[HU] green light for tobacco and alcohol advertising

IRIS 1998-7:1/15

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Under the Advertising Act, which came into force on 1 September last year, the advertising of alcohol and tobacco products, previously prohibited, is now legal for the first time - although the media had widely ignored the ban, even before the new act took effect.

In its introductory section, the act defines "advertising" (Section 2 g); and goes on to prohibit advertising which offends against personal honour, incites violence or conduct harmful to the environment, endangers public safety or exploits fear (Section 4). Advertising aimed at minors must not interfere with their physical, moral or psychological development, and must not exploit their lack of experience by encouraging them to persuade adults to buy certain products (Section 5). Concealed or subliminal advertising is prohibited, as is the advertising of goods whose manufacture or sale is unlawful (Section 6).

Comparative advertising is subject to the restrictions specified in the rules on unfair competition contained in Act No. LVII of 1996, prohibiting improper market practices and restrictions on competition. A procedure for the monitoring of advertising is introduced, and this may operate either ex officio or on application (Sections 15-20).

The act is subsidiary in the case of broadcasting, since, under Section 22 (1), divergent regulations contained in Act No. 1 on radio and television of 1996 (see IRIS 1997-9:14) take precedence.

1997. évi LVIII. törvény a gazdasági reklámtevékenységről

Act No. LVIII of 1. September 1997 on commercial advertising.

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