



Advertising Standards Authority for Ireland

ASAI

Annual Report

27th Annual Report and Financial Statements 2007



THE OFFICIAL HERALDIC ACHIEVEMENT OF ASAI

The coat of arms or official heraldic achievement of the Advertising Standards Authority for Ireland was granted by the Chief Herald of Ireland and registered in his Office in April, 1983.

The design and composition of the arms graphically symbolise the sphere of influence as well as the function of ASAI.

The heraldic arrangement of the national tinctures enhanced by the wreathed cross is designed to suggest the packaging of goods on a nationwide basis, while the lion, traditional symbol of active vigilance, signifies the role of ASAI as overseer in relation to the advertising of those goods.

The shield, historically an emblem of defence, is symbolic of the protection afforded the consumer public by the ASAI, which seeks to establish and maintain principled advertising in Ireland.

All these items are encapsulated in the slogan or motto of the ASAI, 'FIANT SECUNDUM DESCRIPTIONEM BONA' - let the product accord with its description - which bespeaks the ideal of the Advertising Standards Authority for Ireland.

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Edward McCumiskey, Chairman

CHAIRMAN'S STATEMENT

I am glad to present the 27th Annual Report of the Advertising Standards Authority for Ireland. This report is presented against the background of a rapidly changing media market where new demands are being placed on the advertising self-regulatory system to regulate advertising in the electronic media in all its forms. Equally, consumers and other groups are looking to the advertising industry for a response on a range of social and health issues, including obesity, binge drinking and the environment.

While these developments are taking place, the concept of self-regulation in Ireland has drawn unfavourable comments in the media because of the well publicised failings of the models in use in some of our professions.

This somewhat negative debate can be contrasted with the attitude to advertising self-regulation in Europe which is demonstrated by the following:

- In May 2007, in a white paper entitled *A strategy for Europe on Nutrition, Overweight and Obesity related health issues*, the introduction by Commissioner Kyprianou (responsible for health matters) includes the following reference: “the new AVMS Directive foresees that media service providers should be encouraged by the Member States, and by the Commission, to develop codes of conduct regarding commercial communication on food and the beverages targeted by children. The Commission’s preference, at this stage, is to keep the existing voluntary approach at EU level due to the fact that it can potentially act quickly and effectively to tackle rising overweight and obesity rates.”
- In 2007, in the introduction to the Blue Book of Advertising Self-Regulation in Europe, Commissioner Kuneva (responsible for consumer matters) said: “Self-regulation today has a truly European dimension, thanks to the work that has been carried out by the European Advertising Standards Alliance over the years. I am sure that we can go further together to establish advertising self-regulation as a living best practice model, while addressing the challenges of an enlarged European Union and of the newly developed media.”

These developments in Europe have come about because of the comprehensive model of advertising self-regulation (based on the ICC Code, as indeed is our own Code) that the European Advertising Standards Alliance has been able to present to the Commissioners and their officials in the EU.

Further proof of the acceptability of the model in use is the fact that a new international organisation is currently being established which will align the European Advertising

Standards Alliance, including ASAI, with a range of countries including Australia, Brazil, Canada, India and New Zealand. With markets already operating on a global basis this international move should result in the provision of further protection to consumers.

At the present time, advertising can originate in one country and be focused on any number of other markets. With the increased use of the new electronic media, the scope for advertising material originating outside of the natural borders of the target market increases substantially and at the present time the self-regulatory model is the only realistic means of having misleading advertising corrected or withdrawn. The model is not only effective but operates without recourse to the courts and does not involve any costs to Government or consumers.

A system of self-regulation can, of course, only operate if it is supported by the industry. I am glad to report that the level of co-operation with the complaints handling and monitoring functions of the Authority has once again been very satisfactory. The only area where work remains to be done is ensuring that the financial contributions to support the system are equally shared by all.

Against this background of change, I would like to thank the Secretariat on behalf of the Board for continuously adopting their work practices to accommodate a changing and increasing workload. In particular, I would like to record my appreciation of the introduction of the new monitoring service and the work being undertaken to develop a new case management system with enhanced services to consumers.

The Board continued to provide solid support to me in my role, to the Complaints Committee and the Secretariat. The mix of skills and experience represented on the Board provides practical guidance and assistance to the Secretariat throughout the year.

I must also record my own appreciation and that of the Board for the work done on behalf of the Authority by the independent Complaints Committee. As will be seen from this report, Chairperson Professor Bairbre Redmond and the members of the Committee bring a diverse range of talents and skills to the table when examining and adjudicating on complaints. They also provide guidance to the Secretariat, when required, between meetings to assist with the examination of complaints.

In conclusion, I would like to pay tribute to a stalwart of the advertising industry and a great servant of self-regulation, Mr Brendan Redmond, who died during the year. Brendan was one of a small group of people, who at different times served on both the Complaints Committee and the Board. His wise counsel, presented as it was with balance and understanding, will not be forgotten.

Edward McCumiskey
Chairman

THE ASAI BOARD DECEMBER 2007



Edward McCumiskey
Chairman

The Board is responsible for managing the business of the ASAI and for drawing up and implementing the Code of Standards for Advertising, Promotional and Direct Marketing in Ireland. The Board is empowered to exercise a disciplinary function over ASAI members.

MEDIA MEMBERS



Kieran Killeen



Brendan McCabe

MEDIA MEMBERS



Terry Buckley



Declan McGuire



Eamonn Buttle



Paul Mulligan

ADVERTISER MEMBERS



Jennifer Balfe



Michael Caraher



Catherine Bent



John McGrath

AGENCY MEMBERS



Shane Lynch



Sean McCrave



Ruth Payne



Yvonne Tuohy



Advertising Standards Authority for Ireland

ASAI



REVIEW OF THE YEAR

REVIEW OF THE YEAR

This is the 27th Annual Report of the Advertising Standards Authority for Ireland (ASAI) and relates to the year 2007.

The ASAI is the independent advertising self-regulatory body set up and financed by the advertising industry (advertisers, advertising agencies and media) and committed to promoting the highest standards of advertising and sales promotion in the public interest. Membership of ASAI embraces all major advertisers and agencies, and all major media, including broadcast, outdoor and the print media.

The ASAI, since its foundation in 1981, has built up an extensive body of expertise in the regulation of commercial advertising in all Irish media, including print, outdoor, broadcast, electronic and direct mail. The Authority is currently reviewing its approach to the regulation of advertising in the new forms of electronic media. Our approach in this area will be both informed and influenced by developments arising from the Audiovisual Media Services Directive (formerly the Television without Frontiers Directive) and research being conducted by the European Advertising Standards Alliance (EASA).

An independent Complaints Committee adjudicates on the content of advertisements. These adjudications are enforced through the co-operation of the Media Members of ASAI, who we regard as the “gatekeepers” for the Code, and who will not carry advertisements that are in breach of the ASAI Code. Details of the adjudications are regularly carried in the media and on our website (www.asai.ie). The Complaints Committee of the ASAI includes among its members nominees of the Director of Consumer Affairs.

The ASAI Code of Standards for Advertising, Promotional and Direct Marketing is based on the principles established by the International Chamber of Commerce (ICC), which are that all advertising and promotions must be legal, decent, honest and truthful and must be undertaken with a sense of social responsibility. The Code requires advertisers to market and promote their goods and services in a responsible manner.

Historically, the ASAI has operated primarily by inviting and resolving consumer complaints, which help to keep the Authority informed of the public’s current concerns regarding advertising. Information on how complaints are resolved

by the ASAI is given at page 14. The identity of individual complainants remains confidential unless a commercial or other interest is involved. Anonymous complaints are not pursued and all complaints must be in writing (by post, fax or by using the online complaints form).

Prior to 2006 the ASAI traditionally monitored advertising only when particular issues warranted it. In late 2006, however, a new monitoring project commenced. An overview of the monitoring carried out in 2007 can be found on page 11 and a full monitoring report is included at Appendix A.

The ASAI also operates a pre-publication advice service for the advertising industry. Advertisers, agencies and media can obtain advice on whether a proposed advertisement or sales promotion conforms to Code requirements. This advice is given on behalf of the Secretariat and does not bind the ASAI Complaints Committee.

The ASAI is a founder member of the European Advertising Standards Alliance, which brings together national advertising self-regulation organisations and organisations representing the advertising industry in Europe. EASA supervises the operation of the Cross-Border Complaints System. Under this system, a complaint received by the ASAI, or other national advertising self-regulatory body, concerning an advertisement published in another member country is referred to the appropriate national regulatory body for consideration under their Code. This ensures that a consumer can have redress in the case of misleading or offensive advertising originating anywhere in Europe. In 2007, 92 cases, mostly relating to rogue trading, were handled under this system by EASA.

The ASAI is also part of the EEJ-Net, (European Extra Judicial-Net) which was set up by the European Commission and launched by Commissioner David Byrne in October 2001. To belong to this network it was necessary to satisfy the Department of Enterprise, Trade and Employment and the EU Commission that ASAI complied with the recommended principles established in Commission Recommendation on the Principles applicable for Out-of-Court Settlement of Consumer Disputes (98/257/CE). These principles relate to independence, transparency, adversarial process, effectiveness, legality, liberty and representation.

