

KODEX ADVERTISING

2025

PREAMBLE

The Advertising Code (hereinafter referred to as the "Code") issued by the Advertising Council (hereinafter referred to as the "ACR") in accordance with Article III of the Statutes of the ACR is formulated with the that advertising in the Czech Republic serves to inform the public and meets the ethical aspects of advertising required by the citizens of the Czech Republic. The aim of the Code is to help ensure that advertising is above all truthful, decent and honest and that, within the scope of this Code, it respects the internationally recognised principles of advertising practice developed by the International Chamber of Commerce.

The Code does not replace legal regulation of advertising, but builds on it by adding ethical principles. The Code is addressed to all entities operating in the field of advertising and provides them with rules of professional conduct. The Code also addresses the public and informs them of the limits that advertising and advertising practitioners have voluntarily accepted and intend to enforce themselves through ethical self-regulation.

RPR member organisations expressly acknowledge the Code and undertake not to produce or accept any advertising that is in breach of the Code or to withdraw advertising that is subsequently found to be in breach by an advertising ethics self-regulatory body.

At the same time, RPR member organisations will strive to ensure that all other entities operating in the field of advertising in the Czech Republic respect the objectives and individual provisions of this Code.

PART ONE
Chapter I
INTRODUCTORY PROVISIONS

1. The concept of advertising

1.1.

For the purposes of the Code, advertising means the process of commercial communication, carried out for consideration by any business entity or other entity acting in its interest, whose purpose is to provide consumers with information about goods and services (hereinafter referred to as the "product") as well as activities and projects of a charitable nature. This includes information disseminated by means of communication media, which for the purposes of the Code means television, radio, audiovisual media, periodicals and non-periodical publications, means of transport, posters and leaflets, as well as other means of communication enabling the transmission of information. Advertising disseminated through communication media includes advertising disseminated in the metaverse, computer games, on any communication platforms (Facebook, Tik Tok, X, Instagram, YouTube, etc.) or through influencers. As a general rule, the transmission of information that would otherwise be advertising is not advertising under this definition if the seller exclusively indicates the place where the product is offered to the consumer.

1.2.

The concept of advertising under the Code applies mutatis mutandis to advertising by non-commercial entities and those acting on their behalf.

2. Subjects of advertising

2.1.

The subjects of advertising include mainly advertisers and other advertisers, advertising agencies, and owners of communication media. The responsibility for violation of the Code is borne by the entities involved according to the degree of their contribution to the violation.

Unless proven otherwise, the applies:

- a) The bears the primary responsibility for compliance with the Code if it has approved or otherwise consented to the advertisement,
- b) advertising agencies are responsible for the production of advertising and its assignment to the media,
- c) media (including metaverse operators, computer game producers, communication platforms and influencers) are responsible for the dissemination of advertising.

2.2.

The term 'consumer' means any entity that may be affected advertising, whether is the final consumer, a distributor or any other user of products in the field of productive consumption.

3. Basic requirements for advertising

3.1.

Advertising must not encourage or give the impression of consent to violations of law.

3.2.

Advertising must be decent, honest and truthful. It must be produced with a sense of responsibility towards the consumer and society.

3.3.

Advertising must respect the principles of fair competition between competitors

3.4.

In principle, no advertisement may jeopardise the reputation of advertising as or reduce confidence in advertising as a service to consumers.

3.5.

Advertising will not deliberately promote unjustified waste or irrational consumption of raw materials or energy.

3.6.

Advertising will not encourage or praise behaviour that damages the environment beyond socially acceptable levels.

3.7.

Artificial intelligence must be used in advertising, especially in its preparation and targeting, with a sense of responsibility towards the consumer and society.

3.8.

Where there is no specific provision in this Code, advertising shall be judged against these Basic Advertising Requirements in accordance with the spirit of the Code of Ethics as a whole. In applying its Code of Ethics, the Advertising Council may also apply the principles and principles of the Codes of Ethics of the International Chamber of Commerce based in Paris.

4. Application of the Code

4.1.

The Code is enforced and exclusively interpreted by the RPR Arbitration Commission ("RPR AC"), which includes representatives of RPR member organizations, advertisers, advertising agencies, media, and legal and other experts.

