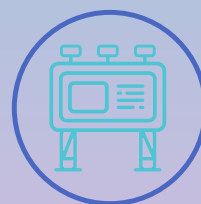




2022

CROSS-BORDER COMPLAINTS REPORT



EASA

EASA – the European Advertising Standards Alliance – is the single authoritative voice on advertising self-regulation in Europe. EASA promotes high ethical standards in commercial communications by means of effective self-regulation, for the benefit of consumers and business in Europe and beyond.

Effective advertising self-regulation helps ensure responsible advertising, meeting consumers' demand for honesty and transparency, regulators' demand for responsibility and engagement, and businesses' demand for freedom to operate responsibly. EASA and its members have developed a robust and coherent system of advertising self-regulation that can respond effectively to new challenges.

EASA acts as a co-ordination point for best practice in the implementation of self-regulation, as well as operational standards for its national Self-Regulatory Organisation (SRO) members. Part of EASA's role involves coordinating the cross-border complaint mechanism. EASA also collects and analyses top-line statistical data on received and resolved complaints, as well as on copy advice requests and pre-clearance from its SRO members each year.

EASA was set up in 1992 to represent national self-regulatory organisations in Europe. In 2004, it developed into a partnership between national advertising SROs and organisations representing the advertising industry. Today, EASA is a network of 41 entities committed to making sure advertising is legal, decent, honest, and truthful. EASA's membership is made up of 27 SROs from 25 European countries, 13 advertising industry stakeholders, including advertisers, agencies, media associations, and 1 digital pure-play company. EASA is also a member of ICAS (International Council on Ad Self-Regulation) and through its membership additionally partners with 14 SROs worldwide.

EASA is a not-for-profit organisation with a Brussels-based Secretariat. For further information, please visit www.easa-alliance.org.

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1 Key Findings

EASA's Self-Regulatory Organisation (SRO) members ensure that all Cross-Border Complaints (CBCs) are handled effectively and efficiently with a thoroughly developed mechanism based on a network of independent, impartial, and recognised SROs that exchange constant flows of information.

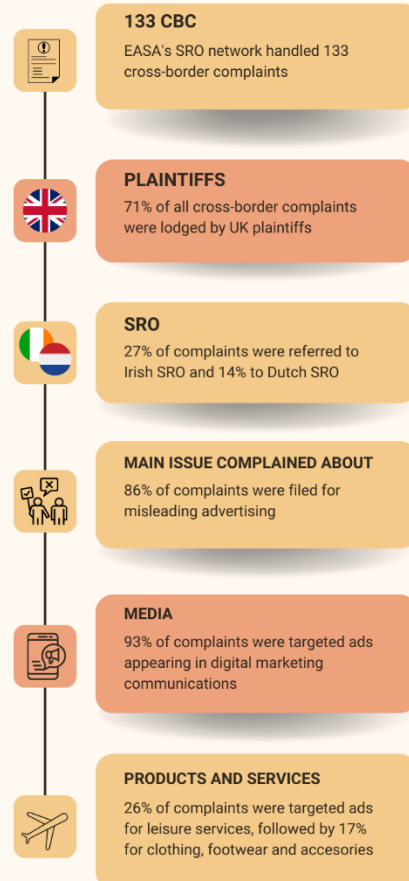
Cross-border complaints (CBCs) are consumer or advertisements that appear in media or originate from advertisers based in another country than that of the plaintiff. The EASA Secretariat coordinates these types of complaints through a system that has been in operation since 1992, when it was set up in response to the creation of the European Single Market. This mechanism was built to address issues whereby advertising originating from one EU Member State is circulating in media from another. SROs receive around 239 complaints annually on average.¹

In 2022, the number of cross-border complaints was 133. As can be seen in Figure 1, from 2021 to 2022 there has been a decrease of 67 CBCs.

- EASA's CBC system covers **27 EASA SRO** members in **25 European countries** that handle complaints. It also reaches out, on an ad hoc basis, to international SROs that are members of the International Council for Advertising Self-Regulation (ICAS).
- EASA has members **both inside and outside of the European Union** who participate in the CBC mechanism. Each CBC is assessed based on the rules, laws, and regulations of the SRO in the country of origin of the medium or the advertiser, depending on the type of ad.

competitor complaints filed against

2022 CROSS-BORDER COMPLAINTS RECAP



¹ Over the past 5 years.

2 The Total Number of Cross-Border Complaints Received

In 2022 EASA's SROs transferred 133 complaints, 67 less than in 2021.

Over the course of 2022, EASA was notified of a total of 133 cross-border complaints, which translates into a 33,5% decrease in referred complaints in comparison with the preceding year. It stands in contrast to the sharp increase that occurred in 2019 and which seemed to have reached a plateau in 2020. However, it is worth noting that 2011 saw the lowest level of CBCs at 73 and 2012 the highest level ever on record at 414. Therefore, last year's relative decrease is still within the general figures of the past eleven years, and only slightly below the 5-year average. Over the past 5 years, an average of around 239 cross-border complaints were treated annually by EASA's network.

The numbers may be fluctuating due to external factors and dynamics in the market. The post-2020 recovery phase of the Covid-19 pandemic still evokes a level of uncertainty that has been felt across the Single Market's economy, which can partly explain the drop in 2021 and consequently in 2022.

