PROPOSED CODE AMENDMENTS FOR 2006

SPELLING

1. <u>Appendix A, Clause 8.17.2</u>

   That the spelling of the word "hypercholesterolaemia" be corrected.

2. <u>Appendix A, Clause 8.20.1</u>

   That the spelling of the word "arthiritis" be corrected.

3. <u>Appendix A, Clause 8.21.2</u>

   That the spelling of the word "folic" be corrected

FIRST PAGE

That the wording "General Editor JA Koch" be deleted as the Code does not have an editor

PREFACE

<u>Preface, Clause 9</u>

That the wording ", relevant NGOs" be inserted after the wording "consumer organisations"

SECTION I

1. <u>Section I, Clause 3.4</u>

   That the clause be amended so that the social concern issue can be taken into account in all advertisements. The new clause will read:

   "The ASA will consider public sensitivity and social concern in interpreting advertising."

2. <u>Section I, Clause 3.10</u> (new)
That a new clause be inserted to reflect that the Code is subject to the Constitution. It will read:

"The Code gives effect and is subject to the Constitution of the Republic of South Africa (Act 108 of 1996)."

SECTION II

<u>Section II, Clause 3.2</u>
That the wording "including gender based violence," be inserted after the wording "acts of violence,".

SECTION III

1 <u>Section III, Clause 11</u>
That a new Clause 11 5 be inserted dealing with interest rates payable to bank customers, as recommended by the Ombudsman for Banking Services:

"Any reference to the interest rates applicable to a financial product shall always be directly followed by the description "per annum" or "per year"

2 <u>Section III, Clause 30</u>
That the clause be amended to reflect the agreement between the Consumer Affairs Committee of the Department of Trade and Industry, the cell phone industry and the ASA:

"30 1 Advertisements for post-paid cellular telephone services in all media shall prominently state:
30 1.1.1 the minimum total monthly costs at which that contract can be entered into and
30 1 1 2 the time period for which the contract is valid
30 2 If, at the time of submitting an advertisement for publication, the advertiser is aware that the minimum total monthly cost will vary during any period of the contract period, other than by the regulated tariff increases, the following shall be stated in the advertisement, all with equal prominence:
30 2 1 the initial minimum total monthly cost and time period for which it is valid; and
30 2 2 the subsequent minimum total monthly cost and time period for which it is valid
30 3 Advertisements shall state that "conditions apply"

APPENDICES

1 <u>Appendix D, Clause 4.9</u>
That the current clause be substituted with the following clause:

"No prescription drugs/medicines may be offered for sale by mail order without emphasizing the requirement for a legitimate prescription. The consumer should be warned that any drug or medicine (including so-called complementary

medicines) originating from outside the borders of South Africa may be confiscated by customs if there is no Medicines Act Section 21 permit accompanying it"

2   <u>Appendix G, Clause 2.2.4</u>
That the words "for the recommended time" be added after the wording "sterilizing solution"

3   <u>Appendix H, Clause 31</u>
That the wording "Regulation 11" be replaced with "Regulation 45(4)" and that the wording "regulation 1 (vi)" be replaced with "regulation 1"

PROCEDURAL GUIDE

1.   <u>Procedural Guide, Clause 3</u>
That Clause 3.1.2 be amended to include a requirement that consumer complainants include their identity or passport numbers when lodging a complaint, to avoid fabricated consumer complaints by competitors

That Clause 3.1.2 be amended to read:

"The identity and contact details of the complainant(s) must be disclosed to the ASA. <u>When lodging a consumer complaint, the identity or passport numbers of the complainant(s) must also be disclosed.</u>" (Underlined part is new)