



APCON

Advertising Practitioners Council of Nigeria

Established By Act No:55 of 1988.

Ensuring Responsible Advertising Practice

Vetting Guidelines

Effective 1st March, 2017

Advertising Standards Panel

A Statutory Committee of APCON

Established by Act No. 93 Of 1992



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VISION

To promote responsible and ethical advertising practice, acting as the conscience of the society and watchdog for the consumers, whilst managing the needs and interest of the stakeholders in Nigeria's advertising industry

www.apcon.gov.ng



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I. INTRODUCTION

The Advertising Standards Panel (ASP) established in accordance with Section 21 (A) of the Advertising Practitioners (Registration) Act No.93 of 1992 (Now Section 23 of the Advertising Practitioners (Registration) Act Cap A7 Laws of the Federal Republic of Nigeria, 2004) has adopted these new Vetting Guidelines for the advertisement of regulated products. This vetting guidelines also reiterates how the advertisement of products may be submitted for vetting. It applies to all categories of advertisements (except those expressly excluded in the Nigerian Code of Advertising Practice and Sales Promotion (4th Edition) and listed in Heading No.5 below).

These guidelines endorsed by the Advertising Practitioners Council of Nigeria (APCON) are prepared to assist sectoral organizations and the general public to understand the vetting procedures. The intention is not to replace existing national self-regulatory systems, but rather to provide general criteria as a common standards throughout Nigeria that should be met by existing structures or the basis for a new emerging systems.

The ASP recognizes that certain forms of advertisements are mandatorily required to be submitted to relevant self regulatory organizations for clearance before they are presented to it for vetting. This is known as pre-clearance or pre-vetting approvals.

2. THE ADVERTISING STANDARDS PANEL (ASP)

The Advertising Standards Panel (ASP) is established in accordance with Section 21(A) of the Advertising Practitioners (Registration) Act No.93 of 1992 (Now Section 23 of the Advertising Practitioners (Registration) Act Cap A7 Laws of the Federation of Nigeria, 2004).

It is charged with the duty of ensuring that advertisements conform with the prevailing laws of the Federation as well as the Code of advertising ethics of the advertising profession.

The ASP consists of the following organizations and respective number of representatives:

1. Advertising Practitioners Council of Nigeria (APCON) not less than 3
2. Association of Advertising Agencies of Nigeria (AAAN) - 2
3. Newspapers Proprietors Association of Nigeria (NPAN) - 2
4. Consumers Protection Council (CPC) - 2
5. Outdoor Advertising Association of Nigeria (OAAN) - 2
6. Food and Drug Unit of Federal Ministry of Health (NAFDAC) - 3
7. Advertisers Association of Nigeria (ADVAN) - 2
8. National Council of Women Society (NCWS) - 2
9. Broadcasting Organization of Nigeria (BON) - 2
10. Central Bank of Nigeria (CBN) and other Financial Institutions - 2
11. The National Broadcasting Commission (NBC) - 2

The ASP is mindful of the need to protect the public from deceitful and morally wrong advertisements. Therefore, it is determined to:

- [a] Ensure that only decent, honest, and truthful advertisements are carried out in the media.
- [b] Protect the interest of the consumer by making sure that advertisements presented to the Panel have a high sense of social responsibility.
- [c] Oversee that advertisements conform to the principle of fair competition generally accepted in business.
- [d] Enhance public confidence in advertising and explaining the trust and value of advertising.

In the determination to ensure that all the above objectives are carried out, the ASP works closely with regulatory agencies such as the National

Broadcasting Commission (NBC), the National Agency for Food and Drug Administration and Control (NAFDAC), the Nigerian Communications Commission (NCC), the Consumer Protection Council (CPC), the Federal Institute of Industrial Research (FIRO), standards Organization of Nigeria (SON) and several others.

3. SCOPE AND APPLICATION

The Vetting Guidelines apply to:

- * All individuals registered as Advertising Practitioners
- * All organizations, corporate bodies and individuals which/who use advertising services.

This Vetting Guidelines apply to the entire contents of an advertisement, including words and numbers (spoken or written), visual presentations, music and sound effects. It applies to the spirit as well as the letter and operates in conjunction with the Nigerian Code of Advertising Practice and Sales Promotion (4th Edition), the Oath of Advertising Practices, all relevant laws in Nigeria, as well as the existing rules and regulations of APCON.