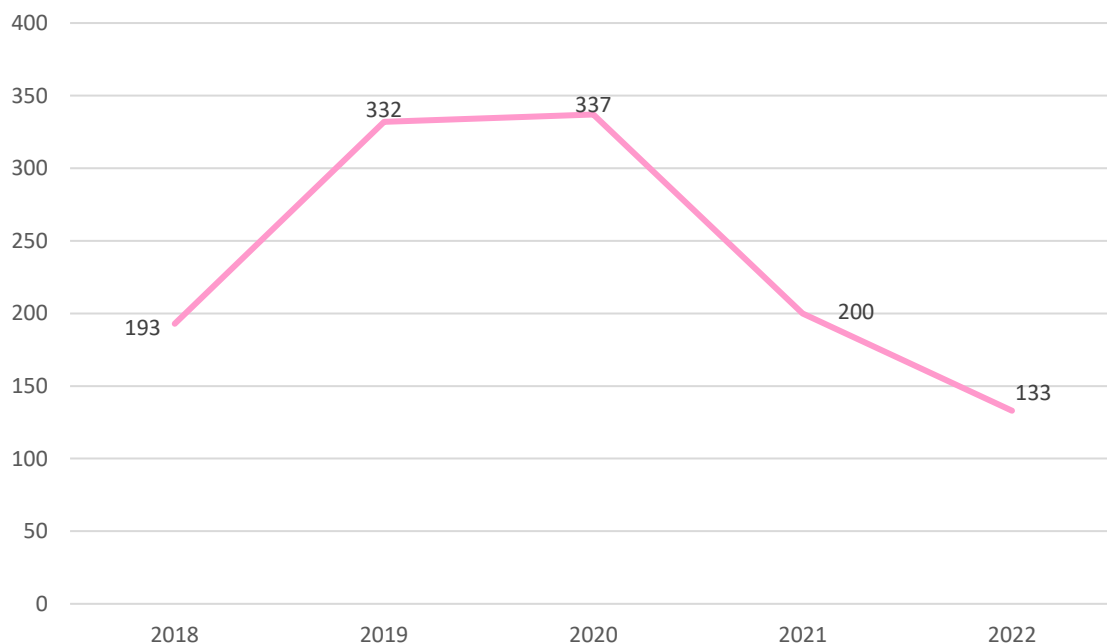


Figure 1: Cross-border complaints received between 2018 and 2022.

Source: Annual Cross-Border Complaints Report 2021 & Online Database²

² The "Online Database" refers to EASA's internal online cross-border complaints platform that member self-regulatory organisations use to register and send their complaints through to other SROs. EASA acts as a facilitator and caretaker of the platform, using the confidential data only for statistical purposes.

3 The Origin of Complainants

71% of cross-border complaints were lodged by UK complainants.

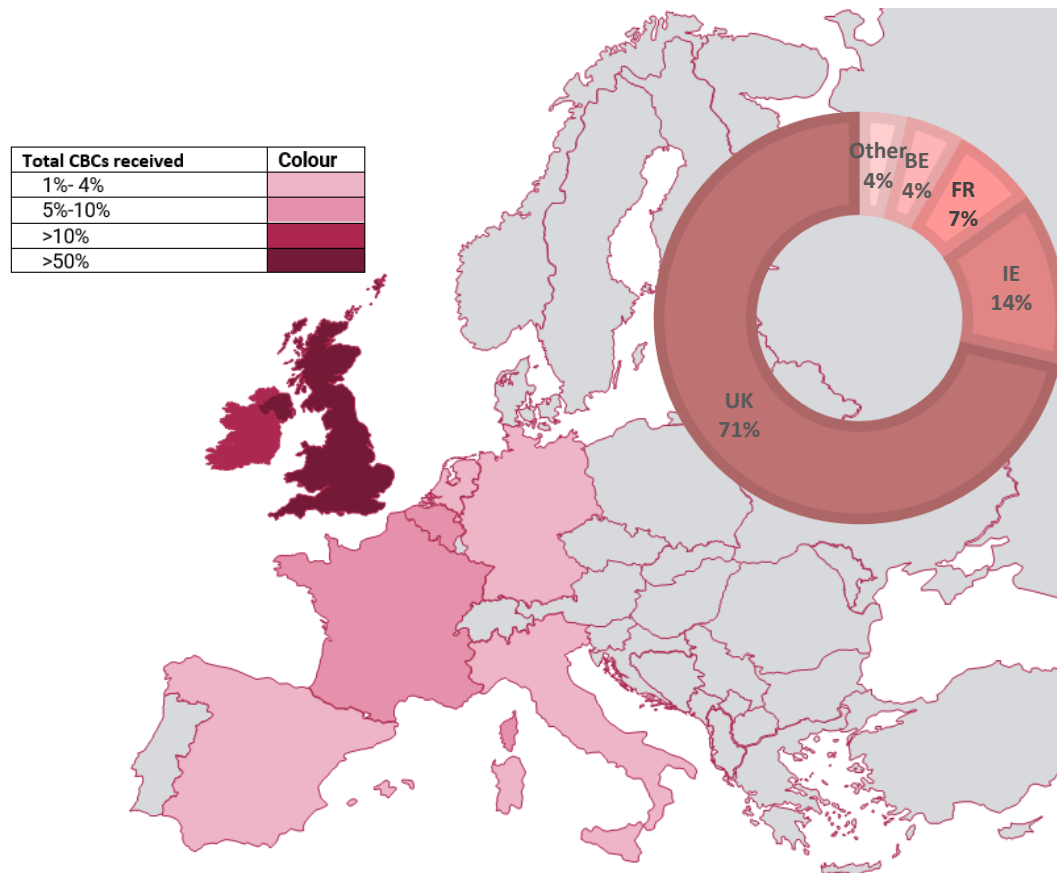


Figure 2: Advertisements complained about per country of the complainant in 2022.

Source: Online Database

UK plaintiffs remained the most active in lodging cross-border complaints in 2022, having sent 95 (71%) objections to marketing practices to the Advertising Standards Authority (ASA). Despite this, a decrease can be appreciated with respect to the previous year, where UK plaintiffs lodged a total of 161 complaints in 2021 (81%). Therefore, a 10% decrease can be seen this year compared to last year.

Advertisements from Ireland (27%) and the Netherlands (14%) were amongst the most complained about by the British public. While complainants from the UK challenged advertisements originating from 18 different European countries, only 5 countries (excluding the UK) – France, Germany, Ireland, Netherlands, and Spain – received more than 10 complaints by the British plaintiffs. Although 2022 cross-border complaints were again mostly lodged by the UK, complaints were also sent by Irish (14%), French (7%), and Belgian consumers (5%), with the rest

of the European countries falling below 1%, as shown in Figure 3, above. Overall, the largest share of CBCs was sent and received in Western Europe.

The table below also shows that only a handful of countries are sending over complaints to other countries. The United Kingdom remains the biggest, if not even primary, contributor with 71% of referred complaints originating with the ASA. Interestingly, the share of UK complainants in 2022 was in fact the lowest it has been since 2017 when they accounted for 77%, six-percentage points less than in 2022.

