

WASPA AD RULES: SUMMARY DOCUMENT of v1.6 (Final Version)

- This document is a mere summary of the WASPA Ad Rules v1.6 (Final Version) published December 2005 and is meant as a guide and not as a substitute for the complete, comprehensive Ad Rules document.
 - This document should be read in conjunction with the full WASPA Ad Rules document
 - The latest version of this document and the latest version of the WASPA Ad Rules will always be available at www.waspa.org.za
 - Advertisers must determine which laws apply to their services before embarking on any ad campaign
 - The Legal Disclaimer applying to the full Ad Rules v1.6 applies to this Summary Document
 - WASPA reserves the right to alter this document as circumstances necessitate it
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Section 1: Media Summaries

- TV Programmes and Infomercials
- TV & Cinema advertisements
- Radio
- Newspaper & Newspaper Classifieds
- Magazines (excluding Contents booklets and Z-cards)
- Content booklets
- Outdoor Media/Billboards
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Section 1: Media-Specific Rules

INTERACTIVE TELEVISION PROGRAMMES, PROMOTIONAL COMPETITIONS & TELEVISION INFORMERCIALS

Whenever a unique access number is displayed onscreen or is mentioned by an announcer, this event must be accompanied by a display of on-screen text that clearly and simultaneously shows both the:

- (a) Full access cost, for a minimum of 5 seconds, at each mention by an announcer or display on a screen of an access number in 18 point 'Zurich' font and placed in a special box or triangle in any top corner of the screen.
- (b) T&C, which must be displayed horizontally in 15 point (MINIMUM) 'Zurich' font for a minimum of 5 seconds per mention by an announcer or the display on the screen of an access number, and in a Title Safe Area. No scrolling of text containing any T&Cs are permitted. No CAPS-only or *Italics-only* text is permitted for the T&C font.

See examples in Section 4 & 5

TELEVISION ADVERTISEMENTS & CINEMA ADVERTISEMENTS

Whenever a unique access number is displayed onscreen or is mentioned by an announcer, this event must be accompanied by a display of on-screen text that clearly and simultaneously shows both the:

- (a) Full access cost, for 100% of entire ad time in **18 point** 'Zurich' font and placed in a special box or triangle on a top corner of the screen.
- (b) T&C, which must be displayed horizontally in 15 points (MINIMUM) 'Zurich' font for a minimum of 10 seconds per mention by an announcer or the display on the screen of an access number, and in a Title Safe Area.

See examples in Section 4 & 5

RADIO

- If an Access Channel number is used as part of an interactive radio talk-show programme and/or is consistently used as part of that radio station's activities, then the cost of the Access Channel number and that (if applicable) it is premium rated must be announced by the announcer or station's promotional advertisement for that Access Number at least once every 5 minutes if used consistently as part of station programming.
- A radio advertisement that contains an Access Number that is not the Access Number consistently used by that station as part of its interactive services must indicate both the total price and, if applicable, the inability to use free minutes/SMSs

NEWSPAPER ADS

- For each unique access number, the full cost of the access must be displayed **immediately** below, or above, or adjacent to the unique access number or content access code in a manner that is easily visible and readable. All access cost & T&C information must be placed horizontally. The cost and T&C text must not be part of a colour scheme that may obscure easy reading of complete details of the price and T&C.
- Text Size For Non-Classified Ads:
 - ▲ Access cost text must be in **11 point font size**, using a non-serif font. [This is 11 point Arial Font]
 - ▲ **T&C** text must be in **9 point font size** using a non-serif font [This is 9 point Arial Font]

- Text Size for Classified Ads:

- ▲ Access cost text must be in **9 point font size**, using a non-serif font. [This is 9 point Arial Font]
- ▲ T&C text must be in **8 point font size** using a non-serif font [This is 8 point Arial Font]