4. BASIC PRINCIPLES OF ADVERTISING

All advertisements shall be legal, decent, honest, truthful, respectful and mindful of Nigeria's culture. They shall be prepared with a high sense of social responsibility and shall avoid misinformation.

All advertisements shall conform to the principle of fair competition generally accepted in business, and of fair comments expected in free human communication. They shall aim at enhancing public confidence in advertising and shall always be in the interest of the consumer and the wider Nigerian society.

These principles apply to all brands of advertising and marketing communication such as:

- [a] Consumer Promotion
- [b] Merchandising
- [c] Point of Sale Materials
- [d] Sponsorship
- [e] Interactive Advertising
- [f] Communications to on and off trade

And to all media including, but not limited to:

- [a] Print
- [b] Broadcast Media
- [c] Cinema
- [d] Out of Home
- [e] Labeling (Including Product Names)
- [f] Packaging
- [g] Internet

5. **ENDORSEMENT**

The Advertising Practitioners Council of Nigeria (APCON) hereby reaffirms that it endorses the guidelines as provided by the ASP stipulating that all categories of advertisements except:

- [a] Vacancies
- [b] Notices
- [c] Financial Statements
- [d] Goodwill Messages
- [e] Obituaries
- [f] Immemorial

Shall obtain the vetting approval of the ASP before exposure

By this endorsement, the following are within the categories of products/services for which their advertisements must be vetted by the ASP before exposure:

- [1] Foods
- [2] Consumables
- [3] Personal Hygiene Products
- [4] Drinks
- [5] Cosmetics
- [6] Over-the-Counter Medicines
- [7] Tobacco Promotions
- [8] HomeVideo Promotions
- [9] Financial Services
- [10] Religious Programmes
- [11] Political Advertising
- [12] Corporate Advertisements of Regulated Products
- [13] Corporate Advertisements of General Nature
- [14] Trade-Medicals
- [15] Telecommunications
- [16] Consumer Sales Promotions
- [17] Medical Equipment
- [18] Automobiles
- [19] Electrical and Electronics
- [20] Household Items
- [21] Property
- [22] Oil and Gas
- [23] Furniture
- [24] Air-Time Services and Promotions
- [25] Education
- [26] Stationery
- [27] Building Materials and Fittings
- [28] Energy
- [29] Fashion
- [30] General Goods and Services etc.

For further information on this subject and other vetting requirements, please contact:

Regulation, Monitoring and Enforcement Directorate

(234)(01) 8941202,7733308,0814 150 1015,00909 484 1841

6. REQUIREMENTS FOR VETTING ADVERTISEMENTS

- 6.1 A formal application letter for vetting addressed to:
The Registrar/CEO
APCON,
APCON House, National Theatre Annexe
Iganmu, Lagos
 - 6.2 ASP form 001 filled and duly signed by a registered advertising practitioner not below an Associate Member (ARPA), stating his/her APCON Registration number.
 - 6.3 Product's NAFDAC Certificate or payment advice (Where necessary) must be attached.
 - 6.4 The Client's letter of authorization to advertise the product/service, signed by an APCON registered practitioner.
 - 6.5 The material concept/version (Television, radio, press, outdoor, etc.)
- [a] Television/Film Commercials: To avoid unnecessary cost, the following items are required for vetting:
- * Script
 - * Story Board
 - * Double Head (Before the answer print)

Where all these are not provided, a story board plus a CD must be submitted for the approval of the ASP before airing.

- * Script and story board above must be in color vision
- * For ease of vetting, story board must be presented in a vertical A4 format with video or pictures on the left column and audio or sound on the right column.
- * All letters or figures must be clearly printed.

- [b] Radio Commercials: Advertisers are advised to submit radio scripts first for approval before the production of the jingle in C D , which must also be submitted for final approval before the issuance of the ASP's certificate approval.
- [c] Prints/Outdoor: Professionally produced copy/layout, in color must be submitted for approval before the issuance of the ASP's Certificate.
- 6.6 Products samples of not less than 12 (twelve) units must be supplied.
- 6.7 Evidence of the product registration with appropriate government agency.
- 6.8 Demonstrations might be necessary in some cases and advertisers or their agencies must be prepared to provide the demonstration.