Country	2022	2021	2020	2019	2018
United Kingdom	95	161	300	291	174
Ireland	18	22	15	25	10
France	10	5	5	4	1
Belgium	6	1	5	3	6
Netherlands	1	1	5	2	0
Italy	1	0	3	3	0
Spain	1	0	2	0	1
Germany	1	3	3	2	0
Other	0	0	0	1*	0

Table 1: Cross-border complaints per country of complainant between 2018 and 2022

**Other in 2019 represents a complaint filed via EASA's online form.*

Source: Annual Cross-Border Complaints Report 2021 & Online Database

4 The Country of Origin of Advertisements

Ads from Ireland and the Netherlands generated the highest number of cross-border complaints in 2022.

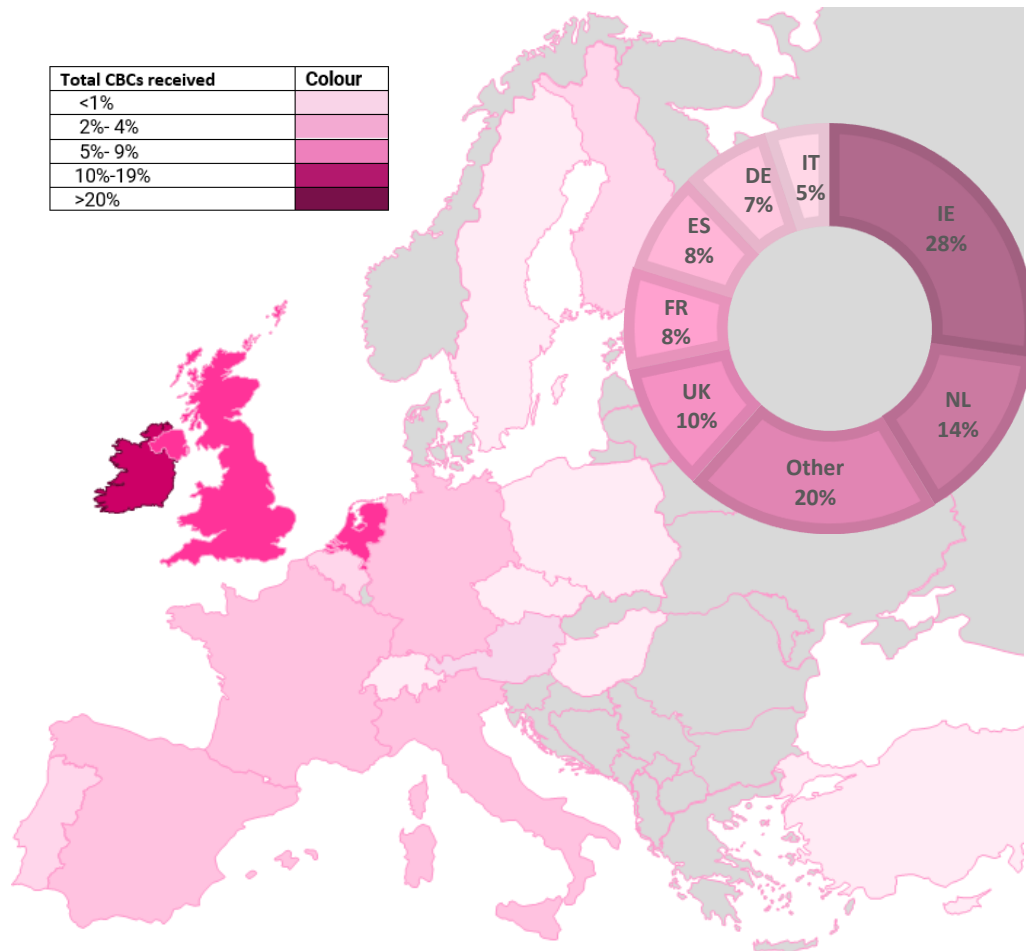


Figure 3: Cross-border complaints per country of origin of the media/advertiser in 2022

Source: Online database

EASA's Cross-Border Complaints System requires that all advertisements comply with the advertising laws and advertising self-regulatory codes of the country wherein the medium carrying the advertisement is based. In the case of Direct Mail and Online Advertising, the country of origin that is responsible for the complaint is the one wherein the advertiser is based.

In the case of Online Behavioural Advertising (OBA), it is the country in which the principal decision-making authority is conducted that counts as the country of origin.³ As we will see in

³ Switzerland requires that advertisements addressed by Swiss-based marketers to consumers in other countries comply with the rules and laws of those countries (known as the "principle of the country of destination"). Consequently, in such cases, the Self-Regulatory Organisation (SRO) in the plaintiff's country assesses the complaint based on its own national rules before passing it to the Swiss SRO, which communicates the

subsequent sections of this report, the vast majority of CBCs relate to digital marketing communications. According to the EASA CBC system principles, this entails that it is the SRO in the country of origin of the advertiser that is responsible for handling the complaint according to local rules and legislation.

In 2022, 1 out of 4 complaints were aimed at advertisements originating in Ireland (28%), of all 133 cross-border complaints. In second place (14%) are complaints lodged against ads originating from the Netherlands. These two countries, with 36 and 19 complaints respectively, generated the highest number of adverts subject to complaints in other European countries. Overall, they were the countries that received over half of all CBCs, with in third place the United Kingdom (10%) with 13 complaints. Other countries where advertisements subject to frequent complaints originated in were France (8%), Spain (8%), Germany (7%) and Italy (5%). The rest of the countries received less than five CBCs each. In addition, 4% of complaints were sent to ICAS global SROs (including Canada, Singapore, UAE, NZ).

UK plaintiffs lodged 32 complaints directed to the Irish Advertising Standards Authority (ASAI). Nearly all the complaints received by the Irish SRO (36) were reported by plaintiffs from UK (88.9%)

The Advertising Standards Authority (ASA) transferred over 7 in 10 CBCs, less than previous years (80%). Digital Marketing Communication is year-on-year the medium with the most complaints.