See examples in Section 5

MAGAZINE ADS

- For each unique access number, the full cost of the access must be displayed **immediately** below, or above, or adjacent to the unique access number or content access code in a manner that is easily visible and readable. All access cost & T&C information must be placed horizontally. The cost and T&C text must not be part of a colour scheme that may obscure easy reading of complete details of the price and T&C.
- Where the advertisement is a double-page only advertisement (with the advertisement contained on two facing pages), then it is sufficient that the T&C be placed on only one of the facing pages, provided the T&C is generally applicable to all the Content and Access numbers on both facing pages. If there is any deviation in the general applicability of the T&C, the exact T&C relating to that deviation must be placed at the point where different T&C would apply. (The same font sizes and layout must be used)

- Text Size For Non-Classified Ads:

- ▲ Access cost text must be in **11 point font size**, using a non-serif font. [This is 11 point Arial Font]
- ▲ **T&C** text must be in **9 point font size** using a non-serif font [This is 9 point Arial Font]

- Text Size for Classified Ads:

- ▲ Access cost text must be in **9 point font size**, using a non-serif font. [This is 9 point Arial Font]
- ▲ T&C text must be in **8 point font size** using a non-serif font [This is 8 point Arial Font]

See examples in Section 5

CONTENT BOOKLETS

- For each unique access number, the full cost of the access must be displayed **immediately** below, or above, or adjacent to the unique access number or content access code in a manner that is easily visible and readable. All access cost and T&C information must be placed horizontally.
- If the T&C associated with all access numbers in a Content booklet are generally consistent and applicable to all the Content and services within a Content booklet, then it is sufficient that these consistent T&Cs be placed in a reference page or section at the front of the booklet. However where there is any deviation from these general T&Cs, these deviations must be explicitly indicated immediately close to the access number/s, or Content/services to which this deviation in general T&Cs is applicable.
- For each unique access number, the full cost of the access must be displayed **immediately** below, or above, or adjacent to the unique access number or content access code in a manner that is easily visible and readable. All access cost & T&C information must be placed horizontally. The cost and T&C text must not be part of a colour scheme that may obscure easy reading of complete details of the price and T&C.
- Access cost text must be in **11 point font size**, using a non-serif font. [This is 11 point Arial Font]
- **T&C** text must be in **9 point font size** using a non-serif font [This is 9 point Arial Font]

See examples in Section 5

OUTDOOR MEDIA

- For each unique access number, the full and final cost of the access must be displayed **immediately** below, or above, or adjacent to the unique access number in a font size and font type that is easily visible and readable. All access cost and T&C information must be placed horizontally
- Access cost text must be of a size that is at least **70%** of the largest access number on the outdoor media. The access cost text must be in a non-serif font
- T&C text must be 50% of the largest access number on the outdoor media. The T&C cost text must be in a non-serif font

See examples in Section 5

BELOW-THE-LINE MEDIA

- The Full Cost and T&C must be displayed **on all media components associated with a particular content or service**. For example, if a loose campaign leaflet is placed within a magazine or booklet, and both the leaflet and magazine/booklet advertise the identical campaign, then both the leaflet and the magazine/booklet must (independently and identically) show the same price and T&C details for that identical campaign.
- If the access number is designed or has the ability to be torn off or detached from the promotional text and used independently, pricing information must also be displayed on both the remaining and detachable portions.
- The display text must indicate the TOTAL cost involved in obtaining the full service, as well as the number of, for example SMSs or access times, and their individual cost, required for full access (if applicable).
- The Access cost text must be in **11 point font size**, using a non-serif font. [This is 11 point Arial Font]
- The **T&C** text must be in **9 point font size** using a non-serif font [This is 9 point Arial Font]

See examples in Section 5

INTERNET WEB PAGES

- No cost and T&C information may be placed on in-vue pages, nor on any pop-ups, nor on any page requiring a particular add-on component or facility not generally available to all users on the Internet.
- No incorporation by reference may be used to indicate that T&C s and pricing are available on another page of a web site. This means that the cost and T&C information associated with a unique access number must be immediately adjacent to, or above or below that unique access number and may not be placed solely on another web page, graphic or any other media.
- For each unique access number, the full and final cost of the access must be displayed immediately below, or above, or adjacent to the unique access number in a font size and font type that is easily visible and readable.
- The display text must indicate the TOTAL cost involved in obtaining the full service, as well as the number of, for example SMSs or access times, and their individual cost, required for full access (if applicable).
- The pricing text must be clearly shown being independent of any other text or image, and not be placed or formatted in a manner where it may be obscured by other text information, graphics or marks that may be displayed around it.
- Access cost text must be of a size that is at least 80% of the largest access number on the page, or 15 point font size, whichever is the greater. The access cost text must be in a non-serif font
- T&C text must be in 12 point font size, or 50% of the largest access number on a Web page, whichever is the greater. The T&C must be in a non-serif font.
- All access cost and T&C information must be placed horizontally