7. VETTING PROCEDURE

- 7.1 Application is made by the advertising practitioner seeking approval to advertise attaching all the necessary requirements listed in (6) above as applicable to the particular product/service.
- 7.2 The application is forwarded to the Registrar of APCON together with all the attached documents.
- 7.3 The ASP meets twice every month; however, a request may be made for accelerated vetting of advertisements. This request may be honored provided the applicant takes full responsibility

for such an emergency meeting. Provisions are available for 8 working hours and 16 working hours accelerated vetting (see the provision on vetting fees in Heading 12 below for further details).

- 7.4 No advertisement under the vetting category should be exposed unless a Certificate of Approval from the ASP, signed by the Registrar of APCON has been received by the applicant or media house.
- 7.5 Copies of the Certificate of Approval must be attached to all media orders.
- 7.6 Where request to advertise has been refused or denied, an applicant may appeal to the Governing Council of APCON through the Registrar stating the ground(s) of appeal.
- 7.7 Approval to advertise could be withdrawn or revoked by the ASP at any time after it has been granted if in the opinion of the ASP any condition for such approval have been violated, altered or changed in any way or new facts have emerged to affect the validity or authenticity of earlier data/claims submitted by the applicant.
- 7.8 All approvals shall bear identification codes and the codes shall be reflected on all advertising materials.

8. ADVERTISING CONTENT

- 8.1 Majority of the content of advertisements shall as much as possible be Nigerian.

- 8.2 Nigerian languages shall be properly used in advertisements.
- 8.3 Nigerian locations and ambience shall be correctly depicted

9. USE OF FOREIGN MODELS

Models used in advertisements exposed in Nigeria shall be Nigerians except where the concept specifically requires non-Nigerians. The use of non-Nigerian models would attract additional fee of N500,000 (Five e hundred thousand naira o n l y) per concept/version.

10. PRESENTATIONS/DESCRIPTION:

Advertisements shall not contain any description, claims or illustration, which directly or by implication convey an erroneous or misleading impression about the product or service advertised or about its suitability for the purpose recommended.

11. SUBSTANTIATION

Any description, claim, or illustration made in any advertisement shall be subject to empirical proof or capable of substantiation. Such proof or substantiation shall be available, so that evidence can be produced without delay and upon request to the Advertising Practitioners Council of Nigeria.

- 11.2 Such evidence shall be required in respect of superlative or comparative claims made in any advertisement.
- 11.3 Testimonials or endorsements made in any advertisement shall be subject to proof.
- 11.4 Claims of being No.1 in any product category can be deceptive as being No.1 could be in volume, color, context, taste, etcetera. Consequently, the No. 1 must be avoided.

12. VETTING FEES

With effect from 1st March 2017, the following fees are applicable:

* Regular vetting	-	N25,000.00
* 8 hours accelerated vetting	-	N280,000.00
* 16 hours accelerated vetting	-	N150,000.00
* Use of Foreign model	-	N500,000.00
* Foreign production	-	N500,000.00
* Verification of promotion (Lagos)	-	N250,000.00
* Verification of promotion Outside Lagos-	-	N500,000.00
* Penalty for violation	-	N500,000.00 (option of accelerated vetting in lieu of the prescribed penalty is no longer available).

13. VERIFICATION FEE

All consumer promotions are vetted and verified by the ASP. When application is made for the verification of any consumer promotion, the promotional incentives listed in the advertisement material(s) are to be assembled for ASP's inspection to ensure that consumers/participants are not deceived.

Verification fee for sales promotion exercise is as follows:

- * Location within Lagos - N250,000.00
- * Location outside Lagos but within the Lagos Zonal Office - N500,000.00
- * Location within Abuja - N250,000.00
- * Location outside Abuja but within the Abuja Zonal Office - N500,000 .00
- * Locations within Enugu - N250,000.00