4.2.

Complaints about a specific advertisement may be submitted by any legal or natural person (except members of the "AK RPR") or by a public authority.

4.3.

Complaints should be submitted to RPR or by email to info@rpr.cz.

4.4.

Prior to the issuance of the arbitration award, the advertiser against whom the complaint is directed, or the advertising agency or media through which the advertisement was disseminated, shall be consulted on the complaint received.

4.5.

AK RPR will review the complaint and, depending on the circumstances of the case:

4.5.1.

informs the complainant that the complaint does not appear to concern the interests of the consumer regulated by the Code and that other authorities are competent to deal with such a complaint;

4.5.2.

issue an arbitration award, in which it will assess in particular whether the contested advertisement does or does not contravene the Code. In the latter case, it shall recommend the withdrawal or modification of the advertisement.

4.6.

The AC of the RPR may also assess the advertisement and issue a finding according to the previous provisions on the RPR's initiative. In doing so, it shall proceed accordingly in accordance with the preceding provisions.

4.7.

Except as provided in this Code, the AC of the RPR may also take into account the Codes of Ethics adopted by other organisations, provided that the members of these organisations are also members of the RPR. In case of conflict, the provisions of this Code shall prevail.

5. Relationship of the Code to legal regulation

5.1.

When assessing complaints, the Advertising Council does not apply the applicable legal code, but compares the results of the activities of advertising entities (i.e. advertising) with this Code. It is not within the remit of the Advertising Council to sanction breaches of the applicable legal code by advertisers. This is without prejudice to the Advertising Council's ability to provide expert opinions at the request of state advertising regulatory authorities and other applicants. In the event of a concurrence of alleged violations of applicable law and the Code, the Advertising Council may refuse to consider

the complaint and refer the complainant to the competent judicial or similar authority. However, the Advertising Council is also entitled to consider as contrary to the Code any advertising which violates any statutory provision, in particular those relating to the legal regulation of advertising.

5. 2.

Given that the basic objective of the establishment of the Advertising Council was to protect consumers from the effects of advertisements that are contrary to the generally accepted ethical standards in the Czech Republic, the Advertising Council is entitled, in the case where both the complainant and the respondent are competitors, to initiate the decision-making process and to decide on the matter only if the conduct of the respondent seriously harms the interests of the consumer.

Chapter II

GENERAL PRINCIPLES OF ADVERTISING PRACTICE

6. Decency of advertising

6.1.

The advertisement must not contain claims and visual presentations that would grossly violate the standards of decency and morality generally accepted by those to be affected by the advertisement. In particular, the presentation of the human body must be made with full consideration of its impact on all types of readers and viewers. Violations of the Code will be judged in the light of the overall context, the relationship of the advertisement to the product, the chosen target group and the media used.

6.2.

In particular, advertising must not contain elements that diminish human dignity.

7. Honesty of advertising

7.1.

Advertising must not be designed to exploit the consumer's trust or take advantage of his lack of experience, knowledge or credulity.

7.2.

Advertising must not exploit subliminal consumer perceptions.

7.3.

Advertising must not be disguised, and in particular it must not pretend to be other means of disseminating information (scientific treatise, reportage, etc.) than advertising.

8. Truthfulness of advertising

8.1.

Advertising must not make misleading claims about the company, its products or its performance. A misleading statement is also a statement which is true in itself if, in the circumstances and context in which it is made, it is likely to mislead.

8.2.

An advertisement may not, on the basis of misleading information, confer a benefit on its own or another's undertaking to the detriment of another.

8.3.

Advertisements shall not contain misleading indications of goods or services which are capable of creating the false impression that the goods or services indicated come from a particular country, region or place or from a particular manufacturer, or that they have special characteristics or a particular quality.

8.4.

For the purposes of this Code, a misleading sign shall be understood to include a sign for goods or services to which an addendum is attached which serves to distinguish it from its true origin and which is nevertheless capable of giving rise to a false impression as to the origin or nature of the goods or services.

8.5.