See examples in Section 5

EMAIL COMMUNICATIONS

- No cost and T&C information may be placed on in-view pages, nor on any pop-ups, nor on any page requiring a particular add-on component or facility not generally available to all users on the Internet.
- No incorporation by reference may be used to indicate that T&C s and pricing are available on another page of a web site. This means that the cost and T&C information associated with a unique access number must be immediately adjacent to, or above or below that unique access number and may not be placed solely on another web page, graphic or any other media.
- For each unique access number, the full and final cost of the access must be displayed immediately below, or above, or adjacent to the unique access number in a font size and font type that is easily visible and readable.
- The display text must indicate the TOTAL cost involved in obtaining the full service, as well as the number of, for example SMSs or access times, and their individual cost, required for full access (if applicable).
- The pricing text must be clearly shown being independent of any other text or image, and not be placed or formatted in a manner where it may be obscured by other text information, graphics or marks that may be displayed around it.
- Access cost text must be of a size that is at least 80% of the largest access number on the page, or 15 point font size, whichever is the greater. The access cost text must be in a non-serif font
- T&C text must be in 12 point font size, or 50% of the largest access number on a Web page, whichever is the greater. The T&C must be in a non-serif font.
- All access cost and T&C information must be placed horizontally

See examples in Section 5

SMS COMMUNICATIONS

- Text clearly Showing Access Cost and T&C for each service or Content type offered.
- A facility for opting out of receiving any further SMS, which may not cost more than R1 in total if using SMS as the Access Channel for the unsubscribe method, or may not be more than 120 seconds if using IVR as the Access Channel for the unsubscribe method.
- The opt-out facility may not utilize Premium rated numbers beyond R1 in total. No premium rate fax numbers made be used for an opt-out. IVR or time-based opt-out may not exceed 120 seconds total.
- The sender must within 10 business days provide the recipient with details or how the sender obtained the recipients cellphone number, when such details are requested by the recipient. The details provided to the consumer must be specific. Thus, a response that indicates the details were obtained eg “from a database” is not specific.
- Contact details of the sender are obligatory. The contact details must not use any premium rated fax, PSMS, USSD, WAP, or IVR lines. A web site address is the preferred method.
- Display Text with full pricing information must be displayed on the SMS/MMS
- The SMS must contain contact details of the sender, preferably a web site address
- The must be an clear indication of which GSM Networks the user must have access to in order to be properly able to receive complete Content and/or participate in the service offered.

See examples in Section 5

Section 2: General Terms

1 ADULT SERVICES [See also Age-Restricted Services]:

- If the ads used to advertise any Adult Content *themselves* contain Adult Content, these ads are restricted to Adult Media
- Ads referring to any Adult Content are restricted under certain conditions
- An age verification system must be used for access to any Adult Content.
- A warning that users must be 18 years or older to use a service must be shown

2 AGE-RESTRICTED SERVICES

- Any services that would or should ordinarily be restricted to Adults – which may include Adult Content Services - or where it would be undesirable for Children to have access to those services because of the potential Adult nature of the service, must be indicated as being Age Restricted.
- A warning that users must be 18 years or older to use a service must be shown

3 AVAILABILITY OF CONTENT/SERVICES:

- Indicate any restrictions
- If a service or Content as advertised is (usually) only partially or totally unavailable during certain time periods or days, or for any other reason, then this restriction must be explicitly indicated.