Annual statistics (presented in Table 1) show that despite some fluctuations over the past 5 years, the most complained ads originated in the same 5 countries: Ireland, the Netherlands, France, Germany, Spain, and the UK. The number of complained ads originating from Ireland was especially high in 2020, while closing back in towards the second highest number of complaints (coming from the Netherlands) in 2021. However, in 2022, Ireland again takes distance over the Netherlands, with a more significant difference in terms of complaints between both countries.

decision to the advertiser. Similarly, some other SROs, in EU Member States, operate under different principles. However, SROs always share information and best practices to reach a swift and definitive decision for each CBC.

Table 2: Cross-border complaints per country of origin between 2018 and 2022.

Country	2022	2021	2020	2019	2018
Ireland	36	57	122	110	34
Netherlands	19	43	74	89	47
United Kingdom	13	17	15	17	8
France	11	17	24	20	24
Spain	11	12	11	17	12
Germany	9	16	29	15	15
Italy	7	4	5	11	5
Belgium	4	0	5	4	1
Lithuania	4	2	-	-	1
Czech Republic	3	3	2	2	2
Finland	3	0	3	5	4
Switzerland	2	3	1	0	0
Portugal	2	0	1	2	2
Hungary	1	3	5	2	5
Turkey	1	2	1	3	2
Sweden	1	2	9	7	6
Cyprus	1	4	16	11	5
Austria	1	5	2	3	2
Other ⁴	5	5	0	2	7

⁴ The 'Other' category in 2022 includes Canada, Singapore, New Zealand, and the United Arab Emirates, and 2021 includes Canada and United Arab Emirates.

5 Outcome of Resolved Complaints

5% of the complaints received by the SROs were upheld. 10% were not upheld and over 5% of complaints were not investigated as SROs had already initiated procedures at national level, including successes at resolving the case informally, or transferring the case to appropriate authorities.

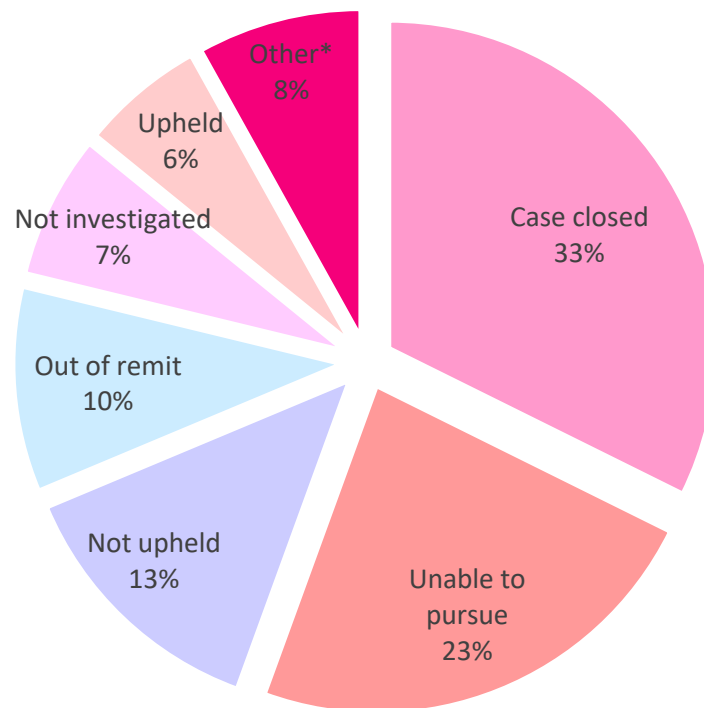


Figure 4: Cross-border complaints per outcome in 2022

Source: Online Database

* "Other" category in 2022 includes Resolved informally, Withdrawn and Transferred to appropriate authority

SROs' juries and committees upheld or partially upheld 6 complaints and rejected 13. Only a handful were partially upheld as the juries or committees found these CBCs to be groundless for further action but issued private warnings to advertisers, considering the ad to be featuring potentially problematic elements. A further 23% of complaints did not make it to the jury sessions as the SROs' secretariats were unable to collect sufficient information to bring the case to the committees, usually due to unresponsive advertisers or lack of information given in the complaint. These were thus classified as "unable to pursue". Over 5% of complaints were resolved informally by SROs, a decrease from 2021 where the percentage was 14%.

These are complaints where the secretariats of the SRO were able to mediate between the advertisers and the plaintiffs about the former's grievances. SROs can take on an important mediator role in certain cases.

Only 7 of complaints received by the SROs were not investigated for various reasons based on decisions made on the national level. For these cases, SROs found that these complaints had either no grounds for a case as the advertisements at hand did not breach any rule or legislation, or that the complaint was unable to be pursued by the SRO. As depicted in the graph below, complaints that fell outside of the SROs' remit stand at 10%. The SRO in the country of the plaintiff may have accepted the complaint under their statutory rules. However, it is the SRO in the country of origin of the media or of the advertiser whose remit counts in referred cases.

Finally, a mere 1% were transferred to the appropriate authority, either to legal authorities or other local regulatory or self-regulatory organisations. The remaining 2% of complaints were later withdrawn by plaintiffs, in cases where the SRO explained that there were no breaches or grounds for a case.

Comparing the data of CBCs' outcomes across the past 5 years (see figure below) reveals a series of contractions and expansions for each complaint outcome. In 2019, there were a significant number of complaints that were not investigated by SROs, as the ads had already been subject to close inspection in previous cases or lacked the information necessary to open a case. In 2020, we saw an increase in the number of complaints upheld compared to the previous year, and a decrease in complaints that were not investigated. In 2021, the number of upheld complaints more than halved, as did the number of complaints that were deemed as 'out of remit.' Going into 2022, the number continues to decrease, dropping with a total of 6 upheld.

Such fluctuation across the years and between sectors and categories, even if it may seem drastic, is not out of ordinary. The CBC mechanism is a dynamic system, affected by new advertising campaigns, updated self-regulatory rules and procedures, cultural and social shifts and societal challenges that impact consumers' taste. In the last two years, the COVID-19 pandemic has brought a whole category of new ads for various products and services, as the markets adapted to the great societal changes brought for by the pandemic.