PUBLIC AWARENESS OF THE ASAI

The ASAI's effectiveness as a regulatory body depends on the practical and active support of advertisers, agencies and the media. The ASAI, together with the Association of Advertisers in Ireland (AAI) and the Institute of Advertising Practitioners in Ireland (IAPI), is constantly working to ensure that all of those employed in the relevant agencies and the media are aware of the ASAI and its Code.

In this connection, the IAPI has recently initiated an additional professional training course, which includes a separate module on self-regulation, in the Dublin Institute of Technology. In addition, the ASAI has commissioned a consultancy to assist in developing the relationship it has with its members in the advertising, agency and media areas.

The ASAI Code specifies that it should be implemented primarily in the interests of consumers. Indeed, the main area of work of the ASAI, the examination of complaints, depends on the public being aware not only of the Authority's existence but also of its role. Consequently, public awareness of the ASAI is a vital element of its successful operation. In December 1998, the ASAI began commissioning independent research to objectively measure such awareness and this research has been conducted in December of each year since. The research is conducted by means of an omnibus survey by an independent market research organisation.

The most recent research shows that 68% of the population is aware of an independent organisation that oversees the standards for all advertising in Ireland. The comparable figure for 2006 was 64%. This reflects a basic understanding among people that, when they have concerns in relation to an advertisement published in any section of the media, there is a specific organisation they can contact in order to pursue their complaint. This figure shows a continuing high level of awareness of the ASAI among the population.

The ASAI wishes to increase levels of awareness of the organisation and, in particular, of the services offered. This is done partly through the publication of the adjudications of the independent Complaints Committee, which are regularly carried in the media, in trade publications and on the ASAI website. In addition, media members in a range of areas carry advertising promoting the services of ASAI. This is done

without charge and demonstrates one aspect of the practical support provided by the Authority's media members.

It is worth noting that, in considering the role that a system of self-regulation might play in the future regulation of advertising, a high level of public awareness of the system is considered to be of importance by the EU Commissioners and officials of DG Sanco.

SATISFACTION LEVELS AMONG CONSUMERS

As in the previous year a question was included in the annual survey in relation to satisfaction levels among consumers with the service provided by the ASAI. The response to this question showed that in excess of three-quarters of all those aware of the ASAI considered that it performs in an excellent or satisfactory manner in upholding advertising standards.

COPY ADVICE

The ASAI's principal activities are resolving consumer complaints and actively monitoring advertising. However, it also provides a valuable copy advice service which is available to all those involved with advertising – advertisers, their agencies and the media. During 2007, 92 advertisements were submitted to the ASAI Secretariat in this way. Informal advice was also given in respect of a further 150 proposed advertisements. The advice is free and given on a confidential basis but does not bind the independent Complaints Committee, should the advertisement subsequently come before them. It is the case, however, that where the service has been availed of, advertisements are less likely to contravene the Code in any substantial way.

MONITORING

2007 was the first year in which ASAI conducted continuous monitoring of commercial communications in the media. The exercise included ongoing monitoring of advertising in all media apart from television, which, for technical reasons, has not been introduced to date. This position will change in 2008 with the introduction of the regular monitoring of television advertising. In all, just 11,400 advertisements were examined and the overall compliance rate was 98%, with 100% compliance in some business sectors. A copy of a monitoring report for the year is included at Appendix A. We would like to express our

appreciation to all the media companies who so readily co-operated in providing advertising material for examination.

REVIEW PANEL

In January 2007, in line with commitments given in conjunction with EASA to the EU Commission, the Board of the Authority appointed a three person Review Panel for a five year term of office. The Panel comprises a Chairman and two ordinary members. The Chairman of the Panel is independent of the advertising industry and the Authority. One ordinary member has a background in the advertising industry and the remaining ordinary member has a consumer background.

The first appointments were Dr Miriam Hederman O'Brien (Chairman), Ms Josephine Garry (consumer) and Mr Tom McGowan (advertising industry).

The grounds on which a review can be requested and the procedures involved are fully set out in Appendix 1 of the Code. During 2007, only one request for a review was received and this was from an advertiser. This particular request was not admissible because the point at issue was then the subject of contemplated legal action between the parties involved.

ALCOHOL ADVERTISING

As reported in previous Reports, since 2003, all alcohol advertisements are pre-vetted by Central Copy Clearance Ireland, which was set up under the auspices of the Association of Advertisers in Ireland and the Institute of Advertising Practitioners in Ireland, facilitated by the Drinks Industry Group. No advertisement can appear in the Irish media without pre-vetting and a certificate from CCCI. The ASAI Secretariat and the copy clearance managers from CCCI met on a number of occasions during 2007 to discuss the provisions of the Code and their interpretation, with a view to ensuring that alcohol advertising in Ireland continues to operate to the highest standards.

In 2007 two alcohol advertisements were found to have breached the provisions of the Code. One advertisement

was in breach of the general provisions of the Code relating to a misleading promotion. The second advertisement was in breach under the alcohol provision which prevents the depiction of those who drink as being "brave, tough or daring".

THE ALCOHOL MARKETING COMMUNICATIONS MONITORING BODY

The Alcohol Marketing Communications Monitoring Body (AMCMB) was established at the end of 2005 to monitor industry compliance with new Voluntary Codes of Practice in relation to the possible exposure of young people to alcohol. This initiative was launched by the Minister for Health and Children, Mary Harney, TD, in December 2005.

The Monitoring Body, with an independent chairman, Mr Peter Cassells – Chair of the National Centre for Partnership and Performance, oversees adherence to the Voluntary Codes of Practice agreed between the Department of Health and Children and representatives of the advertising, drinks and media communications industries. Secretarial and executive services for the Body are provided by the ASAI. The ASAI also examines complaints arising under the voluntary codes.

The AMCMB published its first report, for the year 2006, in July 2007. In the foreword, Mr Cassells states: "As this Annual Report shows, there was overall compliance in 2006 by television, radio, cinema and outdoor advertisers with the obligation set down in the Codes." He also confirmed that, where breaches of the provisions of the Codes were identified, immediate action was taken to rectify the position.

The number of complaints received in relation to the Voluntary Codes fell to 5 in 2007, compared to 64 in 2006. Details are included in Appendix B.

WASTE ELECTRICAL AND ELECTRONIC EQUIPMENT (WEEE) REGULATION

In the 2006 Report we explained that the Authority was examining complaints in relation to advertising against the provision of these regulations. Seven complaints were dealt

with informally in 2007. It is proposed to review this area of work with staff of the Environmental Protection Agency in 2008.

THE EUROPEAN ADVERTISING STANDARDS ALLIANCE

Set up in 1992, the European Advertising Standards Alliance (EASA) is the single voice for advertising self-regulation in Europe. The EASA promotes responsible advertising through best practice in self-regulation for the benefit of consumers and business. Its work is vital to the continuation of advertising self-regulation. The ASAI is closely involved through participation on various EASA committees.

The EASA is uniquely placed to represent advertising self-regulation at European level. Its members are 25 self-regulatory organisations (SROs) and European associations representing the advertising business – advertisers, agencies and the media. In addition, in 2007 the EASA Secretariat and members of the executive were involved in discussions with self-regulatory organisations in Australia, Canada, New Zealand and South Africa with a view to establishing an international self-regulatory alliance.

In the report for 2006 we referred to the EASA “Get Fit Programme”, which commenced with the Charter signed in 2004 and continued through 2006 and 2007. We also referred to some of the personal views of Mr Robert Madelin, the DG Sanco (Health and Consumer Protection Directorate) Director General, as expressed in a personal report on self-regulation. In the conclusion to that report Mr Madelin expressed confidence that, as progress towards developing and implementing best practice continues, advertising self-regulation will be given fuller weight in society’s choices among the menu of regulatory options.

A key objective of EASA is to ensure that the views expressed by Mr Madelin can be communicated effectively to the Commission, to Parliament and, most importantly, to Member States. In the case of the ASAI, we arranged for Mr Madelin to speak to a key group of senior civil servants on the role of self-regulation in the overall regulatory framework of government. This event took place during

Mr Madelin’s recent visit to Dublin and the civil servants involved all had responsibility for the development of regulatory policy in areas that impinged on commercial communications.

Also in 2007, as referred to in the Chairman’s Statement, both Commissioner Kyprianou and Commissioner Kuneva of DG Sanco referred to the role of self-regulation going forward in a very positive manner.

These endorsements do not, however, come without a price and the EASA Secretariat, together with industry members and the staff of some national self-regulatory organisations, including the ASAI, are all still very much involved in the work of introducing the concept and practice of self-regulation into a range of the developing market economies. Equally, they are involved in developing best practice functions and practice in some of the established self-regulatory organisations that are not currently seen to have a fully functioning model of self-regulation in line with the Charter commitment of 2004.

In addition to the foregoing, the EASA is also at an advanced stage of developing a policy on the regulation of new media.

All of these developments are taking place against a background of global concerns about complex societal problems, such as binge drinking, obesity, the portrayal of women in advertising, and environmental concerns, where the role of the advertising industry is being challenged by NGOs, concerned parents and politicians.