An advertisement shall not be considered misleading in the case of descriptions of goods or services which commonly understood as indicating the kind or quality of the goods, unless it is accompanied by a supplement capable of misleading as to the origin of the goods or services.

9. Social responsibility of advertising

9.1.

Advertising must not use the fear motif without a legitimate reason.

9.2.

Advertising must not abuse prejudice and superstition.

9.3.

Advertising must not contain anything that could lead to or encourage acts of violence.

9.4.

Advertising must not contain anything that offends the national, racial or religious feelings of consumers in a gross and unquestionable manner.

9.5.

The advertisement may also use traditions, customs and symbols that are not common in the Czech Republic (e.g. Santa Claus). However, the advertisement must not deny or disparage traditions, customs and symbols that are common in the Czech Republic (Santa Claus, St Nicholas and Easter customs, etc.).

Chapter III

SPECIAL ADVERTISING REQUIREMENTS

10. Value of goods

10.1.

Consumers must not be led by advertising to attribute to products a disproportionately higher use value than their actual value.

10.2.

The advertiser must be prepared to substantiate any claims he may make regarding the actual financial value of the goods he is offering at a lower price or free of charge.

10.3.

Products must not be described as 'free' where the consumer incurs any cost other than the actual cost of delivery, transport or postage. Where the consumer is required to pay any such costs, the advertisement must contain a sufficiently clear statement to that effect.

11. Price comparisons

11.1.

In particular, the price information contained in the advertisement, or the fact that the information is incomplete or missing, must not give the impression that:

- the price is lower than it is,
- pricing depends on circumstances that do not actually depend on it,
- the price includes the supply of products, outputs, works or services for which separate payment is made,
- the price has been or will be increased, decreased or unchanged, even if this is not the case,
- the relationship between the price and utility of the product or service offered and the price and utility of a comparable product or service is one that is not actually present.

12. Blackening and belittling of competitors and their producers

12.1.

Advertising must not attack or seek to discredit other products, advertisers or advertisements, either directly or indirectly.

12.2.

Advertisers must not diminish the value of other advertisers' products, either directly or indirectly. In particular, advertisements must not select one particular product for unfavourable comparison.

13. Imitation ads

13.1.

Advertisements must not be similar in general appearance, imagery, use of slogans, visual presentations, music or sound effects to other advertisements in such a way as to be likely to mislead or confuse the consumer or take advantage of the results of someone else's ideas and work.

14. Personal recommendations

14.1.

The advertisement must not contain or refer to any personal recommendation or supporting statement unless the recommendation or supporting statement is true or is based on the personal experience of the person making the recommendation over a reasonable period of time.

14.2.

Personal recommendations themselves shall not contain any statements or opinions that violate the provisions of this Code and shall not be used in a manner likely to mislead consumers.

14.3.

Personal recommendations must not make any claims about the effects of a product unless there is reliable evidence of such effects.

15. Privacy and abuse of the individual

15.1.

The advertisement must not depict any living persons or make any reference to any living persons unless they have expressly agreed to it in advance. Advertisers must also take care not to offend, religiously or otherwise, persons in any way associated with the deceased persons depicted in the advertisement or the deceased persons to whom any advertisement refers.

15.2.

Advertisers must not use public authority figures (e.g. politicians, representatives of professional medical and other societies) to act in their capacity as advertisers, even if they themselves would agree to be paid or unpaid to act in the advertisement.

16. Warranties

16.1

An advertisement may use the words "guarantee" or "guaranteed" only when specifying the content or stating its specific terms.

PART TWO

Chapter I

ADVERTISING OF ALCOHOLIC BEVERAGES

17. Alcoholic drink

17.1.

Alcoholic beverage means a beverage containing more than 0,5 % alcohol by volume.

18. Irresponsible consumption

18.1.

The advertisement will not represent or promote irresponsible consumption, e.g. by the amount of the drink consumed or depicted in the advertisement or the consequences of excessive consumption. Advertising will not encourage excessive increases in the consumption of alcoholic beverages by individual consumers. Advertising shall not negatively or ironically evaluate abstinence or abstinenace or give the impression that it is wrong or abnormal to refuse to drink alcoholic beverages.

18.2.