4 BEARER REQUIREMENTS & CHARGES:

- Indicate need for and possibility of additional bearer charges eg WAP
eg “R10/Game + WAP charges”

5 COMPETITIONS:

- Indicate If Prize Award is Conditional
- Must have and show a closing date if not Instant Prize Competition
- Promotional material must clearly state any information which is likely to affect a decision to participate

6 CONTACT DETAILS:

- Provide web site address AND helpline number/shortcode
- Contact details must be displayed as part of the T&C details.

7 CONTACT-TYPE SERVICES:

- Indicate If Any restrictions apply
- Indicate number of if multiple registration or other steps required before full use of advertised service is possible.
- Any services that are advertised as having any sexual or Adult Content or which would, ordinarily, be undesirable for Children to have access to those services, must be indicated as being Age Restricted or for Adults only
- Use AVS if Service has Adult Content as defined and/or if Age-Restricted
- Must include unsubscribe at no more than R1 plus sender identification if no communication for more than 10 days

8 DISTRIBUTION LISTS:

- Indicate If Consumer Automatically Placed On List.
- No sexual or sexually suggestive Content in list if the list recipient does not request or expect it.
- Provide reasonable opt-out procedure
- Sender must have direct and recent association with recipient
- Must include unsubscribe and identification of sender if no communication for more than 10 days
- The opt-out facility may not utilize Premium rated numbers beyond R1 in total. No premium rate fax numbers made be used for an opt-out. IVR or time-based opt-out may not exceed 120 seconds total.

9 FAILED REQUESTS:

- Indicate If Failed Requests Billed

Best Practice Suggestion:

Display text: "Errors billed"

10 LIVE SERVICES: [In relation to live Contact-type services only]

- Advertisements may not use the word 'live' to describe systems where a recording or an automated system is used in place of a real time interaction with a human
- If a live service is offered but is restricted to certain times and/or days, then this restriction must be clearly indicated.

11 NETWORK COMPATIBILITY:

- Indicate If Services Are Network-dependent
- Indicate if subscription-type dependent

Best Practice Suggestion: Display text: "Vodacom contract users only"

12 PRICING:

- The display text must show the full or potential cost of access for fully obtaining the advertised Content and/or service.
- Show component, bearer and total cost
- Cannot use term Standard Rate when no free/discounted SMS/Minutes cannot be utilised
- The display text must show the full or potential cost of access for fully obtaining the advertised Content and/or service.
- **For IVR Lines (also show minimum time if over 60 seconds waiting period:**
"VAS Rates Apply. Free Minutes Do Not Apply. Minimum 2 minutes"
- **Premium Rated SMSs:** "Premium Rates Apply. Free SMSs do not apply".
Note: This notation must be used irrespective of the value of an SMS (eg 50c/OBS) not available free or in a bundle.

eg "2x R5 SMS = Total R10 + WAP Charges"

13 "SUBSCRIPTION SERVICES:

- Must use the words "subscription service"
- Must indicate charge/s:

(a) The TOTAL charge that the consumer will incur for the subscription component of their access to that subscription service.

(b) The frequency (and the minimum frequency, if applicable) at which they will be charged for the subscription component of access to that subscription service.

(c) Whether, in addition to the periodic subscription charges in (a) & (b) above, there are any additional charges applicable to obtaining any particular service, Content or class of Content on the advertisement. This indication must include the potential and cost of any (additional) bearer charges.

- Must indicate cost of any (additional) per-content access
- Must differentiate clearly between multiple subscription types
- Must clearly differentiate between non-subscription and subscription types if both available in the same advertisement:

14 TECHNICAL CONDITIONS FOR ACCESS:

The display text must indicate whether the service can only be accessed by:

- Phones with any particular technical specification(s)
- Any particular time period
- Any particular bearers
- Any particular mobile operator networks
- Any particular mobile operator subscription types

15 TOTAL ACCESS REQUIREMENTS:

- WAP/GPRS: Indicate if WAP/GPRS required
- For SMSs: Indicate Number Of SMSs required for full access to Content or for registration to allow full use of the advertised service.
- For IVR: If over 60 seconds, indicate the minimum number of minutes for required for obtaining the advertised Content or access to service proper. Include possibility of bearer charges if applicable.