The EASA is striving to ensure that these challenges are properly addressed and in that approach it is strongly supported by the industry members. They believe that raising public and political confidence in advertising is important. Part of the reason for this is the fact that responsible and accurate advertising informs consumers, serves to underpin consumers’ confidence and, in addition, funds almost 60% of global media costs.

COMPLAINTS

In 2007, the ASAI received 1,537 written complaints in relation to 1,072 advertisements from all sources. This level of complaints shows an increase of just 11% over the figure of 1,382 complaints received in 2006, which related to 1,002 advertisements. The number of advertisements complained of rose by 70, from 1,002 to 1,072; this is a very small proportion of the thousands of advertisements that were published during the year in all Irish media – TV, radio, newspapers, magazines, outdoor arena, brochures,

leaflets and paid-for advertising on the Internet. This level of complaint serves to show the high level of compliance with the Code demonstrated by the advertising industry and the ease with which the amendments introduced in the Code with effect from January 2007 have been assimilated by the industry. There were 176 complaints carried forward from 2006, and the ASAI dealt with 1,468 complaints in 2007, leaving 246 to be carried forward to 2008. Results from the past two years are shown below:

	2007		2006	
	Complaints	Advertisements	Complaints	Advertisements
Carried forward from previous period	176	147	160	139
Complaints received in period	1,537	1,072	1,382	1,002
Resolved in period	1,468	1,043	1,366	994
Brought forward to next period	245	176	176	147

How complaints are dealt with

After an initial evaluation, and investigation where appropriate, complaints are either dealt with informally by the Secretariat or submitted to the independent Complaints Committee for formal adjudication. The decision on how the complaint will be processed depends on whether or not the advertisement in question is likely to be in breach of the

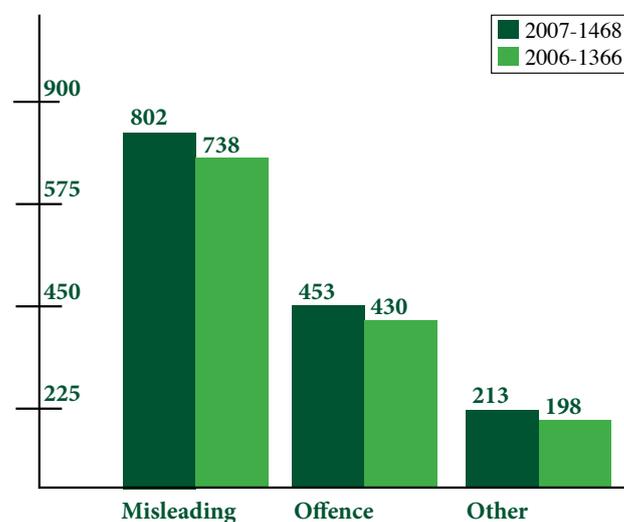
provisions of the Code. Most complaints are suitable for dealing with informally, using well-established procedures. The following table sets out the various headings under which the complaints were dealt with; it also gives details on the numbers of complaints sent to the independent Complaints Committee for formal adjudication.

	2007		2006	
	Complaints	Advertisements	Complaints	Advertisements
No apparent breach of Code	607	467	519	435
Outside remit of ASAI	282	234	265	224
Complaint withdrawn	130	125	105	98
Advertisement withdrawn or changed	89	15	8	8
Anonymous complaint	6	6	5	5
Informally dealt with – WEEE regulations*	7	7	12	12
Pursued by other regulatory body	4	4	1	1
Previously considered	30	16	27	12
Cross-Border – forwarded to EASA	17	12	21	9
Submitted to Complaints Committee	296	157	403	190
TOTAL	1,468	1,043	1,366	994

Further details on the complaints dealt with by the independent Complaints Committee are set out in the section of this report devoted to the Complaints Committee.

Grounds of Complaint

Every year, the two principal grounds of complaint are that an advertisement appears to be misleading or that it causes offence. In 2007, complaints made on the grounds of advertisements being misleading numbered 802 and constituted the largest category of complaints received. There was a small increase in the number of complaints received based on offensiveness. In this category the numbers increased from 430 to 453.



Misleading

The 802 complaints dealt with in 2007 were in respect of 711 advertisements and sales promotions in various media. In 2006, the 738 complaints received under this heading were in respect of 640 advertisements and sales promotions.

Offensiveness

The 453 complaints dealt with in 2007 were in respect of 192 advertisements, compared to 430 complaints in respect of 196 advertisements in 2006.

Intra-industry complaints

Advertisements must not only be legal, decent, honest and truthful, but must also respect the principles of fair competition generally accepted in business. Section 2.50 of the ASAI Code states that “advertisers should not unfairly attack or discredit other businesses or their product”. While comparisons are allowed (for example, between an advertiser’s goods or services and those of competitors), they must be fair and the consumer must not be misled.

Generally, competitor complaints are made under the Code rules relating to substantiation, truthfulness, prices, comparisons and denigration. Of the 74 competitor complaints dealt with in 2007, 23 (in respect of 23 advertisements) were formally adjudicated upon by the Complaints Committee; 15 complaints in respect of 15 advertisements were found to have breached Code rules. The advertisements concerned were examined under the following code provisions:

- **Substantiation** **6 advertisements**
- **Misleading** **6 advertisements**
- **Comparisons** **2 advertisements**
- **Violence** **1 advertisement**

	Complaints by Sector	
	2007	2006
Computers/ Telecommunications	256	270
Food & Beverages	189	265
Travel/Holidays	172	124
Financial	111	79
Household	111	76
Health & Beauty	109	61
Leisure	93	56
Property	71	59
Non-Commercial	68	61
Motoring	63	70
Publishing	57	86
Business	51	45
Alcohol	34	16
TV/Audio/Video	30	22
Miscellaneous	23	27
Clothing/Footwear	11	20
Employment/Business Opportunities	8	10
Agriculture	7	4
Education	4	15
TOTAL	1,468	1,366

In 2007, as in 2006 and 2005, the Computers/Telecommunications sector headed the list for the number of complaints received. The Food and Beverages sector remained in second place and the Travel and Holidays was again in third.

	Complaints by Media	
	2007	2006
Broadcast*	581	428
Brochures/Leaflet	91	109
Direct Marketing	39	33
Electronic Media	236	170
Outdoor	108	299
Print	311	218
Sales promotions	45	37
Other	57	72
TOTAL	1,468	1,366

Location of Complaints

Counties recording the highest number of complaints in 2007 are shown in the following table:

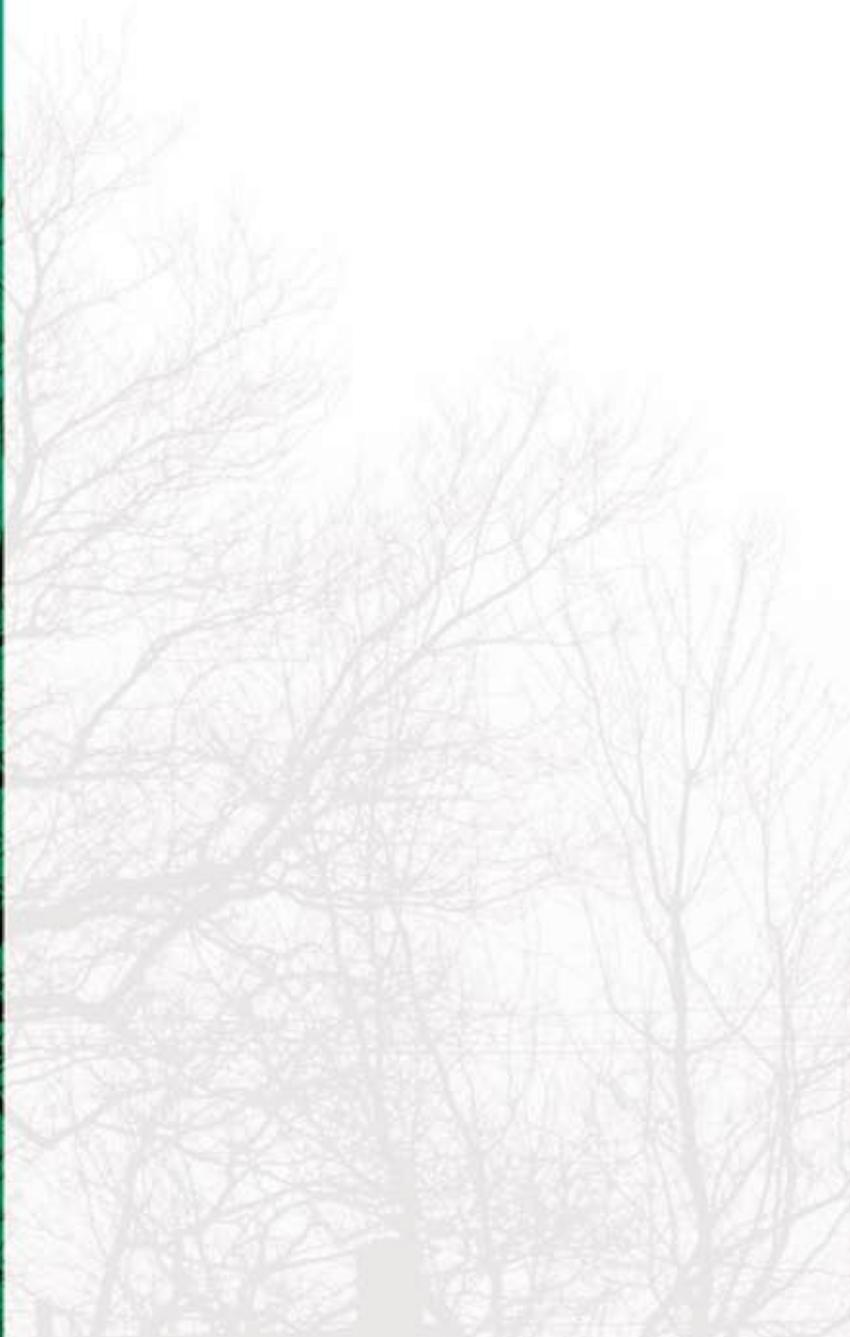
County	Number of Complaints
Dublin	680
Cork	134
Kildare	86
Wicklow	62
Galway	59
Limerick	53
Meath	47
Wexford	43
Mayo	40
Tipperary	39

Broadcast*	581	428
Radio	176	200
Television	405	228

Broadcast media again gave rise to the largest block of complaints, which increased from 428 in 2006 to 581 in 2007. This was followed in 2007 by the print media, about which the number of complaints increased from 218 to 311. Not unexpectedly, having regard to the growth in the sector, complaints about the electronic media increased from 170 to 236.