Locations outside Enugu but within the Enugu Zonal Office -
N500,000.00

- * Locations within Owerri - N250,000 .00
- * Locations outside Owerri but within the Owerri Zonal Office -
N500,000 .00
- * Locations within Port Harcourt - N250,000.00
- * Locations outside Port Harcourt but within the Port Harcourt Zonal
Office - N500,000.00
- * Locations within Kano - N250,000.00
- * Locations outside Kano but within the Kano Zonal Office - N500,000
- * Locations within Ibadan - N250,000.00 -outside Ibadan -N500,00.00
- * Locations within Ilorin - N250,000.00-outside Ilorin -N500,000.00
- * Locations within Kaduna - N250,000.00- outside Kaduna-N500,000.00
- * Location within Jos - N250,000.00-outside Jos - N500,000.00
- * Location within Minna - N250,000.00- outside Minna - N500,000.00

14. PRE-EXPOSURE PENALTY

- [a] A media house which publishes or exposes an advertisement without the ASP Certificate of Approval shall be liable to a minimum penalty of N500,000 (Five hundred thousand Naira)
- [b] An Agency which creates and/or places for publication or exposure of an advertisement without the ASP Certificate of Approval shall be liable to a minimum penalty of N500, 000 (Five hundred thousand Naira).
- [c] An Advertiser who authorizes the publication or exposure of an advertisement without the ASP Certificate of Approval shall be liable to a minimum penalty of N500, 000 (Five hundred thousand Naira).

[d] An Advertising practitioner who publishes, exposes or knowingly aids the exposure in the publication or exposure of an advertisement without the ASP Certificate of Approval shall be subject to the APCON Disciplinary Procedure notwithstanding the payment by his employer of the appropriate penalty.

15. MONITORING

15.1 APCON has a Monitoring Unit within the Secretariat. It also uses the services of media monitoring agencies. In addition, members of the ASP and APCON provide backup monitoring information to ensure that advertising agencies, manufacturers and media organizations conform to the provisions of this guidelines and other laws relating to advertising as well as the Codes of Standards and Practice. The public also monitor and report cases of unwholesome advertisements to APCON through the ad-check numbers and e-mails.

15.2 Media Organizations are advised to adhere to scheduling restrictions and not to accept advertisements that have not been duly vetted and approved by the ASP before exposure and a Certificate of Approval signed by the Registrar of APCON and the Chairman of the ASP issued in respect thereof.

15.3 The principle of watershed should be strictly adhered to while exposing the alcoholic beverages.

CAUTION!

The Advertising Practitioners Councils of Nigeria APCON, hereby gives notice to all media houses, political parties, relevant electoral agencies, politicians and their agents, that ALL POLITICAL advertisement (commercials) are required by law, to be submitted to the ADVERTISING STANDARD PANEL, (ASP), before exposure.

APCON is a federal government regulatory agency empowered through Act No. 55 of 1988 as revised by Act No. 93 of 1992 to control and regulate advertising in all its aspects and ramifications

Ad-Check Numbers

**01-7733308, 08141501015,
09094841841**

**8 working hours
16 working hours
Accelerated Vetting**

ABUJA:

Plot 467, Joseph Adetoro Street
Off Ajose Adeogun Street
Utako District
P.O. Box 4613 Garki
Tel: 0803 590 0078
e-mail: infoabuja@apconng.com

ENUGU:

1, Ogbaru Street
Independence Layout
Enugu
Tel: 0803 486 5898
e-mail: infoenugu@apconng.com

IBADAN:

69, Oyo Road,
By Wema Bank, Opposite
Elewure Bus stop
Sango, Ibadan, Oyo State
Tel: 0809 848 7054
e-mail: infoibadan@apconng.com

ILOIN:

41, Offa Road,
Off Federal Road Safety Headquarters,
G.R.A Ilorin,
Kwara State.
Tel: 0802 396 7257
Tel: 0809 649 9110
e-mail: infoilorin@apconng.com

JOS:

First Floor,
Federal Secretariat Tudun Wada,
Room 110
Tel: 08035244599
e-mail: apconjos@yahoo.com

KADUNA:

Assa Investment House
Independence Way
Opposite British Council Building
Kaduna State.
Tel: 0803 320 2195
e-mail: infokaduna@apconng.com
apconkaduna2013@yahoo.com

KANO:

Plot C14, Eastern bypass
Hotoro-Arewa, Kano State
Tel: 0806 605 9815
e-mail: infokano@apconng.com

KATSINA:

319, (3rd Floor)
Bandagoro Kano Road
Federal Secretariat Complex
Katsina State
Tel: 0803 956 2705
e-mail: apconkatsina@yahoo.com

LAGOS:

APCON House
National Theatre Annex,
Iganmu, Lagos
P. O. Box 50648 Ikoyi, Lagos
Tel: (01) 773 3308

e-mail: info@apcon.gov.ng
website: www.apcon.gov.ng

MINNA:

Radio Niger Broadcasting
Shiroro Road
Minna, Niger State
Tel: 0803 486 5898
e-mail: apconminna@yahoo.com

ONITSHA :

87, Upper New Market Road,
Onitsha, Anambra State
Tel: 08035824810
e-mail: infoonitsha@apconng.com

OWERRI:

51, Onitsha Road
Owerri, Imo State
P.O. Box 1570, Owerri
Tel: 0803 750 8707
e-mail: infoowerri@apconng.com

PORT HARCOURT:

14, Lord Emmanuel Drive
Rumobiakanih
Off Aba Road
Port Harcourt, Rivers State
Tel: 0803 343 2865
e-mail: infoph@apconng.com



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To check advertising abuses, such as

- False or misleading statements; visual or verbal exaggerations
- Manipulated testimonials, including miracles
- Misleading Price claims
- Comparisons that unfairly disparage a competitive product or service
- Insufficiently supported claims that tend to distort the true meaning; or practical application of statements made by professional or scientific authority
- Statements, suggestions, or pictures offensive to public decency

We urge you to please contact APCON if you see, read or hear advertisement that seems to contain such abuses

Write to:

The Registrar/Chief Executive
Advertising Practitioners Council of Nigeria
National Arts Theatre Annex, Iganmu,
P. O. Box 50648, Ikoyi, Lagos.
Tel: 01-7733308, 08141501015, 09094841841

Monitoring/Enforcement Desk
Tel: 01-8941202
E-mail: asp_DCHECK@YAHOO.COM

ABUJA:
Plot 467, Joseph Adetoro Street
Off Ajose Adeogun Street
Utako District
P.O. Box 4613 Garki
Tel: 0803 590 0078
e-mail: infoabuja@apconng.com
ENUGU:
1, Ogbaru Street
Independence Layout
Enugu
Tel: 0803 486 5898
e-mail: infoenugu@apconng.com
IBADAN:
69, Oyo Road,
By Wema Bank, Opposite
Elewure Bus stop
Sango, Ibadan, Oyo State
Tel: 0809 848 7054
e-mail: infoibadan@apconng.com
ILORIN:
41, Offa Road,
Off Federal Road Safety Headquarters,
G.R.A Ilorin,
Kwara State.
Tel: 0802 396 7257
Tel: 0809 649 9110
e-mail: infoilorin@apconng.com

JOS:
First Floor,
Federal Secretariat Tudun Wada,
Room 110
Tel: 08035244599
e-mail: apconjos@yahoo.com
KADUNA:
Assa Investment House
Independence Way
Opposite British Council Building
Kaduna State.
Tel: 0803 320 2195
e-mail: infokaduna@apconng.com
apconkaduna2013@yahoo.com
KANO:
Plot C14, Eastern bypass
Hotoro-Arewa, Kano State
Tel: 0806 605 9815
e-mail: infokano@apconng.com
KATSINA:
319, (3rd Floor)
Dandagoro Kano Road
Federal Secretariat Complex
Katsina State
Tel: 0803 956 2705
e-mail: apconkatsina@yahoo.com

LAGOS:
APCON House
National Theatre Annex,
Iganmu, Lagos
P. O. Box 50648 Ikoyi, Lagos
Tel: (01) 773 3308
e-mail: info@apcon.gov.ng
website: www.apcon.gov.ng
MINNA:
Radio Niger Broadcasting
Shiroro Road
Minna, Niger State
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e-mail: apconminna@yahoo.com
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87, Upper New Market Road,
Onitsha, Anambra State
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e-mail: infoonitsha@apconng.com
OWERRI:
51, Onitsha Road
Owerri, Imo State
P.O. Box 1570, Owerri
Tel: 0803 750 8707
e-mail: infoowerri@apconng.com

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Tel: 0803 343 2865
e-mail: infoph@apconng.com

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