Self-regulatory organisations strive to keep ads compliant with high standards both with respect to well-accepted rules and laws but also to new events amid changing norms that current rules may not explicitly cover. Consequently, resolving complaints informally or transferring complaints to other better-suited organisations are ways SROs can navigate the ever-changing societal landscape, all the while keeping ads in line with their Codes. In this sense, SROs are best positioned as focal points in receiving, handling, and mediating consumers' or other organisations' complaints rapidly and decisively, especially in times of crises and upending circumstances.

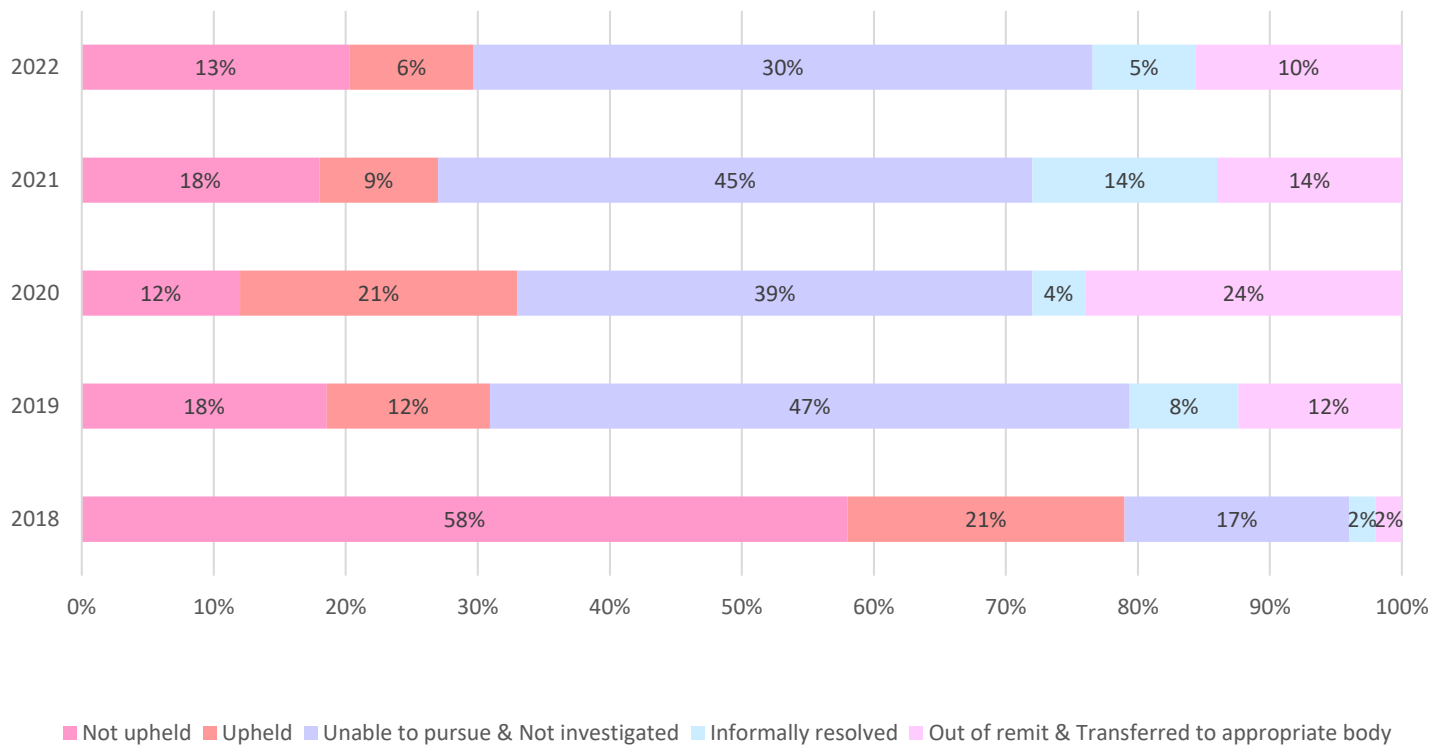


Figure 5: Cross-border complaints per outcome between 2018 and 2022⁵

Source: Annual Cross-Border Complaints Report 2021 & Online Database

⁵ The figures include “Partially upheld” complaints in the category of “Upheld” complaints to make it comparable with previous years and as the share of the former are negligible.

6 Issues Complained About

Misleading advertising continues to be the main issue complained about

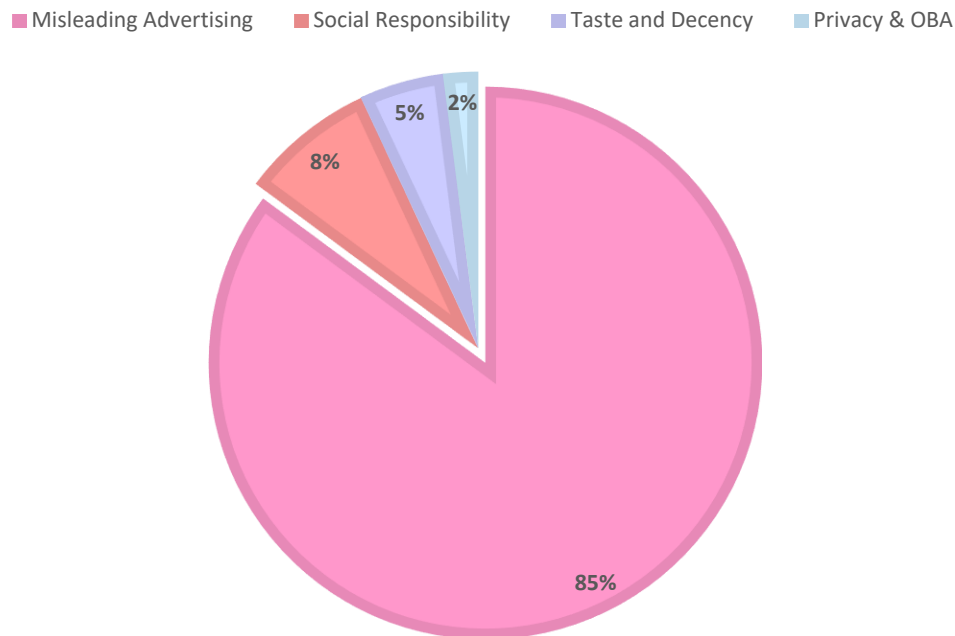


Figure 6: Cross-border complaints per issue in 2022

Source: Online Database

Continuing the trend set in previous years, the largest share of cross-border complaints in 2022 concerned misleading advertisements, with 113 complaints dealing with such an issue, or 85%. Compared to 2021, where the number of complaints concerned misleading advertisements was 166, a decrease of 53 complaints can be appreciated.