Although the number of complaints received from consumers in Dublin would appear to indicate a higher awareness of the ASAI in Dublin than in the rest of the country, our findings do not bear this out. The consumer awareness research referred to earlier in this report shows that the awareness of ASAI is uniformly high throughout the country.

26th Annual General Meeting 2007





Anne Fitzgerald, Director of Consumer Affairs, Edward McCumiskey, ASAI Chairman, Neville Galloway, RNAI, Terry Buckley, ASAI Board.



Bairbre Redmond, Complaints Committee Chairperson, Edward McCumiskey, ASAI Chairman, Josephine Garry & Tom McGowan, ASAI Review Panel



Dermot Jewell, Consumers' Association, Edward McCumiskey, ASAI Chairman & Frank Goodman, Chief Executive, ASAI.



John Rooney, President AAI and Michael O'Keefe, ASAI Complaints Committee.



Margaret Beaumont, ASAI Complaints Committee, Bairbre Redmond, Complaints Committee Chairperson & Edward McCumiskey, ASAI Chairman.



Michael Caraher, ASAI Board, Edward McCumiskey, ASAI Chairman, Terry Buckley, ASAI Board & Sean McCrave, ASAI Board.

EASA Best Practice Award 2007



Vincenzo Guggino, Italy, Albert Recasens, Spain, Orla Twomey, Ireland, and Ildikő Fazekas, Hungary.

In 2007, ASAI was awarded the EASA Best Practice Award for its comprehensive revision of the national self-regulatory code of advertising practice conducted in 2006, which involved extensive consultation with industry, regulators, NGOs and the general public, in accordance with EASA Best Practice Recommendations.

The Spanish self-regulatory organisation (SRO) Autocontrol, won the silver award for their multi-media awareness campaign, and special jury mentions were given to Hungary (for outstanding achievement over the past year - an awareness campaign, an on-line complaints form, industry training and code consultation) and to Italy for a creative exhibition of jury decisions over the last 40 years.

Presentations by Edward McCumiskey, Chairman



Presentation to Josephine McGarry to mark her retirement from the Complaints Committee, 8th April 2007.



Presentation to Steve Shanahan to mark his retirement from the Board, 22nd August 2007.



Presentation to Brian Pierce to mark his retirement from the Complaints Committee, 5th December 2007.





Review Panel



Miriam Hederman O'Brien, Chairman.

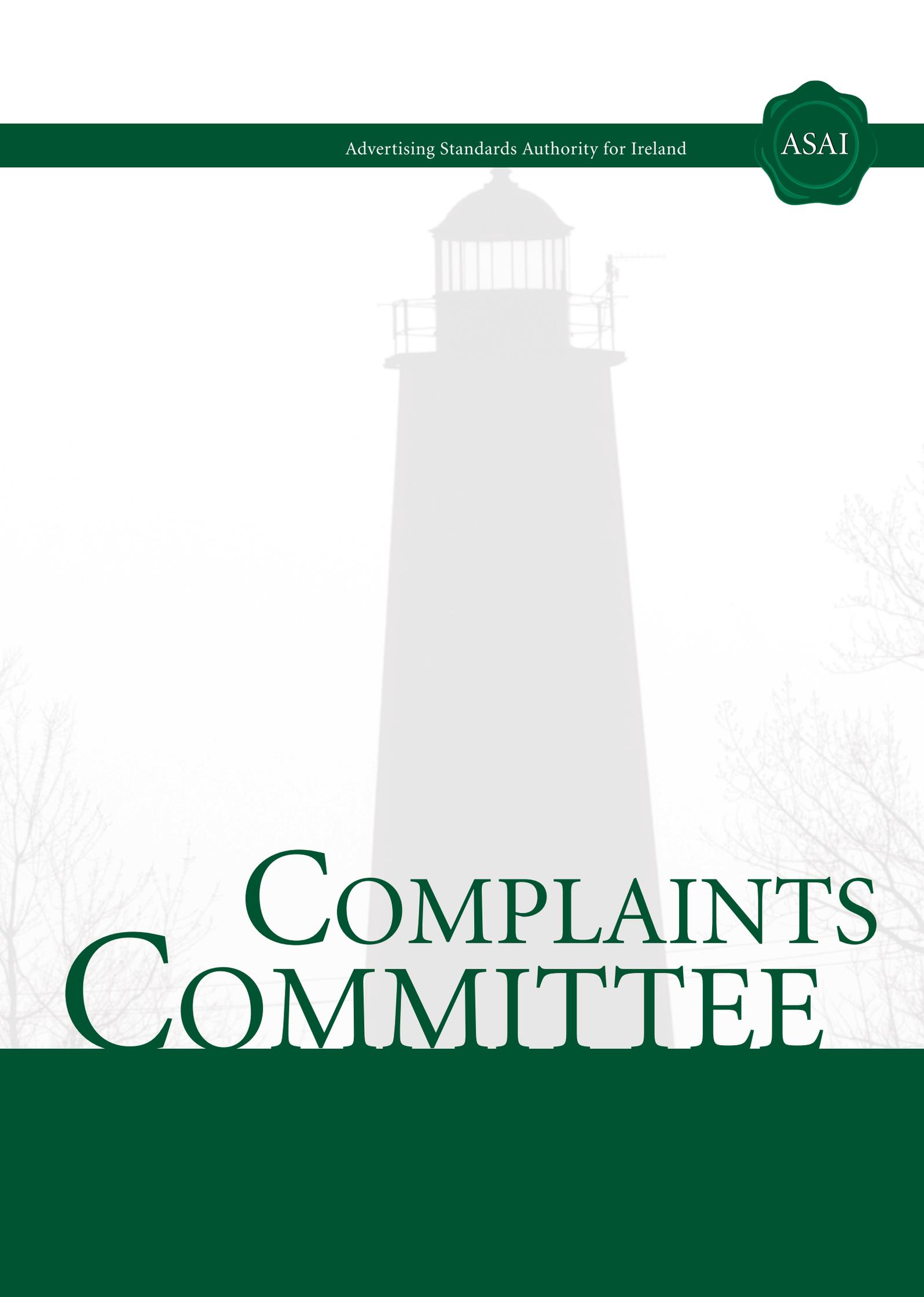


Josephine Garry, Ordinary Member - consumer background



Tom McGowan, Ordinary Member - advertising background





COMPLAINTS COMMITTEE





Bairbre Redmond, Chairperson,
Complaints Committee.

CHAIRPERSON'S STATEMENT

I have great pleasure in presenting my third report as the independent Chairperson of the Complaints Committee. The number of advertisements considered by the Committee fell from 190 in 2006 to 157 in 2007. In addition, however, a further 140 advertisements where complaints were dealt with by the Secretariat were reviewed by the

Committee. While the total number of advertisements brought to the Authority's attention by members of the public increased slightly (from 1,002 in 2006 to 1,072 in 2007), it is satisfying to note the decline in the number of advertisements requiring formal adjudication. This demonstrates, I believe, the high level of advertising standards that prevails in Ireland and, indeed, the monitoring carried out by the Authority (reported in the Review of the Year) also serves to demonstrate this high level of compliance with the Code.

The Committee is a mix of people who are independent of the advertising industry and those who have a background in advertising. While they each act in their personal capacity when considering complaints about advertisements, both non-industry and industry members bring a breadth of professional experience to the table which the Authority is fortunate to benefit from. One

of the additional strengths of the Committee is that the Director of Consumer Affairs (now part of the National Consumer Agency) nominates four of the non-industry members.

During the year, two members of the Committee retired. Josephine Garry, a nominee of the Director of Consumer Affairs, resigned from the Committee and took up a position on the newly formed Review Panel set up by the Authority (see page 12 for details). Brian Pierce, an industry member of the Committee with a broadcast background, retired after many years' service. Both Josephine and Brian were valuable members of the Committee and I wish them well in the future. The National Consumer Agency has indicated that it will nominate someone to replace Josephine, and the Board has appointed Ros Johnson to replace Brian. I look forward to working with Ros and am sure that she will also be a valued member of the Committee.