Advertising will not be based on the depiction of violent, aggressive or anti-social behaviour.

18.3.

Advertising will not show people appearing to be drunk or give the impression that intoxication is acceptable.

19. Youth

19.1.

Advertising of alcoholic beverages, beer, must not be directed at persons under 18 years of age. Any person appearing in an advertisement as a consumer of an alcoholic beverage must not even appear to be under 25 years of age and must in fact be over 25 years of age. Persons under the age of 18 will not be depicted in advertisements except in situations where their presence is natural, such as in family scenes or in the background of a crowd. They will never be depicted drinking alcoholic beverages, nor will this be implied in any way.

19.2.

Advertisements for alcoholic beverages may not be broadcast during commercial breaks before, during or immediately after television or radio programmes aimed at children.

19.3.

Advertising will not promote alcoholic beverages in the media, programmes, computer games, on social media or during events where more than 30% of the target audience is known to be underage. Advertising will also not be placed on large posters at a distance of less than 300 metres from primary and secondary schools, playgrounds and similar facilities that are primarily aimed at minors. Large-scale posters are defined as posters with a surface area of more than 12 m². Exempted from this rule are any long-term advertisements or banners placed on the premises of producers and distributors of alcoholic beverages.

19.4.

Commercial communications will not use any graphics, symbols, music or cartoon characters that primarily pique the interest of children.

19.5.

The names of alcoholic beverages, their logos or trademarks may not appear on children's clothing, toys, games or other products intended primarily for persons under 18 years of age. This restriction also applies to replica sportswear intended for children.

For non-alcoholic variants of alcoholic beverages with the same or similar name, logo or brand as alcoholic beverages, this restriction applies mutatis mutandis.

20. Management

20.1.

Advertising will not associate the consumption of alcoholic beverages with driving any way.

21. Dangerous activities

21.1.

The content of the advertisement must not encourage the consumption of alcoholic beverages in dangerous or illegal situations or locations, e.g. before or during activities requiring sobriety, skill or precision.

22. Health aspects

22.1.

Advertisements for alcoholic beverages shall not imply that they have the ability to prevent or cure human disease, or imply that they have a stimulating or calming effect or that they are a means of solving personal problems.

22.2.

Advertising shall not encourage pregnant or breastfeeding women to consume alcohol and shall not depict pregnant or breastfeeding women consuming an alcoholic beverage.

22.3.

Persons whose appearance (clothing) gives the impression that they are members of the medical profession must not appear in the advertisement.

23. Alcohol content

23.1.

Advertising must not emphasise the higher alcohol content as a positive feature of the brand and a reason for the consumer to choose it. On the other hand, the advertising message should not give the impression that drinking a drink with a low alcohol content excludes irresponsible consumption.

23.2.

Advertising shall not reduce or obscure the actual alcohol content of the beverage.

24. Performance and sexual success

24.1.

Advertising should not give the impression that drinking alcoholic beverages enhances mental or physical abilities, for example when playing sport.

24.2.

Advertising must not suggest or give the impression that the consumption of alcoholic beverages can lead to social or material success.

24.3.

The advertisement will not claim or imply that alcohol consumption can contribute to sexual success. The advertisement will not encourage sexual promiscuity, will not contain nudity or partial nudity depicted in a manner offensive to human dignity, will not present alcoholic beverages as a means of removing sexual inhibitions or fears in general.

25. Sales support

25.1.

No sales promotion may encourage irresponsible or anti-social behaviour or irresponsible consumption of alcohol, in particular excessive drinking.

26. Human dignity and religious beliefs

26.1.

Advertising will not suggest or depict the consumption of alcoholic beverages near sacred sites and cemeteries.

26.2.

The advertisement will not claim or imply that the alcoholic beverage is consumed by members of a religious group that prohibits the consumption of alcohol by its members.

Chapter II **ADVERTISING OF FOOD AND NON-ALCOHOLIC BEVERAGES**

27.1.

Advertising shall truthfully represent the advertised characteristics of the products, including their size and composition, as well as the nutritional and health benefits of the food or drink, and shall not mislead the consumer about any these characteristics.

27.2.

Claims of nutritional or health benefits will be based on scientific findings.