Within this category, consumers mainly objected to advertisements by companies operating in the leisure services sector (26%), such as airline companies, bus touring services, accommodation services, etc. The next biggest industry that was complained about regarding misleading marketing practices was advertising within the clothing, footwear and accessories sector, accounting for 17% of the complaints.

Beyond misleading advertising, consumers also complained about social responsibility, with 8% of complaints, which pertains to issues such as discrimination and the responsibility of advertisers in addressing some of the topical matters discussed at the societal level. The third biggest issue related to taste and decency at 5%, this represents a 1% decrease compared to 2021. Taste and decency vary largely according to local sensitivities, cultural particularities, and community events. Privacy and data protection issues were also raised by plaintiffs, though in

small numbers, accounting only for 2% of complaints. All marketing communications, even those promoted on social media platforms by influencers on behalf of advertisers, must be properly, clearly, and correctly disclosed as sponsored, promoted, or in any case as advertising content, to distinguish it from editorial material.

This focus on issues about misleading commercial advertising practices is not new. Consumers are mostly complaining about unclear advertisements that lead them to a purchase that they would have otherwise not conducted, had the advert been clearer or more honest in its promotion.

Complaints about alleged breaches of taste and decency and social responsibility ranked second highest over the past five years with an overall average of 13.6% (adding both categories together). Complaints about social responsibility has remained the same as in 2021, being also 8% in 2022 and still maintaining 4 percentage-points higher than in 2020. This trend may continue as sustainability issues find more relevance also in the ad industry. Privacy issues accounted for just 1% of complaints between until 2021. In 2022, the percentage rises to 3%. However, these three issues pale in comparison to the broader problem of misleading advertising. The graph indicates a wave-like fluctuation of complaints about taste & decency and misleading practices from 2018, increasing in 2020, decreasing in 2021 and increasing again in 2022.

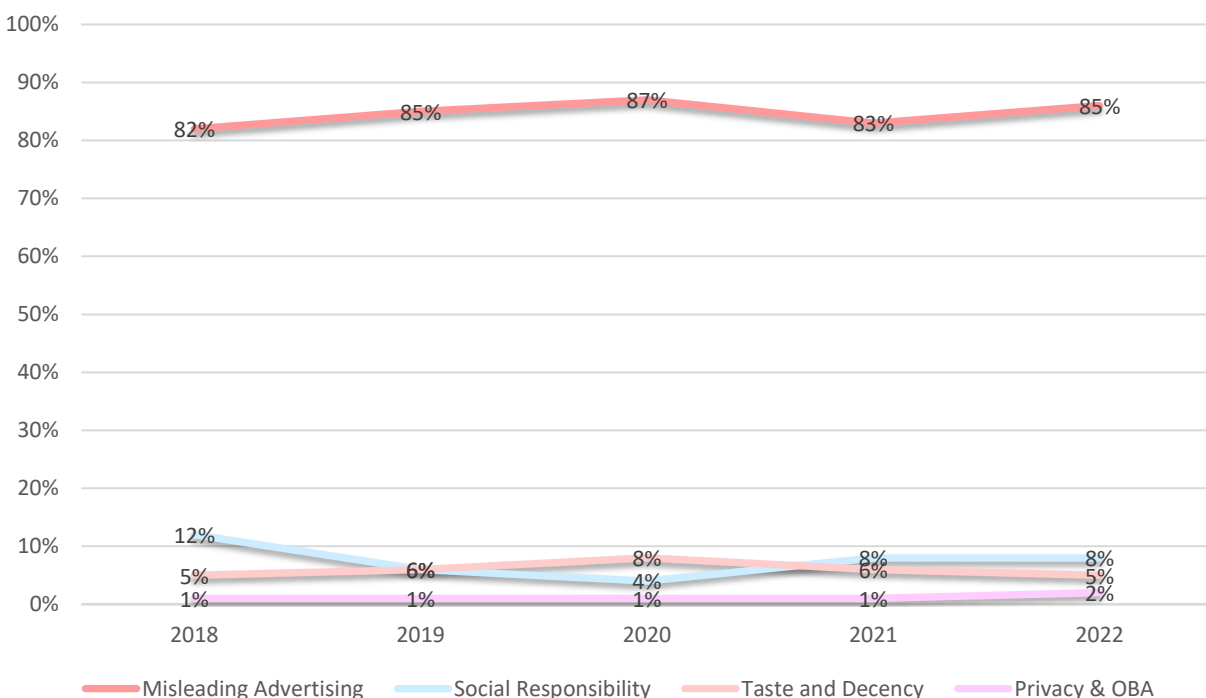


Figure 7: Cross-border complaints per issue between 2018 and 2022 (Excluding the 'Other' category)

Source: Annual Cross-Border Complaints Report 2021 & Online Database

7 Media

Digital Marketing Communications gathered the most complaints among all media categories at 93%.