Finally, I would like to thank all the individual members of the Committee and the Secretariat of the ASAI for their work and support in the last year.

Bairbre Redmond
Chairperson
Complaints Committee

THE COMPLAINTS COMMITTEE DECEMBER 2007



Bairbre Redmond

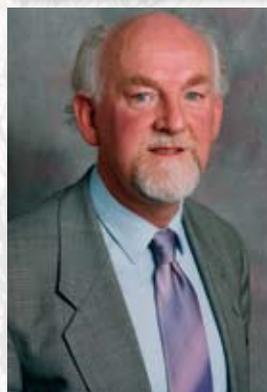
Chairperson
*MSoc Sc, CQSN, PhD.
Vice Principal, College of
Human Sciences, UCD.*



AnnMarie Lenihan

(Advertising-Industry
Background)
*Communications and Public Affairs
Manager, National Newspapers of
Ireland.*

The Complaints Committee is responsible for considering and dealing with complaints submitted by the public, by a member of ASAI, by a Government Department or by any other person or body of persons.



Brian Martin

(Advertising-Industry
Background)
*Copywriter and Lecturer in Advertising
Communications.*



Margaret Beaumont

(Non-Advertising-Industry
Background)
*BSS, MA, MSc, CQSW, Psychotherapist
and Training Consultant*



Tom Morgan

(Non-Advertising-Industry
Background)
*Senior Investigator, Office of the
Ombudsman*



Michael Higgins

(Advertising-Industry
Background)
*Chartered Engineer, BE, BComm, MBA,
CEng, FIEI, FIAE
Past President, The Association of
Advertisers in Ireland*



Bill Moss

(Advertising-Industry
Background)
*Managing Director, The Bill Moss
Partnership*



NOMINATED BY THE DIRECTOR OF
CONSUMER AFFAIRS



Michael O'Keeffe
(Non-Advertising-Industry
Background)
*Chief Executive, Broadcasting
Commission of Ireland*



Garret Campbell
(Non-Advertising-Industry
Background)
*BSc, PhD, HDip, Secondary School
Teacher and part time lecturer in the
School of Education and Lifelong Learning
UCD*



Brian Pierce
(Advertising-Industry
Background)
*Former Manager RTE Radio Sales and
former Chairman of the RTE Copy
Clearance Committee*



Leonie Lunny
(Non-Advertising-Industry
Background)
Chief Executive, Comhairle



Dave Smyth
(Advertising-Industry
Background)
Director, OgilvyOne



Mary McLoughlin
(Non-Advertising-Industry
Background)
*Senior Civil Servant, The Department of
Health and Children*



Vacancy

COMPLAINTS COMMITTEE

The role of the independent Complaints Committee is:

- (a) To consider and adjudicate on complaints submitted by the public, by a member of the ASAI, by a government department or by any other person or body of persons, in the light of the ASAI Code;
- (b) To initiate corrective action where necessary and to issue appropriate directives;
- (c) To notify the Board of the ASAI when the corrective action or directive is not complied with or is ignored.

The Complaints Committee may vary in size from 11 to 15 members, including the independent Chairperson. It comprises people with a background in advertising and others with no connection with the industry. Among the latter are four nominees of the Director of Consumer Affairs. The composition of the Complaints Committee

is designed to ensure the objectivity of the complaints investigation procedure and to provide assurances that the system is operated with special regard for the interests of consumers. The members of the Committee act in an individual capacity and consider each case put before them on its particular merits in the light of the requirements of the Code.

While the Secretariat of the ASAI may resolve cases informally when the circumstances do not justify or require referral to the Complaints Committee, the Committee retains the right to review any of these cases and to request that it be put before them for adjudication.

The Complaints Committee met formally seven times during 2007. The Committee's adjudications are published regularly in the media and are posted on the ASAI website. The following tables relate to the formal adjudications of the Committee during the year under review.

Analysis of Adjudications by the Complaints Committee in 2007 and 2006

(Where complaints and advertisements relate to more than one heading, only the most significant heading is usually recorded. The figures relate to adjudications made during the year.)

Table 1 - Adjudications by Grounds of Complaint

Grounds of Complaint	2007			2006		
	Complaints	Advertisements complained about	Advertisements in breach of Codes	Complaints	Advertisements complained about	Advertisements in breach of Codes
Misleading	152	113	96	187	128	112
Offensive	43	7	4	153	18	11
Other	101	37	26	63	44	24
TOTAL	296	157	126	403	190	147

Table 2 - Adjudications by Media

Media	2007			2006		
	Complaints	Advertisements complained about	Advertisements in breach of Codes	Complaints	Advertisements complained about	Advertisements in breach of Codes
Broadcast*	108	51	32	98	55	35
Brochures/Leaflets	19	17	16	31	29	25
Direct Marketing	12	4	2	5	5	3
Electronic/Internet	21	18	18	22	20	19
Outdoor	40	9	6	160	27	17
Print (Press & Magazine)	80	43	39	49	39	33
Sales Promotion	11	11	10	9	9	9
Other	5	4	3	29	6	6
TOTAL	296	157	126	403	190	147
*Broadcast	108	51	32	98	55	35
Radio	45	31	21	52	29	20
Television	63	20	11	46	26	15

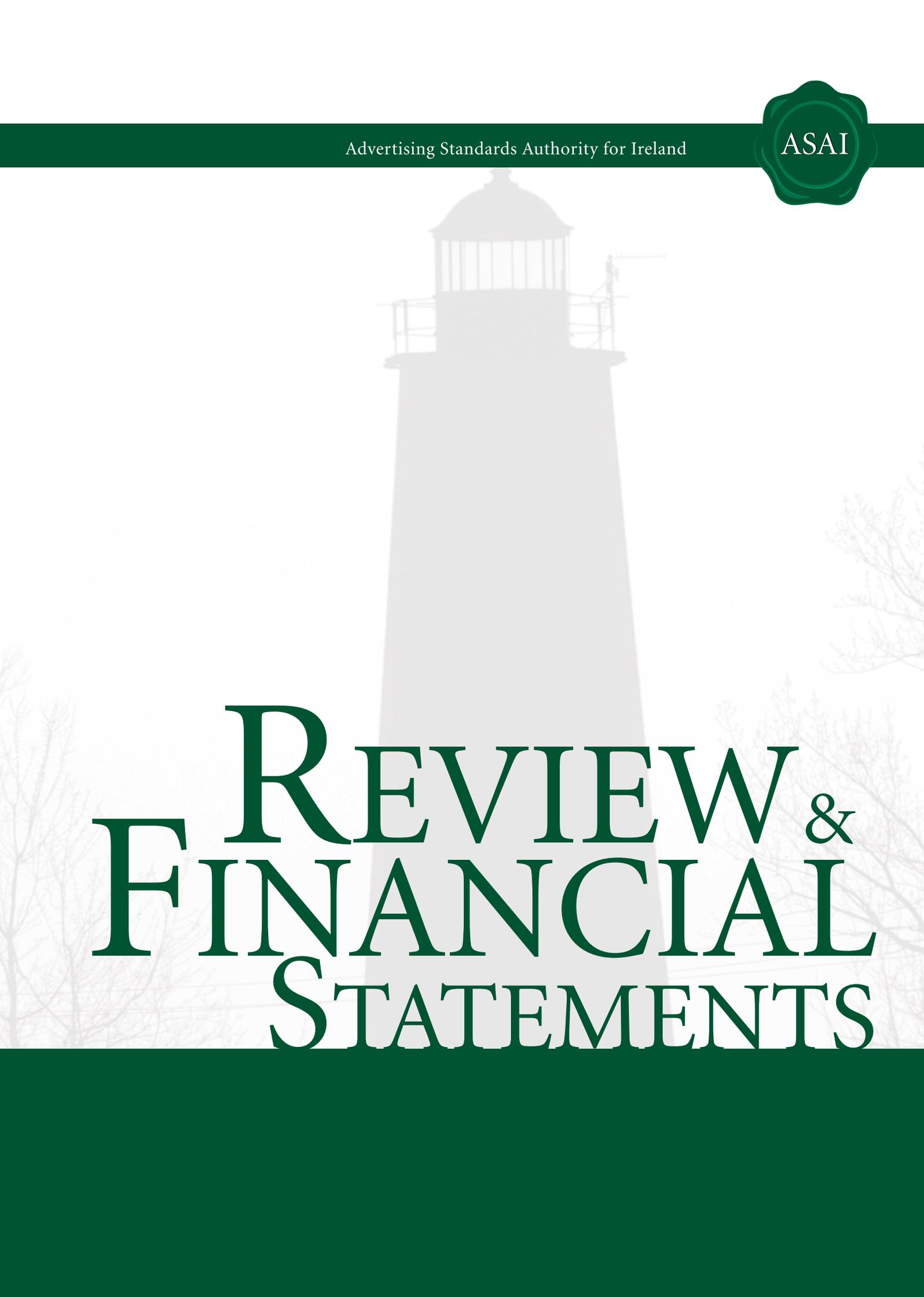
Table 3 - Adjudications by Sector

	2007			2006		
	Complaints	Advertisements complained about	Advertisements in breach of Codes	Complaints	Advertisements complained about	Advertisements in breach of Codes
Agriculture	3	3	3	1	1	1
Alcohol	13	9	2	8	6	0
Business	11	3	3	5	4	4
Clothing/Footwear	0	0	0	4	1	0
Computers/ Telecommunications	30	21	17	82	33	24
Education	0	0	0	8	3	3
Employment/ Business Opportunities	0	0	0	1	1	1
Financial	47	8	3	10	8	4
Food and Beverages	24	18	12	141	23	16
Health and Beauty	33	11	11	18	10	8
Household	20	16	14	17	15	15
Leisure	11	11	8	8	5	4
Motoring	13	9	7	22	18	13
Non-Commercial	0	0	0	0	0	0
Property	34	19	18	22	19	17
Publishing	13	5	5	25	13	11
Travel/Holidays	37	18	18	28	27	25
TV/Audio/Video	6	5	1	1	1	0
Miscellaneous	1	1	4	2	2	1
TOTAL	296	157	126	403	190	147



