing communications with regard to children:</p> <ul style="list-style-type: none"> <li>➤ With respect to direct marketing and digital marketing communications see chapter C, article C7</li> <li>➤ Within the context of food and non-alcoholic beverages see the ICC Framework for responsible food and beverage marketing communications</li> </ul>
18.2 Inexperience and credulity of children	<p>Marketing communications should not exploit inexperience or credulity, with particular regard to the following areas:</p> <ol style="list-style-type: none"> <li>1. When demonstrating a product's performance and use, marketing communications should not <ol style="list-style-type: none"> <li>a. Minimise the degree of skill or understate the age level generally required to assemble or operate products;</li> <li>b. Exaggerate the true size, value, nature, durability and performance of the product;</li> <li>c. Fail to disclose data 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.</li> </ol> </li> <li>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.</li> <li>3. Marketing communications directed to children should be clearly distinguishable to them as such.</li> </ol>
18.3 Avoidance of harm	<p>Marketing communications should not contain any statement or visual treatment that could have the effect of harming children or teens mentally, morally or physically. Children and teens 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 inappropriate behaviour in light of the expected physical and mental capabilities of the target demographic.</p>
18.4 Social values	<p>Marketing communications should not suggest that possession or use of the promoted product will give a child or teen physical, psychological or social advantages over other children or teens, 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 to persuade their parents or other adults to buy products for them.</p>

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Prices should not be presented in such a way as to lead children 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 teens 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.

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Article 19.4 Children's personal data  Note: we have extracted this paragraph from fuller provisions for data protection. See the full Code for this context (linked in header)	<ul style="list-style-type: none"><li>➤ When personal data is collected from individuals known or reasonably believed to be children, guidance should be provided to parents or legal guardians about protecting children's privacy if feasible.</li><li>➤ Children should be encouraged to obtain a parent's or responsible adult's consent before providing personal data via digital interactive media, and reasonable steps should be taken to check that such permission has been given.</li><li>➤ Only as much personal data should be collected as is necessary to enable the child to engage in the featured activity. A parent or legal guardian should be notified and consent obtained where required.</li><li>➤ Personal data collected from children should not be used to address marketing communications to them, the children's parents or other family members without the consent of the parent.</li><li>➤ Personal data about individuals known or reasonably believed 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 data for any other purpose.</li><li>➤ For additional rules specific to marketing communications to children using digital interactive media, see chapter C, article C7.</li></ul>
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Chapter C Direct Marketing and Digital Marketing Communications Article C7 Marketing Communications and Children	<ul style="list-style-type: none"><li>➤ Parents and/or guardians should be encouraged to participate in and/or supervise their children's interactive activities.</li><li>➤ Personal data 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 support for operational purposes of the website and who do not use or disclose a child's personal information for any other purpose.</li><li>➤ Websites devoted to products that are subject to age restrictions such as alcoholic beverages, gambling and tobacco products should undertake measures, such as age screens, to restrict access to such websites by minors.<sup>9</sup></li><li>➤ Marketing communications directed at children in a particular age group should be appropriate and suitable for such children.</li></ul>
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<sup>9</sup> The term 'minor' refers to those below the legal purchase age, i.e. the age at which national legislation permits the purchase or consumption of such restricted products. In countries where purchase age and consumption age are not the same, the higher age applies. For the purpose of this Article, in countries where there is no legal purchase or consumption age minors are defined as those below the age of 18. The meaning of this term has been derived from the definition provided in the ICC Framework for Responsible Marketing Communications of Alcohol.