27.3.

Advertising of food and non-alcoholic beverages will not encourage excessive consumption and portion sizes will be appropriate to the scene in the advertisement.

27.4.

Where the product being promoted is shown in the context of a whole meal, the overall composition of the food depicted shall be reasonably consistent with generally accepted dietary principles.

27.5.

Advertising of food and soft drinks will not call into question a healthy and balanced diet.

27.6.

Food and soft drink advertising will not compromise a healthy or active lifestyle.

27.7.

Foods that are not intended to a substitute for a whole meal will not be issued as such.

Chapter III **CHILDREN AND YOUTH**

In applying its Code of Ethics, the Advertising Council may also apply the principles and principles of the Code of Ethics of the International Chamber of Commerce based in Paris (ICC) entitled "Children, Youth and Marketing".

28. General

28.1.

Medicines, disinfectants, corrosives and health hazards must not be shown in advertisements within the reach of children without parental supervision and must not feature children handling these products in any way.

28.2.

Detergents and cleaning products shall not be displayed in advertisements within the reach of children without supervision and shall not feature children handling the contents in any way.

28.3.

No advertising is allowed that encourages children to go to unfamiliar places or talk to unfamiliar people.

28.4.

No advertisement for a commercial product or service shall be permitted which contains any solicitation to children or which in any way implies that unless children purchase a product or service themselves, or have other people purchase such a product or service, they will fail to fulfil an obligation or show sufficient loyalty to certain persons or organisations, whether or not such person or organisation is the originator of the solicitation.

28.5.

No advertising is permitted which leads children to believe that if they do not own the advertised product they will become inferior in any way to other children.

28.6.

In advertising, care must be taken to ensure that children are not encouraged to pressure others in order to obtain a particular product or service.

28.7.

If advertising is to include reference to a children's competition, coupon collection, prize offers, free premiums, prize draws and similar games aimed at children and young people, clear rules must be published in an appropriate manner.

29. Security

29.1.

All situations where children are featured in advertisements must be carefully considered from a safety perspective.

29.2.

Children in street scenes must not be depicted as unsupervised unless it is very clear that they are old enough to be responsible for their own safety.

29.3.

Children must not be in advertising while playing in the street unless it is clearly visible that it is a play area or other safe area.

29.4.

Advertisements children as pedestrians or cyclists must clearly show that children are behaving in accordance with safety rules, regulations and policies.

30. Food and soft drink advertising aimed at children.

30.1.

Advertising will not mislead about the positive effect associated with consuming the food or drink.

30.2.

Food and soft drink advertising will not undermine the role of parents or other positive role models in guiding children towards good nutrition.

30.3.

Food and soft drink advertising will not directly encourage children to persuade their parents or other adults to buy the advertised product.

30.4.

Advertising for food and non-alcoholic beverages will not give the impression of urgency or necessity to buy.

30.5.

While the use of fantasy elements, including animation, is possible to communicate both younger and older children, it will not exploit children's imagination to promote inappropriate eating habits.

30.6.

Food and non-alcoholic beverages derived from or directly associated with the content of television programmes shall not be advertised within, immediately before or immediately after such programmes without clear separation.

30.7.

Characters (live or animated) from communication media, including film, will not be used to promote food and non-alcoholic beverages in a way that obscures the distinction between communication media and advertising. For example, a children's television programme will not be linked without clear separation to an advertisement featuring identical characters.

30.8.

Advertising aimed at children, or immediately preceding or following, or contained in or into, a programme for children, of foods or non-alcoholic beverages containing nutrients and substances having a nutritional or physiological effect, in particular fat, saturated fat, trans-fatty acids, salt or sodium, and sugars, the excessive intake of which is not recommended in the overall diet, shall be restricted so that it does not emphasise the positive nutritional aspects of such foods or beverages. For the purposes of this Code, a food or non-alcoholic beverage as defined in the preceding sentence shall be defined as a food or non-alcoholic beverage that the advertiser declares falls within this category of food or non-alcoholic beverage.

30.9.