Advertising Standards Authority for Ireland

ASAI



REVIEW & FINANCIAL STATEMENTS

DIRECTORS AND OTHER INFORMATION

BOARD OF DIRECTORS

Edward McCumiskey (Chairman)
Jennifer Balfe
Catherine Bent
Terry Buckley
Eamonn Buttle
Michael Caraher
Kieran Killeen
Shane Lynch
Brendan McCabe
John McGrath
Declan McGuire
Paul Mulligan
Ruth Payne
Sean McCrave (Appointed 18 April 2007)
Yvonne Twohy

SECRETARY

Frank Goodman

REGISTERED OFFICE

70 Sir John Rogerson's Quay
Dublin 2

SOLICITORS

Matheson Ormsby Prentice
70 Sir John Rogerson's Quay
Dublin 2

AUDITORS

Deloitte & Touche
Chartered Accountants
Deloitte & Touche House
Earlsfort Terrace
Dublin 2

BANKERS

Bank of Ireland
Ballsbridge
Dublin 4

DIRECTORS' REPORT

The Board of Directors present their annual report and financial statements for the year ended 31 December 2007.

PRINCIPAL ACTIVITIES, BUSINESS REVIEW AND FUTURE DEVELOPMENTS

The Authority is engaged in promoting and enforcing the highest standards of advertising in all media of communication.

The directors consider the results to be satisfactory.

The future financial performance of the Authority relies primarily on a strong performance from the advertising industry.

RESULTS

2007
€

The surplus for the year before taxation amounted to	66,835
Taxation	<u>(10,059)</u>
The surplus for the year after taxation amounted to	56,776
Surplus brought forward 1 January 2007	307,391
Surplus carried forward 31 December 2007	<u><u>364,167</u></u>

BOARD OF DIRECTORS

The current Board of Directors is set out on the page detailing directors and other information.

During the year Sean McCrave was appointed to the Board. Deirdre Keogh and Stephen Shanahan resigned as directors.

BOOKS OF ACCOUNT

To ensure that proper books and accounting records are kept in accordance with Section 202 Companies Act, 1990, the directors have employed appropriately qualified accounting personnel and have maintained appropriate computerised accounting systems. The books of account are located at the company's premises at 35/39 Shelbourne Road, Dublin 4.

AUDITORS

The auditors, Deloitte & Touche, Chartered Accountants, continue in office in accordance with Section 160 (2) of the Companies Act, 1963.

Signed on behalf of the Board:

Edward McCumiskey
CHAIRMAN

Michael Caraher
DIRECTOR

Date: 20 February 2008

STATEMENT OF DIRECTORS' RESPONSIBILITIES

Irish company law requires the directors to prepare financial statements for each financial year which give a true and fair view of the state of affairs of the company and of the profit or loss of the company for that period. In preparing those financial statements, the directors are required to:

- a) select suitable accounting policies and then apply them consistently;
- b) make judgements and estimates that are reasonable and prudent;
- c) prepare the financial statements on the going concern basis unless it is inappropriate to presume that the company will continue in business.

The directors are responsible for keeping proper books of account which disclose with reasonable accuracy at any time the financial position of the company and to enable them to ensure that the financial statements are prepared in accordance with accounting standards generally accepted in Ireland and comply with Irish statute comprising the Companies Acts, 1963 to 2006, as applicable to companies limited by guarantee.

They are also responsible for safeguarding the assets of the company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

INDEPENDENT AUDITORS' REPORT TO THE MEMBERS OF ADVERTISING STANDARDS AUTHORITY FOR IRELAND

(a company limited by guarantee and not having a share capital)

We have audited the financial statements of Advertising Standards Authority for Ireland for the year ended 31 December 2007, which comprise the Profit and Loss Account, the Balance Sheet, the Cash Flow Statement and the related notes 1 to 10. These financial statements have been prepared under the accounting policies set out therein.

This report is made solely to the company's members, as a body, in accordance with Section 193 of the Companies Act 1990. Our audit work has been undertaken so that we might state to the company's members those matters we are required to state to them in an auditors' report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the company and the company's members as a body, for our audit work, for this report, or for the opinions we have formed.

Respective responsibilities of directors and auditors

The directors are responsible for preparing the financial statements, as set out in the Statement of Directors' Responsibilities, in accordance with applicable law and accounting standards issued by the Accounting Standards Board and published by the Institute of Chartered Accountants in Ireland (Generally Accepted Accounting Practice in Ireland).

Our responsibility, as independent auditors, is to audit the financial statements in accordance with relevant legal and regulatory requirements and International Standards on Auditing (UK and Ireland).

We report to you our opinion as to whether the financial statements give a true and fair view, in accordance with Generally Accepted Accounting Practice in Ireland, and are properly prepared in accordance with Irish statute comprising the Companies Acts, 1963 to 2006, as applicable

to companies limited by guarantee. We also report to you whether in our opinion: proper books of account have been kept by the company; and whether the information given in the Directors' Report is consistent with the financial statements. In addition, we state whether we have obtained all the information and explanations necessary for the purposes of our audit and whether the company's balance sheet and profit and loss account are in agreement with the books of account.

We also report to you if, in our opinion, any information specified by law regarding directors' remuneration and directors' transactions is not disclosed and, where practicable, include such information in our report.

We read the Directors' Report and consider the implications for our report if we become aware of any apparent misstatement or material inconsistencies with the financial statements. Our responsibilities do not extend to other information.

Basis of audit opinion

We conducted our audit in accordance with International Standards on Auditing (UK and Ireland) issued by the Auditing Practices Board. An audit includes examination, on a test basis, of evidence relevant to the amounts and disclosures in the financial statements. It also includes an assessment of the significant estimates and judgements made by the directors in the preparation of the financial statements and of whether the accounting policies are appropriate to the company's circumstances, consistently applied and adequately disclosed.

We planned and performed our audit so as to obtain all the information and explanations which we considered necessary in order to provide us with sufficient evidence to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or other irregularity or error. In forming our opinion we evaluated the overall adequacy of the presentation of information in the financial statements.

Opinion

In our opinion the financial statements:

- a) give a true and fair view, in accordance with Generally Accepted Accounting Practice in Ireland, of the state of affairs of the company as at 31 December 2007 and of its surplus for the year then ended; and
- b) have been properly prepared in accordance with the Companies Acts, 1963 to 2006, as applicable to companies limited by guarantee.

We have obtained all the information and explanations we considered necessary for the purposes of our audit. In our opinion proper books of account have been kept by the company. The company's balance sheet and its profit and loss account are in agreement with the books of account.

In our opinion the information given in the Directors' Report is consistent with the financial statements.

Deloitte & Touche
Chartered Accountants and Registered Auditors
Dublin
Date: 20 February 2008

PROFIT AND LOSS ACCOUNT
FOR THE YEAR ENDED 31 DECEMBER 2007

	Notes	2007 €	2006 €
INCOME		<u>728,233</u>	<u>615,478</u>
EXPENDITURE		<u>(661,398)</u>	<u>(627,946)</u>
SURPLUS /(DEFICIT) FOR THE YEAR BEFORE TAXATION	3	<u>66,835</u>	<u>(12,486)</u>
Taxation	4	(10,059)	-
SURPLUS /(DEFICIT) FOR THE YEAR AFTER TAXATION	7	<u>56,766</u>	<u>(12,468)</u>

All recognised gains and losses have been reflected in the above profit and loss account and arise from continuing operations.

