

PARTNER WITH ARCON

TO CHECK ADVERTISING ABUSES, SUCH AS:

- False or misleading statement; visual or verbal exaggerations.
- Manipulated testimonials, including miracles.
- Misleading price claims.
- Comparisons that unfairly disparage a competitive product or service.
- Insufficiently supported claims that tend to distort the true meaning; or practical application of statements made by professional or scientific authority.
- Statements, suggestions or pictures offensive to public decency.

We urge you to please contact ARCON if you see, read or hear advertisement that seems to contain such abuses.

LAGOS OFFICE

Advertising House,
National Theatre Annexe,
Iganmu, Lagos.
0814 150 1015, 0909 484 1841
arconadvert@gmail.com

ABUJA OFFICE

Advertising House,
Plot 467, Joseph Adetoro,
Utako District, Abuja.
0805 089 8937, 0915 079 1310
arconabuja@gmail.com



VETTING GUIDELINES

EFFECTIVE 1ST JANUARY, 2023

ADVERTISING STANDARDS PANEL



VISION

To promote responsible and ethical advertising practice, acting as the conscience of the society and watchdog for the consumers, whilst managing the needs and interest of the stakeholders in Nigeria's Advertising Industry.

www.advertcouncil.gov.ng

CAUTION!

The Advertising Regulatory Council of Nigeria (ARCON) hereby gives notice to all media houses, political parties, relevant electoral agencies, politicians and their agents, that ALL POLITICAL advertisements are required by law, to be submitted to the:

ADVERTISING STANDARDS PANEL (ASP), before exposure.

ARCON is a federal government regulatory agency empowered through the Advertising Regulatory Council of Nigeria Act No 23 of 2023 to control and regulate advertising in all its aspects and ramifications.

INTRODUCTION

The Advertising Standards Panel (STANDARDS PANEL) established in accordance with Section 53 of the Advertising Regulatory Council of Nigeria Act No.23 of 2022 has adopted the new Vetting Guidelines for the advertising, advertisement and marketing communication of products and services in Nigeria. The Vetting Guidelines also reiterate how advertising, advertisement, and marketing communication of product and services may be presented for vetting. It applies to all categories of advertisements, except those expressly excluded in the Nigerian Code of Advertising Practice.

The Vetting Guidelines is prepared to assist organizations and the public to understand the vetting procedures. The objective is to provide general criteria as a common standard throughout Nigeria.

Specific approvals may be required from some regulatory bodies before advertisements are presented to the Standards Panel for vetting.

COMPOSITION OF THE STANDARDS PANEL

The Advertising Standards Panel (STANDARDS PANEL) is charged with the duty of ensuring that advertisements conform with the prevailing laws of the Federation as well as the Code of ethics of the advertising profession.

The STANDARDS PANEL is composed of the following members:

1. ARCON Governing Council representative - 2 members
2. Association of Advertising Agencies of Nigeria (AAAN) - 1 member
3. Advertisers Association of Nigeria (ADVAN) - 1 member
4. Broadcasting Organisations of Nigeria (BON) - 1 member
5. Newspapers Proprietors Association of Nigeria (NPAN) - 1 member
6. Outdoor Advertising Association of Nigeria (OAAN) - 1 member
7. Media Independent Practitioners Association of Nigeria (MIPAN) - 1 member
8. Experiential Marketers Association of Nigeria (EXMAN) - 1 member
9. Federal Competition and Consumer Protection Commission (FCCPC) - 1 member
10. Central Bank of Nigeria (CBN) and other Financial Institutions - 1 member
11. Securities and Exchange Commission (SEC) - 1 member
12. National Insurance Commission (NAICOM) - 1 member

- 13. Nigerian Communication Commission - 1 member
- 14. National Agency for Food and Drug Administration and Control (NAFDAC) - 1 member
- 15. National Broadcasting Commission (NBC) - 1 member
- 16. National Council of Women Society (NCWS) - 1 member
- 17. Nigerian Lottery Commission - 1 member
- 18. Nigeria Press Council (NPC) - 1 member

