

Nature of the complaint

7. The Code of Advertising Practice issues by the Advertising Standards Authority of South Africa (ASASA) (“Code”) provides that “[a]dvertising is a service to the public and, as such, should be informative, factual, honest, decent and its content should not violate any of the laws of the country. All entities bound by the Code shall neither prepare nor accept any advertising which conflicts with the Code and shall withdraw any advertising which has subsequently been deemed to be unacceptable by the ASA Directorate, Advertising Standards Committee, Advertising Industry Tribunal or Appeal Committee”.

8. The advert constitutes “advertising” for purposes of the Code. The word "advertisement" applies to published advertising wherever it may appear.

9. Clause 2 of Section i of the Code divides adverts into four categories: (1) commercial, (2) non-commercial, (3) political and (4) advocacy.