The financial statements were approved by the Board of Directors on 20 February 2008 and signed on its behalf by:

Edward McCumiskey
CHAIRMAN

Michael Caraher
DIRECTOR

BALANCE SHEET AS AT 31 DECEMBER 2007

		2007	2006
	Notes	€	€
FIXED ASSETS	5	<u>62,093</u>	<u>41,893</u>
CURRENT ASSETS			
Debtors and prepayments		35,551	42,264
Bank and cash balances		<u>386,037</u>	<u>282,589</u>
		421,588	324,853
CREDITORS			
(falling due within one year)	6	<u>(119,514)</u>	<u>(59,355)</u>
NET CURRENT ASSETS		<u>302,074</u>	<u>265,498</u>
NET ASSETS		<u><u>364,167</u></u>	<u><u>307,391</u></u>
REPRESENTED BY:			
Profit and loss account	7	<u><u>364,167</u></u>	<u><u>307,391</u></u>

The financial statements were approved by the Board of Directors on 20 February 2008 and signed on its behalf by:

Edward McCumiskey
CHAIRMAN

Michael Caraher
DIRECTOR

CASH FLOW STATEMENT FOR THE YEAR ENDED 31 DECEMBER 2007

		2007	2006
	Notes	€	€
Net cash inflow from operating activities (see below)		133,039	12,094
Corporation tax refunded/paid		7,999	(15,501)
Purchase of capital equipment		<u>(37,590)</u>	<u>(25,335)</u>
Increase/(decrease) in cash and bank balances	8	<u>(103,448)</u>	<u>(28,742)</u>

RECONCILIATION OF OPERATING SURPLUS/(DEFICIT) TO NET CASH INFLOW FROM OPERATING ACTIVITIES

	2007	2006
	€	€
Operating surplus/(deficit)	66,835	(12,468)
Depreciation charge	17,390	14,522
(Decrease)/increase in debtors and prepayments	6,713	(4,963)
Increase in creditors	<u>42,101</u>	<u>15,003</u>
Net cash inflow from operating activities	<u>133,039</u>	<u>12,094</u>

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 DECEMBER 2007

1. ACCOUNTING POLICIES

The significant accounting policies adopted in preparing these financial statements are as follows:

Basis of preparation

The financial statements have been prepared in accordance with accounting standards generally accepted in Ireland and Irish statute, as applicable to companies limited by guarantee, comprising the Companies Acts, 1963 to 2006.

Recognition of income

The Authority's principal source of income is subscriptions from advertisers. The Authority is dependent on advertising agencies for collection of this income and recognises the income when received from those agencies. All other income is accounted for on a receivable basis.

Depreciation

Computer and office equipment are depreciated at 20% per annum on cost.

2. CONSTITUTION

The company is limited by guarantee and does not have a share capital. Every member of the Authority undertakes, if necessary on a winding up during the time they are a member or within one year after they cease to be a member, to contribute to the assets of the Authority an amount not exceeding €1.27. The Authority is prohibited by its constitution from distributing any of its reserves by way of a dividend or otherwise to its members.

3. SURPLUS/(DEFICIT) FOR THE YEAR BEFORE TAXATION

	2007	2006
	€	€
Surplus/(deficit) for the year before taxation is stated after charging:		
Directors' remuneration:		
Fees	27,047	27,687
Depreciation	17,390	14,522
Auditors' remuneration	<u>4,200</u>	<u>4,000</u>
and after crediting:		
Deposit interest receivable	<u>8,665</u>	<u>8,104</u>

4. TAXATION

	2007	2006
	€	€
(a) Analysis on the tax charge for the year: The taxation charge on the surplus/(deficit) on ordinary activities for the year was as follows:		
Corporation tax on the surplus/(deficit) for the year	<u>10,059</u>	<u>-</u>
(b) Factors affecting the charge for the year:		
Surplus/(deficit) on ordinary activities before taxation	<u>66,835</u>	<u>(12,468)</u>
Surplus/(deficit) on ordinary activities multiplied by standard rate of tax in Ireland of 12.5% (2006: 12.5%).	8,354	(1,558)
Effects of:		
Expenses not deductible for tax purposes	112	100
Depreciation for the year in excess of capital allowances	580	373
Deposit interest, liable at a higher rate of tax	1,083	1,013
Utilisation of tax losses	<u>(70)</u>	<u>72</u>
Current tax charge for the year	<u>10,059</u>	<u>-</u>

5. FIXED ASSETS

	Computer equipment	Office equipment	Total
	€	€	€
Cost:			
Balance 1 January 2007	86,402	122,414	208,816
Additions in year	<u>11,068</u>	<u>26,522</u>	<u>37,590</u>
Balance 31 December 2007	<u>97,470</u>	<u>148,936</u>	<u>246,406</u>
Depreciation:			
Balance 1 January 2007	58,852	108,071	166,923
Charge for the year	<u>9,759</u>	<u>7,631</u>	<u>17,390</u>
Balance 31 December 2007	<u>68,611</u>	<u>115,702</u>	<u>184,313</u>
Net book value:			
31 December 2007	<u>28,859</u>	<u>33,234</u>	<u>62,093</u>
31 December 2006	<u>27,550</u>	<u>14,343</u>	<u>41,893</u>

6. CREDITORS AND ACCRUALS

(Amounts falling due within one year)

	2007	2006
	€	€
Creditors	98,614	58,155
Corporation Tax	10,059	(7,999)
PAYE/PRSI	<u>10,841</u>	<u>9,199</u>
	<u>119,514</u>	<u>59,355</u>

7. PROFIT AND LOSS ACCOUNT

	2007	2006
	€	€
Balance 1 January 2007	307,391	319,859
Surplus/(deficit) for the year	<u>56,776</u>	<u>(12,468)</u>
Balance 31 December 2007	<u>364,167</u>	<u>307,391</u>

8. CASH FLOW STATEMENT

	2007	2006
	€	€
Analysis of changes in cash and bank during the year:		
Balance 1 January 2007	282,589	311,331
Net cash inflow/(outflow)	<u>103,448</u>	<u>(28,742)</u>
Balance 31 December 2007	<u>386,037</u>	<u>282,589</u>

9. RELATED PARTY TRANSACTIONS

Certain board members are connected to organisations which contribute income to the Authority in the normal course of their business.

10. PENSION

The Authority contributes to a Personal Retirement Saving Account (PRSA) in respect of certain employees.

APPENDIX A

MONITORING REPORT 2007

2007 was the first year of the ASAI monitoring project and during the year processes and procedures were being adjusted to suit each media and to facilitate media partners co-operating with the project. In all 11,363 advertisements, over a range of media, were reviewed during 2007.

The reaction to the monitoring programme has been overwhelmingly positive. We experienced the same level of co-operation from advertisers on monitoring issues as was the norm on consumer complaints. In a small number of cases, advertisers contacted were not aware of the Code or particular sections of it and they welcomed the opportunity to commit to self-regulation and the Code of Standards for Advertising, Promotional and Direct Marketing in Ireland.

This section of the report provides a short overview of the results from each section of the media where a monitoring exercise was carried out.

Magazines

Seventeen Irish magazine publications which included 870 advertisements were monitored against the ASAI Code. A mixture of publications was identified from the Periodical Publishers Association website for the exercise.

Two unqualified slimming claims were considered to be possible breaches of the Code. One advertiser has amended their advertising and the other case is ongoing. An incident of a magazine advertisement not being clearly identified as such was pursued with the media in question. They accepted our views in this regard and have agreed to make this distinction clearer going forward.

One advertisement was found not to be in compliance with a previous Complaints Committee adjudication. The advertisers had been asked to amend the wording used in their advertising since the Committee considered they could not substantiate their claim. The advertisers said that this was an oversight and undertook to ensure that the advertisement would be changed to comply with the adjudication.

The description of the prize being offered in a sales promotion for a clothing retailer was considered ambiguous and a possible breach of the provisions of the Code concerning promotions with prizes. This issue is currently being considered by the advertisers.

Number of Ads	Non-Compliant	Rate of Compliance
870	5	99.5%

Radio

Media streaming software was used to record live radio streams that are broadcast over the internet. Two hour blocks of content were recorded from a number of radio stations. This part of the exercise commenced in late 2007 and it is planned that radio advertising will form a more extensive part of the monitoring programme in 2008.

Number of Ads	Non-Compliant	Rate of Compliance
109	0	100%

Daily Press

Two monitoring cycles of daily press advertising were conducted in 2007. 16 travel and holiday advertisements were considered in breach of the Code. As a result of the relatively high level of non-compliance within the travel sector, a separate monitoring and communications exercise was carried out by the Secretariat. Subsequently just under 1,000 travel and holiday advertisements in all media were examined and the rate of compliance had increased from 94% to 98%. The area will be kept under review.

A number of smoking cessation and health and beauty claims were considered to be in breach of the substantiation requirements of the Code. In seven of these cases the advertisers agreed to make changes to their communications to bring them in line with the Code. In the remaining case, the advertisement was submitted to the Complaints Committee who found it to be in breach of the Code.

Number of Ads	Non-Compliant	Rate of Compliance
3,352	24	99.3%

Outdoor

Three cycles of outdoor advertising were monitored in 2007. The advertisements are provided by Poster Management Limited. An unqualified slimming claim was considered to be in breach of the Code. The advertiser has now agreed to amend the advertisement in line with the Code.

Number of Ads	Non-Compliant	Rate of Compliance
672	1	99.9%

Direct Mail

An Post are facilitating the Authority in providing us with samples of direct mail for the monitoring programme. Three cycles of direct mail have now been considered. The size of text in a footnote for a car advertisement was considered to be in breach of the Code and the advertisers agreed to amend this in future communications. The terms of a direct mail promotion were also considered to be unclear under the terms of the Code and the advertisers said they would amend this before presenting the advertisement for print again.

A piece of health and beauty direct mail was considered in breach of the substantiation requirements of the Code. The advertisement was submitted to the Complaints Committee who found it to be in breach of the Code.