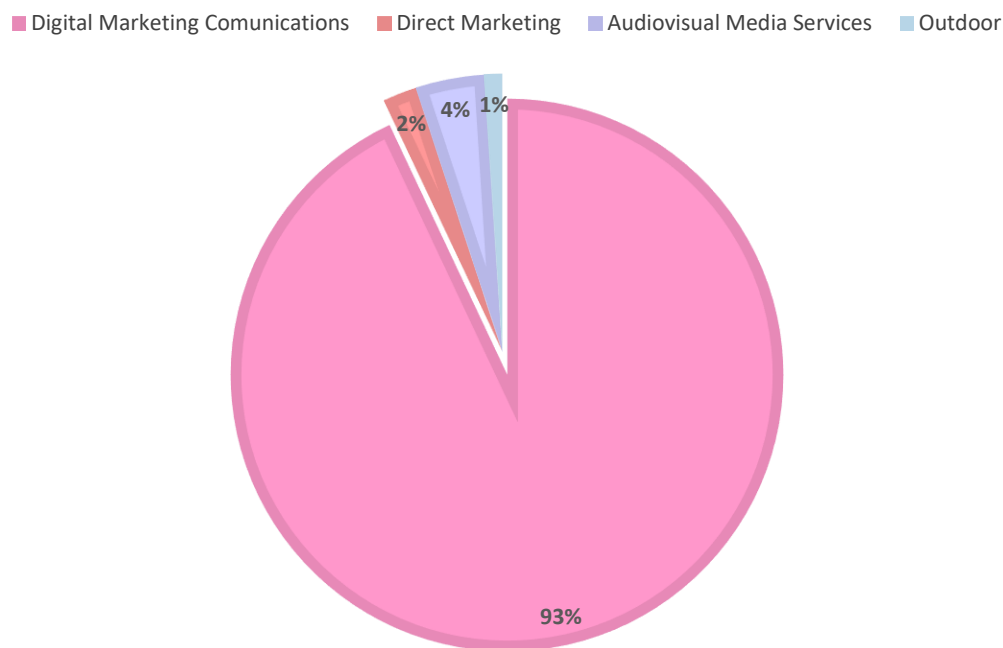


Figure 8: Cross-border complaints per medium type in 2022

Source: Online Database

Online Advertising, or Digital Marketing Communications, accounted for 93% of cross-border complaints, indicating consumers are more susceptible to complain about ads that feature in online feeds and digital platforms than in other media. An increase of 7% in the percentage can be appreciated with respect to 2021.

Advertisements received as Direct Marketing triggered 2% of cross-border complaints. This includes direct e-mails and direct post with promotions and commercial communications that target individuals who signed up for a newsletter or a marketing leaflet.

CBCs against advertisements appearing on Audio-visual Media Services (AVMS), such as television, prompted 4% of cross-border complaints, while out-of-home advertising accounted for 1% of complaints.

This shows that television ads are comparatively rarely complained about. This could be because, in countries such as the UK and France there is a national SRO – Clearcast and ARPP respectively – that clears every advertisement before airing it on TV or radio. This enables the self-regulatory body or its counterparts to filter through a great deal of misleading or problematic ads that consumers would have otherwise flagged after publication in a complaint. In this sense, this

system of review before publishing is fruitful (see Figure 10). Moreover, analysing the data, we see that 93% of all complaints in the Online Advertising category are against adverts that have been complained about for misleading content.

Annual statistics show that Digital Marketing Communications have been generating by far the most cross-border complaints in recent years, with an average of 88.6% of complaints in the period from 2018 through 2022. Over the same period, advertisements received through Direct Marketing media have ranked second, with an average of 5.8% of CBCs, suffering the largest decline to 2% in 2022. Even though in 2022, for the first time since the record began, out-of-home ads increased from 1% to 2%, in 2022 the percentage decreased again to 1%.

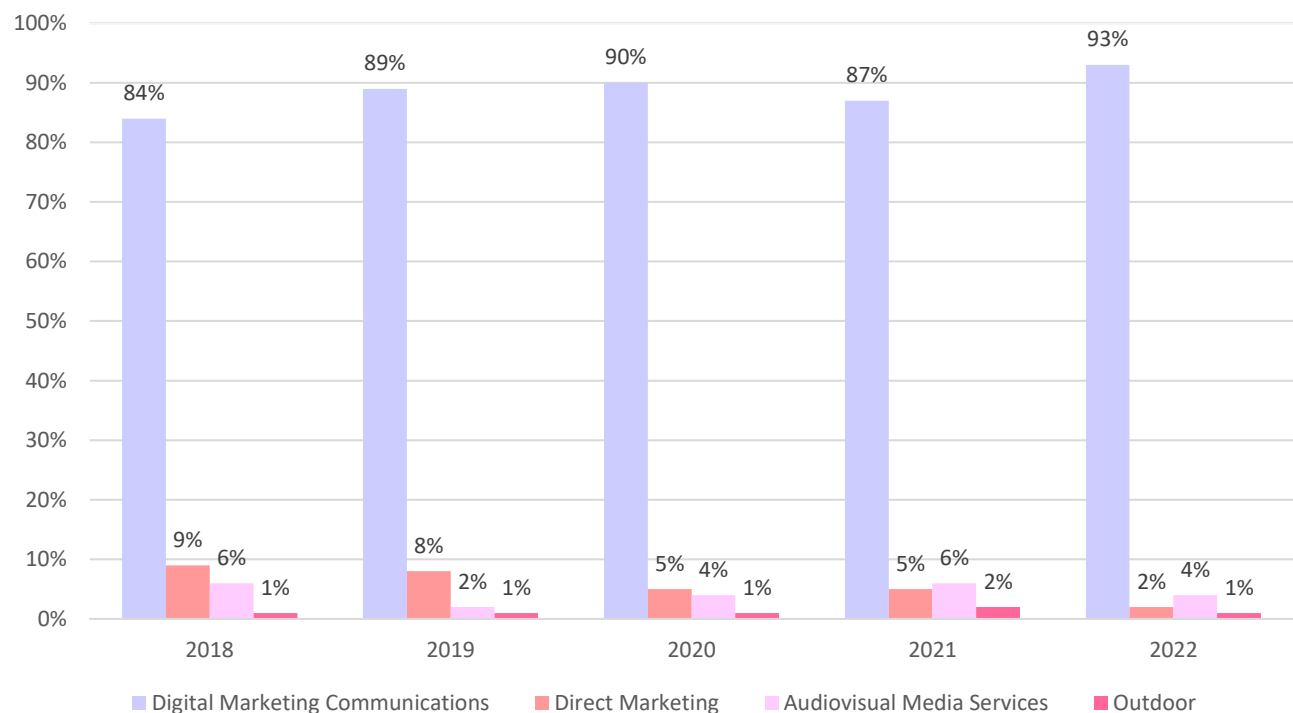


Figure 9: Cross-border complaints per medium from 2018 to 2022

Source: Annual Cross-Border Complaints Report 2020 & Online Database

8 Complaints about Advertising for Products and Services

CBCs were mostly concerning advertising of leisure services, health & beauty, and food & alcohol.