Advertising aimed at children, or immediately preceding, following or contained in or inserted into a programme for children, shall not encourage irresponsible or excessive consumption of food or non-alcoholic beverages, in particular food or non-alcoholic beverages containing nutrients and substances having a nutritional or physiological effect, in particular fat, saturated fat, trans-fatty acids, salt or sodium and sugars, the excessive intake of which is not recommended in the overall diet.

31. Advertising in schools

31.1.

Any promotional activity in schools of all grades and types is subject to the approval of the Head of School.

Chapter IV
TOBACCO ADVERTISING

32.1

For the purposes of this Code, tobacco product means tobacco-containing products, in particular cigarettes, cigarillos, cigars, pipes, pipes, cigarettes, snuff and chewing tobacco, including alternatives to tobacco-containing products such as ecigarettes, vaporizers and nicotine sachets.

32.2.

Advertising of tobacco products shall not be directed at minors and shall not encourage them to smoke or depict scenes which may be particularly attractive to minors.

32.3.

Tobacco advertising must not feature minors, but only people who are or appear to be over 25 years of age.

32.4.

Tobacco advertising must comply with legal restrictions on its dissemination.

32.5.

The names and brands of tobacco products must not be used on goods intended primarily for children.

32.6.

Clothing bearing cigarette names or logos must be in adult sizes only.

32.7.

Tobacco product advertisements must not claim that the use of tobacco products promotes and enhances sexual, business or sporting success.

32.8.

Tobacco advertising must not claim that the use of tobacco products is an aid to relaxation or concentration.

Only adult consumers must compete in tobacco advertising competitions.

32.9.

Advertising of tobacco products must include the labelling provided for by the relevant laws.

Chapter V
ADVERTISING FOR MEDICINES
(medicinal products for human use and medical devices)

33.1.

Only medicinal products and devices that are registered or duly approved in Czech Republic and whose dispensing is not limited to prescription or are not intended exclusively for use by a physician must appear in the advertising of medicines.

33.2.

Advertising of medicines to the general public must be directed only at medicinal products and medical devices intended for the public.

33.3.

Advertisements for medicinal products intended for the general public may not include advertisements for medicinal products containing narcotic or psychotropic substances.

33.4.

Advertising shall not contain information leading to a false assessment of the consumer's own state of health or to the impression that the mere use of a medicinal product or medical device can affect the consumer's state of health.

33.5.

Advertising must not contain claims that a medicinal product is harmless based solely on its natural origin.

33.6.

The advertisement must include the name of the medicinal product or medical device, information for its correct use, an invitation to read the package leaflet and instructions on the packaging of medicinal products and medical devices.

33.7.

Persons who, by virtue of their functions or , are in a position to influence the consumption of medicinal products or medical devices may not appear in advertising.

33.8

Advertising must always clearly indicate whether it is a medicinal product, a medical device or a food supplement.

Chapter VI
IDENTIFICATION OF ADVERTISEMENTS IN THE STYLE OF EDITORIAL MATERIAL

34.1.

It is the responsibility of all persons involved in the production or publication of the advertisement to ensure that anyone looking at the advertisement can immediately see, without reading it in detail, that it is an advertisement and editorial material.

34.2.

If the space provided for payment is printed in the same style as the editorial material, whether these advertisements are paid for by one or more advertisers, the advertisement thus prepared must be clearly marked as an advertisement, e.g. with the word advertisement, paid advertisement.

34.3.

As a general rule, where an advertisement or series of advertisements paid for by one and the same organization or organizations under the same management exceeds the length of one page, the word ADVERTISEMENT shall be printed at the head of each page in such a manner that it cannot be overlooked by the reader. Similarly, an attachment paid for entirely by the advertiser or advertisers shall normally be identified by the words ADVERTISING ATTACHMENT, printed in bold letters, or similar designation, and each page of such attachment shall have the words ADVERTISING - ADVERTISING or ADVERTISING ATTACHMENT or similar designation in the header.

34.4.

As no guidance can cover every possible case, it may not always be sufficient to simply follow the letter of the above principles. In addition, it may sometimes be necessary re-examine each advertisement and check that it is clearly distinguishable from the editorial material in the publication in which it appears. Should this not be the case, measures must be taken to ensure sufficient distinctiveness.