The STANDARDS PANEL is mindful of the need to protect the public from deceitful and morally wrong advertisements. Therefore, it is determined to:

- (a) Ensure that advertisements exposed and directed at the Nigerian market is legal, decent, honest, truthful, respectful, and mindful of the Nigerian culture, constitutional tenets and relevant lawful enactments, prepared with high sense of social responsibility, devoid of misinformation or disinformation in advertising and marketing communication.
- (b) Protect the interest of the consumer through efforts directed towards preventing any misleading, harmful or offensive advertisements from being exposed to or directed at the Nigerian market.
- (c) Ensure that advertisements conform to the principle of fair competition generally accepted in business.

- (d) Enhance public confidence in advertising and explaining the trust and value of advertising.

To effectively implement its objectives, the STANDARDS PANEL works closely with several regulatory agencies of the Federal and State Governments as well as Civil Society Organizations.

SCOPE AND APPLICATION

The Vetting Guidelines apply to:

- (a) Individual, organisation, body corporate or agency of the Federal Government, State or Local Government which engages in, sponsors or takes benefit of advertising services, advertisements and marketing communications services; and
- (b) Any person who sponsors or takes benefit of an advertising, advertisement or marketing communications services.

The Vetting Guidelines apply to the entire contents of an advertisement, including words and numbers (spoken or written), visual presentations, music and sound effects. It applies to the spirit as well as the letter and operates in conjunction with the Nigerian Code of Advertising, the Oath of Advertising Practice, all relevant laws in Nigeria, as well as the existing proclamations made by the Council.

BASIC PRINCIPLES OF ADVERTISING

All advertisements shall be legal, decent, honest, truthful, respectful and mindful of Nigeria's culture. They shall be prepared with a high sense of social responsibility and shall avoid misinformation or disinformation.

All advertisements shall conform to the principle of fair competition generally accepted in business. They shall aim at enhancing public confidence in advertising and shall be prepared with the interest of the consumer and the Nigerian society.

These principles apply to all brands of advertising and marketing communication and to all media including, but not limited to:

- (a) Print
- (b) Broadcast
- (c) Out of Home (Indoor and Outdoor)
- (d) Bus Branding
- (e) Online and Social Media Platforms
- (f) Digital
- (g) Cinema
- (h) Labelling
- (i) Packaging,
- (j) Any other media platform capable of being used for advertisement

ADMINISTRATION

The Vetting Guidelines is made for the effective administration of the statutory responsibilities of the STANDARDS PANEL. It stipulates that all categories of advertisements except those listed below shall obtain the approval of the STANDARDS PANEL before exposure. They are:

- (a) Vacancies
- (b) Notices
- (c) Financial Statements
- (d) Obituaries
- (e) Immemorial

For further information:

**The Director,
Regulations Directorate,
Advertising Regulatory Council of Nigeria,
0805 098 8991, 0803 486 5898**

REQUIREMENTS FOR VETTING ADVERTISEMENTS

The following are required for Vetting purposes:

- (a) A formal application letter for vetting addressed to:
The Director General
Advertising Regulatory Council of Nigeria (ARCON),
ARCON House,
National Theatre Annexe,
Iganmu, Lagos.
- (b) STANDARDS PANEL form 001 filled and duly signed by a registered advertising practitioner not below an Associate Member (arpa), stating his/her Registration number.
- (c) Where advertisements relates to food, beverages, drugs or other products requiring the approval of NAFDAC, a Certificate or evidence of approval from NAFDAC must be attached.
- (d) A letter of authorisation from the Advertiser authorising agency/organisation to apply for vetting.
- (e) Copy of the material concept/version proposed to be advertised (television, radio, press, outdoor, poster, banner, flier, truck back, vehicle branding, tricycle branding, lamp pole, squeeze back, LED Board, online, digital, web-based, etc).
- (f) Please note that links are not acceptable for submission of

materials, except soft copies.