16 USSD ACCESS:

- For menu-driven services such as USSD, the price for the initial service must clearly be stated, along with the minimum time reasonable persons would require to access the service or Content as advertised if this minimum time is over 90 seconds.

17 VAS/PREMIUM RATES:

- If a VAS rate or premium rate access number is indicated, then the display text must indicate that free bundled minutes or SMSs do not apply, and that VAS (Value Added Service) and/or premium rates will apply (if applicable)

18 VAT:

- All access costs shown must always include VAT at 14%
- No VAT-exclusive pricing may be shown

Section 3: Mandatory Information Required For Disclosure

Where Applicable, Mandatory Information That Must Be Displayed In Any Advertisement In Any Media Where An Access Channel Is Advertised.

1. PROVIDE CLEAR INDICATION OF TOTAL COST

- *R5/SMS. Premium rates. Free SMSs Do Not Apply.*
- *R20/game. Premium rates. Free SMSs Do Not Apply. WAP required.*
- *Two SMSs Required at R--- each. Premium rates. Free SMSs Do Not Apply.*
- *Call 08x-xxx-xxx. VAS Rates Apply. Free minutes Do Not Apply.*

2. PROVIDE CLEAR INDICATION OF MINIMUM REQUIREMENTS TO FULLY ACCESS SERVICE/CONTENT

- *Call 08x-xxx-xxx. VAS Rates Apply. Free minutes Do Not Apply. Minimum 3 minutes.*
- *Seven SMSs at R--- each for registration. Premium rates. Free SMSs Do Not Apply.*

3. INDICATE IF SUBSCRIPTION SERVICE, AND NATURE THEREOF - INCLUDING PRICE AND (MINIMUM) FREQUENCY

- *This is a subscription service. You will be automatically charged R--- every week until you unsubscribe.*
- *This is a subscription service. You will be charged R-- per week until you unsubscribe, plus R—per wallpaper download. WAP required.”*

4. INDICATE WEB SITE ADDRESS IF REFERRING TO ADDITIONAL T&CS VIA WEB

- xyz.co.za/tc

5. INDICATE CUSTOMER CARE NUMBER

- *Helpline 0xx-xxx-xxxx for*
- *For Help, SMS to 3xxxx (R1/SMS)*

6. IDENTIFICATION OF WHO IS PROVIDING THE ADVERTISED SERVICE

- *NiceCompany (Pty) Ltd*

7. INDICATE IF ANY ACCESS REQUIREMENTS

- *WAP Required*
- *GPRS Required*
- *WAP/GPRS required*

8. INDICATE IF SERVICE IS HANDSET-RESTRICTED [Note: Best efforts at handset compatibility if restricted to more than 30 handset models]

- *Nokia Series60 handset required or*
- *Java Handset Required or*
- *Only available for Compatible Handsets. For list, SMS Your Model Number to 3xxxx (R1/SMS) or*
- *Only available for Compatible Handsets. For List, see xyz.co.za/handsets or*
- *Only available for Compatible Handsets. For list, Call Our Customer Care on 08x-xxx-xxxx (07h00 – 21h00).*

9. INDICATE IF FAILED REQUESTS OR ERRORS CHARGED

- *Errors charged*
- *Failed Requests Billed*

10. INDICATE NETWORK / ACCESS RESTRICTIONS (IF ANY)

- *XYZ Network contract subscribers only*

11. INDICATE IF ACCESS TO SERVICE AUTOMATICALLY PLACES USER ON A DISTRIBUTION LIST. INDICATE METHOD & COST OF UNSUBSCRIBING.