34.5.

For electronic media, the above principles apply similarly.

34.6.

All social media posts by influencers for which payment or other non-monetary consideration (barter) has been provided must be explicitly marked or distinguished as advertising. This can be indicated, for example, through a feature offered by the platform (e.g. "Paid Partnership"), directly in the text of the post or through hashtags. In this case, the hashtag indicating that it is an advertisement should appear before all other hashtags. The label of the advertising post must be clear and must not mislead the audience as to the nature of the post.

Chapter VII MAIL ORDER ADVERTISING

35. Consignment sales

35.1.

For the purposes of this section of the Code, the term mail order advertising shall include all advertisements and advertisements, except as expressly set out below, which make an offer, directly or indirectly, to ship or deliver goods to the purchaser upon receipt of a written order, accompanied by partial or full payment, with the understanding that the consumer need not visit any retail outlet to inspect the goods before purchase. The rules in the following paragraphs apply to all mail order advertisements, including those submitted by advertisers who are also engaged in ordinary retail sales.

35.2.

Mail order advertisements must comply with all the principles set out in the Code, plus the requirements set out in paragraphs 3 to 5 below.

36. Obligations of advertisers in mail order advertising

36.1.

The basic advertisement (addressed offer, mailing) must include the name or title of the advertiser together with the actual address of the registered office and (if different) the contact point at which the advertiser can be contacted, not just a P.O. BOX or telephone number. If the advertisement includes a coupon, the advertiser's name and complete contact address, with street address, must also be provided on the coupon.

36.2.

The name or title of the advertiser must appear prominently in the address given in the advertisement.

36.3.

Sufficient arrangements must be made to that any queries are answered by a responsible person at the address in question.

36.4.

The advertiser must be prepared to fulfill all orders placed as a result of an advertisement for a mail order service, either immediately upon receipt or during the period specified in the advertisement. If this is not possible, the advertiser must inform the customer immediately, but not later than 45 days after the order is placed.

37. Goods unacceptable in a mail advertisement.

37.1.

Lucky charms, mascots or other merchandise trying to exploit superstition.

Chapter VIII **GAMBLING ADVERTISING**

38.1 Basic principles

Advertising for gambling must be socially responsible, must take into account the protection of minors and must not encourage irresponsible or impulsive gambling.

38.2 Protection of minors

38.2.1.

The promotion of gambling must not be targeted at persons under the age 18, in particular by using elements, means or actions that predominantly appeal to such persons, such as language or communication channels.

38.2.2.

Advertising must not be placed in media aimed at children and adolescents.

38.2.3.

Persons appearing in the advertisement must be at least 25 years of age and must not give the impression of under age.

38.2.4.

Advertisements of gambling operators may not be placed on sports jerseys in competitions for children and young people under 18 years of age,

38.2.5.

Outdoor gambling advertising will not be placed near schools and educational facilities, facilities for children and adolescents, playgrounds, or buildings and places where children and adolescents congregate, except stadiums and sports . Should a school or other establishment referred to in the first sentence of this provision be established after the outdoor advertising has been placed, the operator shall remove the advertising no later than 1 year after the establishment of the establishment.

38.3 Restrictions on online promotion

38.3.1.

Streaming of gambling games for the of their promotion is only permitted on the websites or applications of operators that have been issued with the relevant permits by the Ministry of , and only after the gambling participant has logged into his/her user . The streaming of a gambling game for the purpose of its promotion does not include the transmission of a land-based live game.

38.3.2.

Gambling operators may only commission influencers¹ to advertise (including on social media) gambling games which are solely for the purpose of informing consumers about the existence of products and directing players to legal, controlled systems, and which may not encourage or promote active participation in such games² , in particular by directly inviting them to place bets, purchase the operator's products or use bonuses.

38.4 Content restrictions

38.4.1.

Gambling advertising must comply with the following requirements:

- a) It must not give the impression that gambling contributes to increased social status.
- b) They must not present gambling as a activity if this does not reflect reality.

¹ Influencer Code of Conduct definition: 'an internet user using his or her influence to participate in the communication activity of a sponsor for monetary or non-monetary consideration',
See <https://ferovyinfluencer.cz/kodex>.