- (g) For commercials on motion picture, it is advisable to submit a clearly printed Commercial Script or Story Board (in coloured) for approval before production. Upon approval, the produced commercial must be submitted in recognised format for final approval before the issuance of the STANDARDS PANEL's certificate approval.
- (g) For radio commercials, advertisers are advised to make available a radio script for approval before the production of the jingle. Upon approval, the produced jingle in a recognised play format must be submitted for final approval before the issuance of the STANDARDS PANEL's certificate approval.
- (h) For print/outdoor, professionally produced copy/layout, in colour must be submitted for approval before the issuance of the STANDARDS PANEL's Certificate.
- (i) Product samples of items proposed to be authorised shall be provided.
- (j) Evidence of the product registration with appropriate government agency.
- (k) Demonstrations may be necessary in some cases and advertisers or their agencies must be prepared to provide the demonstration.

VETTING PROCEDURE

- (a) Application is made to the Director General in required format by a Council-registered advertising practitioner seeking approval to advertise attaching all the necessary requirements listed in (6) above as applicable to the particular product/service.
- (b) The STANDARDS PANEL meets every month. However, a request may be made for accelerated vetting. This request may be granted provided the applicant takes full responsibility for such an emergency meeting. Provisions are available for 4 working hours, 8 working hours and 16 working hours accelerated vetting (see the provision on vetting fees in Heading 12 below for further details).
- (c) Advertisement under the vetting category shall not be exposed until a Certificate of Approval from the STANDARDS PANEL, signed by the Director General of the Council, has been received by the applicant or media house.
- (d) Copies of the Certificate of Approval to Advertise must be attached to all media orders.
- (e) Where an application is denied, the applicant may appeal to the Governing Council through the Director General stating the ground(s) of appeal.

SPECIAL PROVISIONS

- (a) Sponsorship of sporting events by alcoholic beverage brand is permitted. However, in television coverage of such events, only brand/corporate names, logos and/or product packs shall be used as flashes or backdrops on the screen.
- (b) Advertisements for alcoholic beverages shall not be aired between 6:00am and 8:00pm on radio and between 6:00am and 10:00pm on television, motion picture billboards and similar platforms.
- (c) Advertisement for tobacco products is strictly prohibited.
- (d) Approval to advertise could be withdrawn or revoked by the STANDARDS PANEL at any time after if in the opinion of the STANDARDS PANEL any condition for such approval have been violated, altered or changed in any way or where new fact emerges to vitiate any condition upon which the approval was given or which affect the validity or authenticity of data or claims made by the applicant.
- (e) All approvals to bear: Approved by Advertising Regulatory Council of Nigeria.

ADVERTISING CONTENT

- (a) The policy on minimum of 75% cumulative local content will be applicable to all advertising, advertisement and marketing communication materials directed at the Nigerian Market.
- (b) Models and Voice-Over Artists shall be 100% Nigerian Citizens.
- (c) Production of advertisements must be done in Nigeria.
- (d) Ambience in advertisement shall show true and correct reflection of Nigeria.
- (e) Nigerian languages shall be used properly.

USE OF FOREIGN MODELS/FOREIGN PRODUCTION

APPLICATION FOR VARIATION

1. Models and voice over artists used in advertisements exposed in, or targeted at the Nigeria market shall be Nigerians. Where any concept specially requires use of non-Nigerians, application for variation must be made to the Director General giving the reason in details.
2. Production of advertisement shall be done in Nigeria. Where any concept requires advertisement production to be shot outside Nigeria, application for waiver must be made to and approved by the Director-General.

PRESENTATIONS/DESCRIPTION

Advertisements shall not contain any description, claims or illustration, which directly or by implication convey an erroneous or misleading impression about the product or service advertised or about its suitability for the purpose recommended.

SUBSTANTIATION

- (a) Any description, claim, or illustration made in any advertisement shall be subject to empirical proof or capable of substantiation. Such proof or substantiation shall be made available, so that evidence can be produced without delay upon request to the Advertising Standards Panel.
- (b) Evidence shall be required in respect of superlative or comparative claims made in any advertisement.
- (c) Testimonials or endorsements made in any advertisement shall be subject to proof.

