

Appendix K

Social Media Code

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1. Introduction and purpose

- 1.1 This document serves to provide a clear set of rules around Social Media Marketing to ensure the protection of consumers and the promotion of ethical conduct by brand marketers and their representatives across all Social Media platforms and activities.
- 1.2 Brands, publishers and influencers are bound by the provisions of the Code of Advertising Practice in its entirety, with the necessary changes being made for clarity and applicability.

2. Definition of Social Media and related terms

The following definitions apply throughout this code:

- 2.1 **"Social Media"** is the collective of online communications channels dedicated to community-based input, interaction, content-sharing and collaboration. These channels typically include platforms such as: Facebook, Twitter, Instagram, LinkedIn, YouTube, Snapchat, Reddit, Pinterest etc.
- 2.2 **"Social Media Marketing"** takes advantage of social networking to help a company or brand to increase brand exposure, broaden customer reach or drive specific user actions. This can be done in two ways: Organically through the creation of content and nurturing on communities, or through paid Social Media Advertising on the social media platforms.
- 2.3 **"Social Media Advertising"** allows companies and brands to spend money (i.e. Paid Advertising) to increase the reach of their content or messaging within the applicable Social Media platform.
- 2.4 **"Organic Social Media"** refers to efforts or content which does not have Paid Advertising spend behind it.
- 2.5 **"Influencer"** is an individual or group who brands pay to engage with Social Media in a certain way, on a certain topic or in the promotion of a brand or publisher. Often an Influencer has or is perceived to have the ability to influence the behaviour or opinions of others, but this is not prescriptive to fulfil the role of a paid influencer.
- 2.6 **"User Generated Content (UGC)"**, alternatively known as user-created content (UCC), is any form of content, such as images, videos, text and audio, that have been posted by users of online platforms such as social media, blogs and wikis, when such a user has not been paid to do so.

3. Declaration of advertising

- 3.1 To ensure full transparency advertisers are required to disclose if content is part of a Social Media Advertising campaign as opposed to purely Organic Social Media.
- 3.2 In the case of Social Media Advertising on Social Media platforms such as 'Promoted' tweets on Twitter or 'Sponsored' posts on Facebook, these are often obviously identifiable as such through its positioning and the inherent conventions that each Social Media platform has for displaying advertising which quickly becomes recognisable to users (i.e. hereinafter referred to as "Social Media identifiers"). Provided that the material is clearly identifiable to the average user of the Social Media platform as advertising or Paid Advertising, the marketer is not required to further disclose the paid nature of these advertisements as they are commonly understood. However, where Paid Advertising may reasonably appear to the consumer to be the unsolicited opinion of the influencer or platform, then the material must be clearly identified as Paid Advertising through the use of supported Social Media identifiers.
- 3.3 Marketers should pay particular attention to ensuring that paid social media advertising is obviously identifiable as such. A clear Social Media identifier must be included within the content of the tweet or post, in order to ensure that consumers reasonably understand this to be a Paid Advertising as opposed to an Organic Social Media endorsement.
 - 3.3.1 Recognised Social Media identifiers include:
 - 3.3.1.1 "#AD"
 - 3.3.1.2 "#Advertisement"
 - 3.3.1.3 "#Sponsored"

4. Declaration of goods exchanges

- 4.1 To ensure full transparency publishers and influencers are required to disclose if they were provided (permanently or on loan) with goods or services in return for media coverage (whether this is expressly stated or not). This helps reinforce publisher or influencer integrity while clearly allowing the consumer to make an informed opinion of the applicable content, product or service.

5. Misleading consumers

- 5.1 Social Media Advertising must not contain deceptive, false or misleading content, including deceptive claims, offers or business practices (by commission or omission). Messaging should be responsible and accurate.
- 5.2 Social Media parody accounts should be clearly declared within the account's description or bio. It should clearly indicate that the user is not affiliated with the subject of the account, including, for example, by incorporating a word such as (but not limited to) "parody," "fake," "fan" or "commentary," and be done in such a way that would be reasonably understood by the intended audience.

6. Influencer marketing

- 6.1 The marketer/brand has specific responsibilities when engaging with an influencer or influencers. The brand is responsible for the following:
 - 6.1.1 Any claims made in the influencer's content must comply with the standards of the Code of Advertising Practice and specifically with Clause 10 of Section II. It will not be acceptable for an influencer or marketer to rely on the defence of "it was my opinion" if the influencer makes false claims.

- 6.1.2 Ensuring that all mandatory declarations and marketing regulations which apply to certain industries are clearly communicated to the influencer and adhered to.
 - 6.1.3 Provide the influencer with the required information for the influencer to endorse the goods/service with sufficient understanding of it. A brand should never mislead the influencer with the objective of having the influencer write an overly positive recommendation.
- 6.2 Influencers need to declare/disclose their involvement with the brand/marketer as per section 4 "Declaration of goods and services".
- 6.3 Marketers are required to have a written contract with any paid influencers that include the following information:
 - 6.3.1 The details of the engagement/brief
 - 6.3.2 The remuneration (cash or cash equivalent), details and conditions of payment
 - 6.3.3 The obligation to publish only own content or to clearly disclose or credit the content creator, if and when the content is not self-created.
 - 6.3.4 Mandatory disclosures and industry specific marketing regulations required by the marketer's industry.

7. Use of licensed content for awards entry

- 7.1 Often the creative used for marketing campaigns has specific licensing requirements and rules allowing for distribution on specific platforms within specified time periods. This frequently provides challenges for marketers, publishers or agencies to enter work into awards shows outside of this period or on different platforms.
- 7.2 In these scenarios marketers, publishers or agencies are able to upload their work online provided they mark the content as unpublished/unlisted, resulting in the content only being viewed by a select judging panel instead of being publicly available, in which event, none of the provisions of this Code will be applicable to such work. In addition, any publishing of the work as part of an unrelated person's press release/information regarding the award, will similarly not result in this Code being applicable to such published work, even if such work is as result of the aforesaid publication publicly available.