[UA] New law on advertising

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Oxana Selska
Legal Expert, Kiev

On 3 July 1996 the Ukrainian President signed the new Law on Advertisement. The law defines the legal framework for the advertising industry in Ukraine and regulates relations, that arise during a process of the creation, dissemination and consumption of advertisements.

Chapter II determines general requirements for the advertisement. The advertising business has to comply with the principles of legality , accuracy and authenticy according to the legislation of Ukraine, and in forms and methods, that can not bring a consumer a moral, physical or psychological damage. General restrictions and prohibitions (Art. 8) are to be applied to the advertisement of goods, production of which is prohibited in Ukraine, to discriminative statements and technologies that can lead to mental disorder of a consumer. Unscrupulous advertisement (Art. 12) is strictly prohibited.

TV and radio advertisement (Art. 12) cannot exceed 15% of each broadcasting hour. It is forbidden to interrupt an official parliamentary or governmental broadcasting or a movie (in cinema or on TV) with an advertisement. Advertisement during broadcasting for children (under age of 14) is illegal.

The law also regulates the telephone and e-mail advertisement and the censorship of advertisements for children and teenagers (Art. 19).

In Chapter III certain attention is given to the advertisements of particular goods, advertisement of which is regulated in a specified way (pharmaceuticals, Art. 20; weapons, Art. 22) or prohibited (alcohol and tobacco on TV or radio, Art. 21).

The following bodies are to implement the control provisions: The Ministry of Press and Information, the State Committee on Protection of the Consumer Rights, the Anti-monopoly Committee, the National Council of Ukraine on TV and Radio Broadcasting and other governmental bodies; Chapter IV includes a detailed description of responsibilities of each body.

The rights of public unions and societies in the area of advertisement have been outlined in Art. 29. They can conduct an independent expertise, give their recommendations, submit complaints about violations of the law to the State Prosecutor, and apply to the Civil Court or the Court of Arbitration on behalf of the advertisement industry.

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ЗАКОН УКРАЇНИ Про рекламу

http://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=270%2F96-%E2%F0

Law of Ukraine of 3 July 1996 on Advertising.

http://www.wipo.int/wipolex/en/text.jsp?file_id=187714

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