- *We reserve right to contact you. Updates sent until cancelled. Send 'unsubscribe' to 3xxxx (R1)*
- *Updates sent until cancelled. Send 'stop' to 3xxxx (R1)*

12. INDICATE CLOSING DATE AND T&Cs OF COMPETITIONS

- *Competition closes 1 January 2006. Winners will be notified by SMS. You must be over 18 to enter*

13. INDICATE IF ANY AVAILABILITY RESTRICTIONS

- *Live chat unavailable 01h00-07h00*

14. INDICATE THAT ALL PRICES INCLUDE VAT

- *All Prices include VAT.*

15. INDICATE IF ANY AGE RESTRICTIONS

- *Adults only. You may be asked to verify your age.*

16. INDICATE THAT CONSENT TO USE SERVICE MUST FIRST BE REQUIRED BY BILL PAYER

- *Obtain bill payers consent before using this service*

Section 4: Examples

The following are *examples* of component and total cost indications (and bearer charges where applicable):

EXAMPLE 1: [where only one eg R5 shortcode for access to Content/services is being used]

Correct: "2 x R5 SMSs. Total R10 + WAP charges"

Incorrect: "2 x SMS"

Reasons:

- No Individual SMS Costs Shown (Should be eg R5)
- No Bearer Requirement Shown (if required)
- No total cost to consumer shown (Should be eg R10 + WAP Charges)
- Note that even where only one eg R5 shortcode for access to Content/services is used by the provider in the advertisement, the component and cumulative cost of multiple SMSs as required must be displayed

EXAMPLE 2: [where one R5 SMS and one R30 SMS is required for access to Content/services]

Correct: "1 x R5 SMSs + 1x R30 SMS. Total R35 + WAP Charges"

Incorrect: "2 x SMS"

Reasons:

- No Individual SMS Costs Shown (Should be eg R5)
- No Bearer Requirement Shown (if required)
- No total cost to consumer shown (Should be eg R10 + WAP Charges)
- Note that the component and cumulative cost of multiple SMSs as required must be displayed

EXAMPLE 3a (where NOT part of a subscription service):

Correct: "R30 + WAP charges for 6 pictures. "

Incorrect: "R5/picture. Minimum 6 pictures"

Reasons:

- No individual SMS costs shown (Should be eg R5)
- No Bearer requirement shown (if required)
- No Total Cost To Consumer shown (should be **R30 + WAP charges**)
- Note that even where only one eg R5 shortcode for access to Content/services is used by the provider in the advertisement, the individual and cumulative cost of multiple SMSs as required must be displayed

EXAMPLE 3b (where part of a subscription service that has a minimum of 5 weeks subscription):

Correct: "Subscription Service. R5/week for 6 weeks. Cost R30 + WAP charges for 6 pictures."

Incorrect: "R5/picture. Minimum 6 pictures"

Reasons:

- Subscription nature of service not shown (Should be eg Subscription. R5/week)
- Minimum frequency of subscription billing not shown (should be 6 weeks)
- No Bearer Requirement Shown (if required)
- No Total Cost To Consumer Shown (should be **R30 + WAP charges**)

Section 5: TV Screen Shot Examples

See Section 1: TV Infomercials, Promotional Competitions

Price and subs text placed in box, in contrasting colour to box

Price text at 18 points
Use Zurich font

'Subscription' text at 12 points
Use Zurich font

T&C text all at 15 points
Use Zurich font

This is a subscription service. You will be charged R_x per week until you unsubscribe plus R4 per content item

R3/week Subscription

Price must be on-screen for 5 seconds per mention/display of access number, in any top corner of screen

Show 'subscription' for same length of time as price

Title Safe Border

T&C Information must be on screen alone for at least 5 sec

See Section 1: TV Infomercials, Promotional Competitions

Price and subs text placed in box, in contrasting colour to box

Price text at 18 points
Use Zurich font

T&C text all at 15 points
Use Zurich font

[Eg] Vodacom Only. Helpline 0xx-xxx-xxx. Adults only. WAP/GPRS required

R3/SMS

Price must be on screen 100% of ad time in any top corner of screen within Title Safe area

Title Safe Border

T&C must be on screen for at least 10 seconds within Title Safe area

See Section 2: TV Advertisements where Mobile Content Is the Primary Subject of the Advertisement

Screen 1

Price and subs text placed in box, in contrasting colour to box

Price text at 18 points
Use Zurich font

'Subscription' text at 12 points
Use Zurich font

'Subscription' text all at 15 points
Use Zurich font

This is a subscription service. You will be charged R_x per week until you unsubscribe plus R4 per content item.

