

## **Ethical regulation of advertising**

### **Abstract**

This thesis deals with the regulation of ethical elements in advertising. Advertising is regulated by law, which protects the most important ethical interests of society that may be violated in advertising. In addition to this an important role is played by regulation standing outside the law, provided by the advertising industry itself. The aim of this paper is to analyze the current position of self-regulation of advertising in the Czech Republic and to assess whether the existing mechanisms are sufficient. This will be accomplished by illustrating the application of self-regulatory rules on specific adverts.

The thesis is composed of four chapters. Chapter One defines the term advertising as a social phenomenon from a marketing practice perspective. The chapter focuses on definitions of this term provided by both national and European legislation.

Chapter Two gives the definition of ethics as a theory of morality and the term good manners, which is mostly used in legal literature.

After providing a brief outline of legal regulation of advertising Chapter Three analyses the most important self-regulatory body in the Czech Republic - the Czech Advertising Standards Council and its decision-making process. The thesis illustrates which ethical aspects are protected by the ethical code of the Czech Advertising Council with specific examples of adverts that have been the subject of public complaints and therefore decided upon by the Czech Advertising Council. The thesis then specifically deals with areas such as alcohol advertising or advertising targeted at children.

Chapter Three provides a comparison of self-regulation with legal regulation of the ethical element. It analyses two cases where the advert was initially decided upon by the self-regulatory body, but after not accepting its ruling taken up to the court of law.

In the final chapter the author discusses her view of the future of advertising based on recent trends in the advertising industry. This is followed by the final cogitations on whether the existing regulatory system is sufficient and whether any changes need to be implemented.

**Keywords**

advertising and law, ethical code, self-regulation