² In accordance with EC Recommendation 2014/478/EU on guidelines for the protection of consumers and players of online services and for the prevention of online gambling by minors, see point 6) Preamble

- c) They must not offer gambling as a way of solving financial problems.
- d) It must not downplay the possible negative effects of .
- e) It must not encourage irresponsible behaviour.
- f) It must not give the impression that non-participation in gambling is a sign of weakness or immaturity.
- g) They must not misrepresent the chances of winning.
- h) Persons popular with children and adolescents, public figures and sportsmen must not directly encourage active participation in gambling.

38.5 Restrictions on outdoor advertising

38.5.1.

Outdoor advertising for gambling may not be placed on public transport vehicles.

38.6 Affiliate marketing

38.6.1.

Entities promoting gambling through affiliate programs:

- a) They must be registered with a self-regulatory body and adhere to the ethical principles of promotion.
- b) Mandatory contact information and links to responsible gaming.

38.6.2.

Gambling operators commit to only work who have completed ethical advertising training.

Chapter IX ***ADVERTISING FOR COSMETIC PREPARATIONS***

39. Substantiation of product claims

39.1.

Claims about cosmetic products, whether explicit or implicit, should be supported by adequate and appropriate evidence to demonstrate the effects of the product. At the same time, the specific context and circumstances in which the claims are made (including social and societal factors) should be taken into account.

40. The honesty of the depiction of the product

40.1.

Product imagery may be highlighted using digital technologies to better convey the brand's personality and positioning or any specific benefit of the product, provided that the depiction of the effect of the advertised product is not misleading or suggestive of features and functions that the product does not have.

Digital technologies should not alter the appearance of models, such as body shape or features, in a way that unrealistic and deceptive to the claimed effect.

41. Customer experience and expert recommendations

41.1.

Examples of customer experiences with the product can be used to highlight the characteristics of cosmetic products, provided that they are presented as personal product reviews and expert recommendations.

41.2.

The experience of celebrities, private persons or consumers with the product may be used, provided that it is presented as a personal evaluation of the product or their own impression of it, but it cannot serve as a substitute for substantial substantiation of the validity of the claim.

41.3.

The advice of medical, non-medical health professionals or scientists concerning a product ingredient, the product as a whole or a general message related to hygiene or cosmetic performance shall be acceptable provided that it is based on adequate and sufficient evidence.

42. Environmental aspects of advertising

42.1.

Where environmental claims are made, cosmetic companies should respect the principles of truthfulness, clarity, relevance and scientific substantiation.

42.2.

Where an claim is not expressly true or there is a reasonable risk that it will be misinterpreted by the consumer or is misleading due to the omission of important facts, the claim must not be made.

42.3.

Environmental claims shall be relevant to the product concerned and used only in the appropriate context or location.

42.4.

Claims must specifically state what environmental benefit or improvement is claimed; it follows that an benefit can be claimed provided that an adequate environmental impact assessment of the product has been carried out.

43. Use of symbols / indications of third party certification

43.1.

Any supporting information, pictorial fictions or symbols must be justified in a way that is understandable to the average consumer; any use of a symbol or logo must not imply that the product has achieved the required relevant third endorsement when in fact it has not.

44. Respect for the human person

44.1.

Given the impact that advertising and marketing communications can have on consumers' self-esteem, the following should be taken into account when models are used in advertising: not focusing on the body or parts of the body unless they are relevant to the product being advertised, not using nude models in a way that is degrading, alienating or sexually offensive. The use of nudity should take into account the type of media for which the advertisement is intended and the audience for which it is intended.

45. Advertising aimed at children

45.1.

Cosmetic products that are specifically designed for children may be advertised provided that:

- a) Advertising will focus on reinforcing the hygiene and sanitary benefits of products aimed at children, in particular for protection products, oral care products and skin cleansers, including soaps, shampoos and concealers to cover teenage acne;
- b) Advertising of decorative cosmetics and perfumes should not encourage children to use these products excessively;
- c) advertising of cosmetic products, including their depiction, should not promote the premature sexualisation of young people.