R3/week Subscription

Price must be on screen 100% of ad time in any top corner

Show 'subscription' 100% of ad time in price block

Title Safe Border

Subscription service T&C must be on screen alone for at least 5 sec

Screen 2

Price text at 20 points
Use Zurich font

'Subscription' text at 12 points
Use Zurich font

Remaining T&C text all at 15 points
Use Zurich font

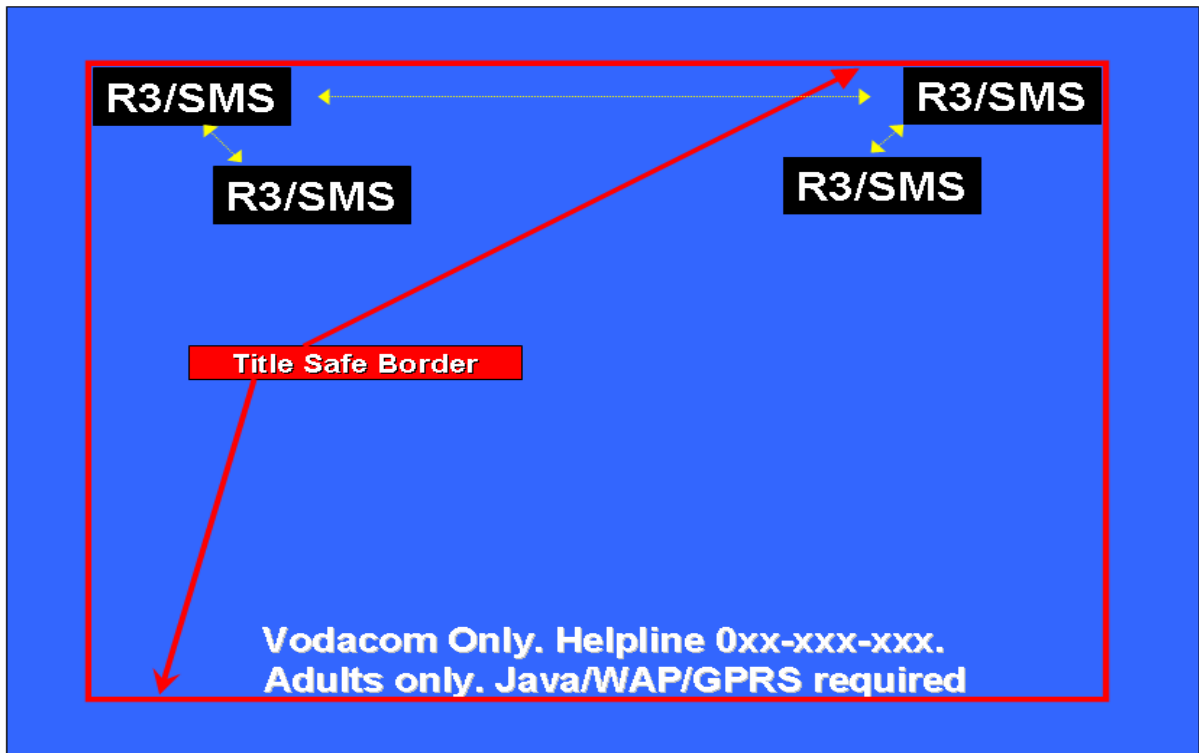
Eg Vodacom Only. Helpline 0xx-xxx-xxx. Adults only. Java/WAP/GPRS required.

R3/week Subscription

Price and "subscription" text must *remain* on-screen while the T&C's below change to include the remaining T&Cs

After Subscription info shown, remaining T&C must be on screen for at least 5 more seconds

See Section 1 & 2: Positioning of Access Cost box in contrasting colours placed in any top corner of screen with T&C below



Illustrative Pricing Example For Print Media:

Correct

Content-Header	34xxx R5/SMS + WAP Charges
Content Content Content Content Content Content	
T&C - T&C - T&C - T&C - T&C - T&C	

Incorrect

Content-Header	34xxx
Content Content Content Content Content Content	
R5/SMS + WAP Charges T&C - T&C - T&C - T&C	