VETTING FEES

The following fees are applicable:

Traditional Media

- (a) Regular
 - Brands, Political, Cause, Ideation] — N35,00.00
- (b) Accelerated
 - 4 Hours Accelerated — N600,000
 - 8 Hours Accelerated — N400,000
 - 16 Hours Accelerated — N250,000

Online Platform

- (a) Regular
 - Brands, Political, Cause, Ideation] — N20,00.00
- (b) Accelerated
 - 4 Hours Accelerated — N250,000
 - 8 Hours Accelerated — N150,000
 - 16 Hours Accelerated — N100,000

SME Category

- (a) Regular
 - Brands, Political, Cause, Ideation] — N20,00.00
- (b) Accelerated
 - 8 Hours Accelerated — N150,000
 - 16 Hours Accelerated — N100,000

*Membership of NASME or Certificate by SMEDAN is required

Special Category

(a) Lottery, Lotto, Game	- N1,000,000
(b) Betting, Gambling, Wager	- N1,000,000
(c) Promotion, Raffles, Draws	- N1,000,000
(d) Variation (Foreign Talent)	- N2,500,000
(e) Variation (Foreign Production)	- N3,000,000

1. Lottery, Lotto, Game, and Raffle: the literal definition of the words applies.
2. Betting, Gambling, Wager, and Draw: The literal definition of the words applies.
3. Promotions in this context means sales promotion. This refers to any advertisement, advertising and marketing communications with specific information on incentive, inducement and/or bait aimed to stimulate, quicken, excite and/or jump-start sales, bargain, vending and/or trading. All Promotions should add 'STAND A CHANCE TO WIN' because, this is a Game of Chance. It is not automatic.

The creation of a special window for SME is to encourage and support the SME sector of the economy. Organizations that qualify in the category will apply for vetting under SME classification and provide evidence of their enterprise as an SME with letter of attestation from either the Small & Medium Enterprise Development Agency of Nigeria (SMEDAN) or the National Association of Small and Medium Enterprise (NASME).

VERIFICATION

All consumer promotions are vetted and verified by the STANDARDS PANEL. When application is made for the verification of any consumer promotion, the promotional incentives listed in the advertisement material(s) must be inspected by the STANDARDS PANEL to ensure that consumers/participants are not deceived.

PRE-EXPOSURE PENALTY

- (a) A media house which publishes or exposes an advertisement without the STANDARDS PANEL Certificate of Approval shall be liable to a minimum penalty of N500,000 (five hundred thousand Naira).
- (b) An Agency which creates and/or places for publication or exposure of an advertisement without the STANDARDS PANEL Certificate of Approval shall be liable to a minimum penalty of N500,000 (five hundred thousand Naira).
- (c) An Advertiser who authorizes the publication or exposure of an advertisement without the STANDARDS PANEL Certificate of Approval shall be liable to a minimum penalty of N500,000 (five hundred thousand Naira).
- (d) An Advertising practitioner who publishes, exposes or knowingly aids the exposure in the publication or exposure of an advertisement without the STANDARDS PANEL Certificate of Approval shall be subject to the Council's Disciplinary Procedure notwithstanding the payment by his employer of the appropriate penalty.

MONITORING AND ENFORCEMENT

- (a) The Council has a Monitoring and Enforcement Unit within the Secretariat. It also uses the services of media monitoring agencies. In addition, members of the STANDARDS PANEL and the Council provide backup monitoring information to ensure that advertising agencies, manufacturers and media organizations conform to the provisions of this guidelines and other laws relating to advertising as well as the Codes of Standards and Practice. The public also monitor and report cases of unwholesome advertisements to the Council through the ad-check numbers and e-mails (asp_adcheck@yahoo.com, arconmonitoring@gmail.com).
- (b) Media Organizations are advised to observe scheduling restrictions and to decline advertisements that have not been duly vetted and approved by the STANDARDS PANEL.
- (c) The principle of watershed should be strictly complied with on all advertisements relating to alcoholic beverages.

MADE EFFECTIVE
THIS 1ST DAY OF JANUARY 2023