Number of Ads	Non-Compliant	Rate of Compliance
189	3	98.5%

On-line

With the co-operation of Sales on Line we now receive a weekly report detailing the URLs and locations in which they have placed third party on-line advertising. The report also includes all historical data and keeps a record of the identification number of each advertisement so we will have

access to all of these advertisements if we should need them in future.

In one case, it was considered that a banner advertisement for a telecoms company could mislead consumers. The advertiser agreed to clarify the terms of the offer in order to ensure it would be clearly understood by consumers. The entry mechanism for an online competition was considered unclear and the advertisers agreed to amend the advertisement to ensure its compliance with the Code. The basis of claimed returns on investment that appeared in an advertisement for a financial company were considered ambiguous. The advertisers are currently reviewing their marketing strategy in this matter.

Number of Ads	Non-Compliant	Rate of Compliance
161	3	98%

Regional Press

Two separate cycles of review were carried out on the regional press. In the first cycle of regional press monitoring, a number of unqualified smoking cessation and weight loss claims were identified that were not considered in conformity with the Code. It was decided to contact the media involved to remind them of the Code requirements. This generated a number of requests for copy advice.

In the second cycle of monitoring, two travel advertisements that did not include taxes and charges were considered in breach of the Code. The advertisers have now undertaken that all future marketing communications will be in compliance with the Code.

An unqualified smoking cessation advertisement and an unqualified slimming claim were also examined and the advertisers have both agreed to comply with the Code.

Number of Ads	Non-Compliant	Rate of Compliance
6,010	13	99.8%

Television

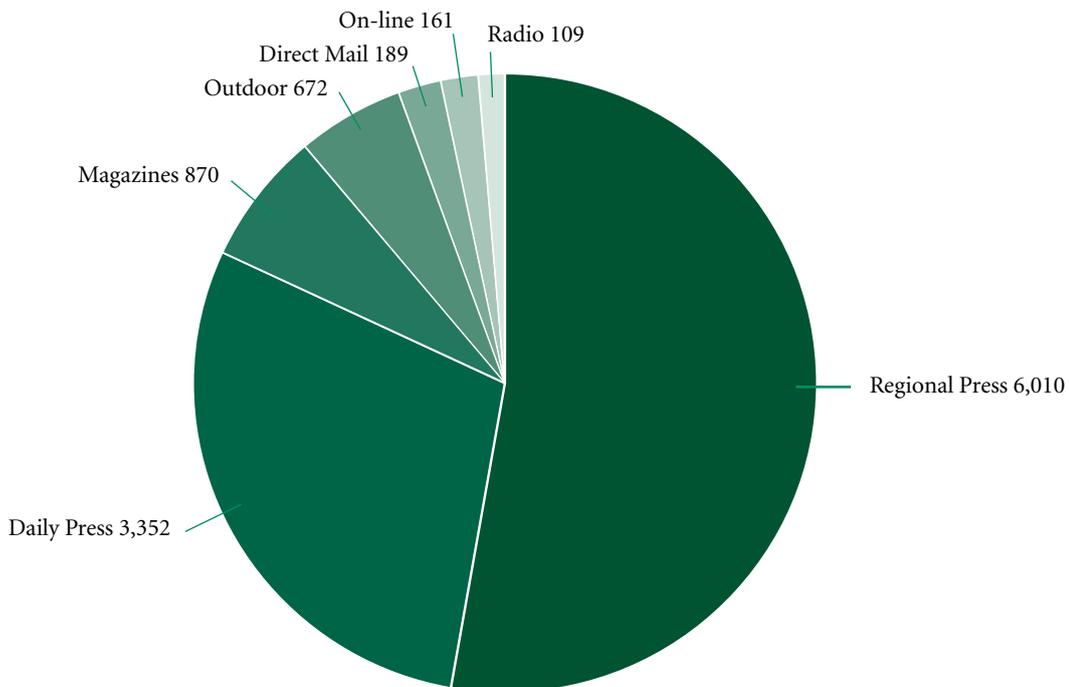
Television monitoring is still being conducted on an ad hoc basis by the Compliance Monitor and the Secretariat of ASAI. In 2008, we will install the equipment to allow ongoing recording and review of blocks of television advertising.

One advertisement was considered to be in breach of the food and children provisions of the Code. The case was adjudicated on by the Complaints Committee. The complaint was upheld.

CONCLUSION

This was the first year during which monitoring was undertaken on an ongoing basis. We are currently reviewing the media mix and number of advertisements reviewed. This examination will allow us to direct our monitoring to the area of greatest need in 2008.

Monitoring by Media



APPENDIX B

Complaints made under the voluntary alcohol codes for placement in TV, cinema, outdoor and radio 2007

Table 1 - Complaints by Media

Media	Brought forward from 2006	Received during 2007	Resolved during 2007	Carried forward to 2008
Posters	2	3	4	1
Television	7	2	9	0
TOTAL	9	5	13	1

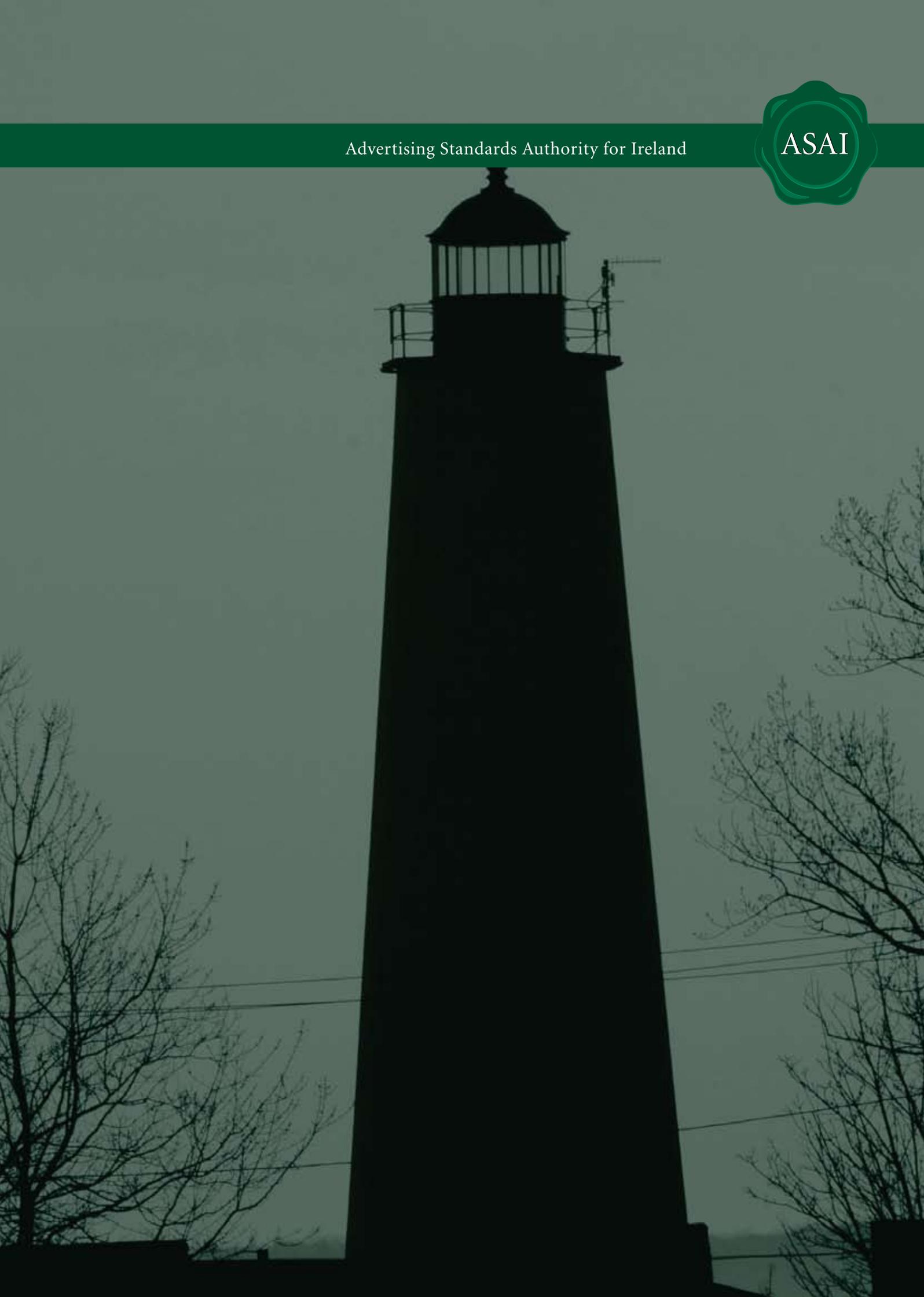
Table 2 - Complaints Resolved

Voluntary Code Provision	Complaints	Breach	Not in Breach
Poster - Distance from School	4	0	4
TV - 33% profile	9	0	9
TOTAL	13	0	13



Advertising Standards Authority for Ireland

ASAI



Advertising Standards Authority for Ireland
35-39 Shelbourne Road
Dublin 4

Tel: (01) 660 8766

Fax: (01) 660 8113

Email: standards@asai.ie

Or visit our website at www.asai.ie