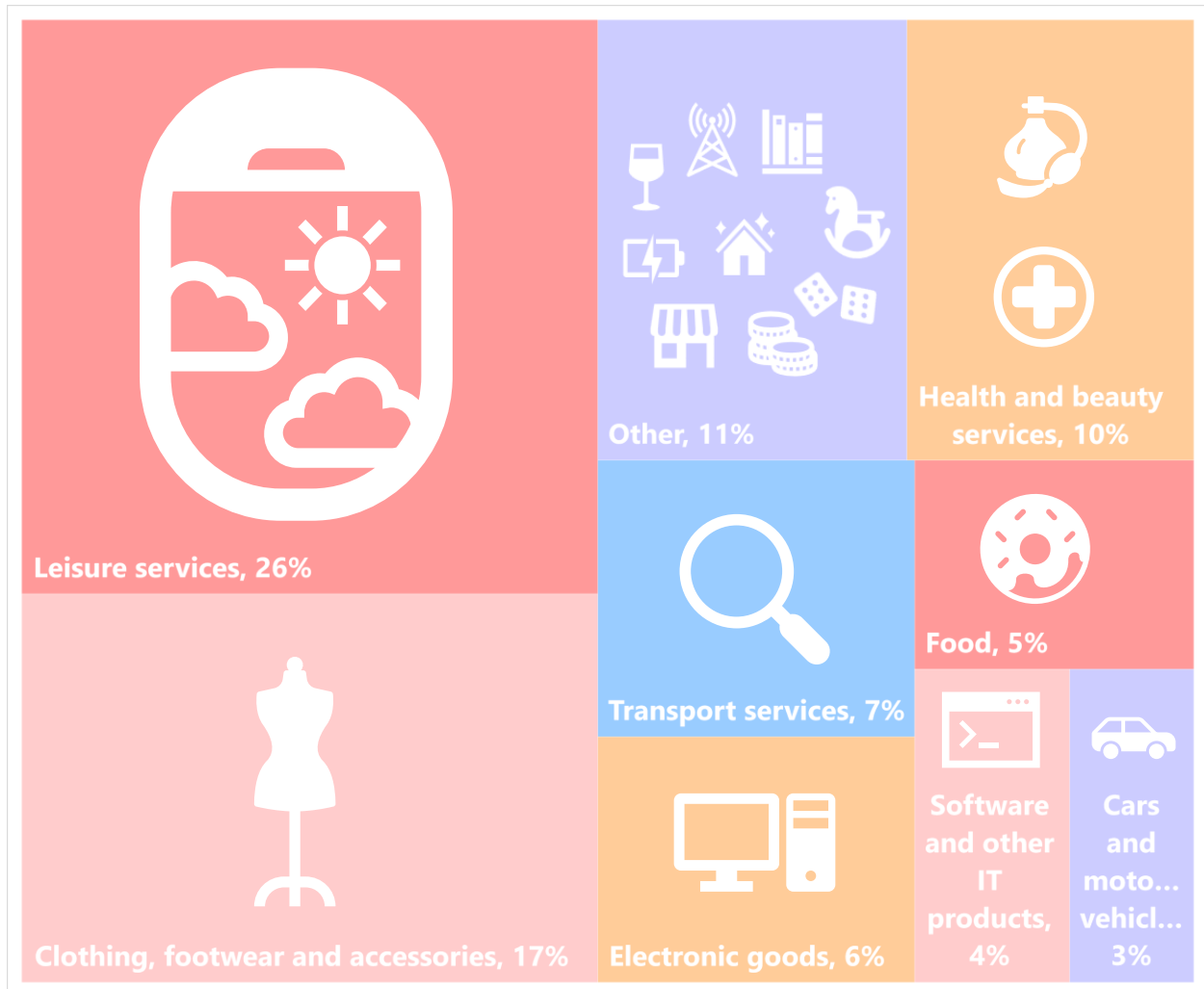


Figure 10: Cross-border complaints in terms of products and services in 2022

Source: Online Database

In 2022, a 26% of all complaints pertained to leisure services, including airline companies, hotels and holiday accommodations, travel and renting services, entertainment, sports, gaming activities, and dating services. Consumers around Europe also complained about alleged breaches of the SR codes regarding marketing communications for clothing, footwear, and accessories (17%).

Health and beauty services (10% of total complaints) was one of the most complained sectors as well, followed by transport services (7%), and electronic goods (6%). Food accounted for 5%, software and other IT products a 4% and cars and motorized vehicles a 3% of CBCs.

One of the biggest categories, as seen in Figure 10, is “Other”, which encompasses different categories and sub-categories of products and services advertised throughout the continent.

This includes, as a total out of the 133 complaints, financial services (3%), gambling, and lotteries (2%), books, magazines, newspapers, stationery (2%), transport services (2%) and retail (2%). Other services each account for 1% or less of total CBCs.

The trend that started in 2016 with the number of complaints about advertising of leisure services increasing steadily until 2019 where it experienced a slight decrease in the number of complaints by around 43% between 2019 and 2020, then decreasing by 38% in 2021, is now decreasing again in 2022 by 26%.

Furthermore, other sectors have also seen some variations. In 2020, the food sector recorded more than twice as many CBCs as the year before. In 2021, despite a drop, it remained in second place after leisure services. However, in 2022, the claims in this sector were significantly reduced to 5%. The food sector now occupies a very low position compared to the last few years.

Most categories saw a decrease in 2022, for instance, electronic devices and IT hardware and software products or cars and motorised vehicles, as can be observed in Figure 10 with a comparative of the last 5 years.

A more detailed breakdown of complaints per products and services can be found below. It allows for a comparison of complaints throughout the past 5 years.

Products and services	2022	2021	2020	2019	2018
Leisure services	34	63	102	179	70
Clothing & Accessories	23	13	19	22	14
Other (products/services)	14	5	37	17	216
Health & Beauty services	13	22	33	19	11
Food (and Alcohol)	8	27	43	20	5
Electronic devices and IT hardware and software products	6	14	37	16	17
Automobiles	5	8	11	15	7
Financial & Business services	4	1	6	3	5
Transport	3	4	6	6	4
Retail	2	3	17	22	25
Gambling & Lotteries	2	2	13	4	13
Books and magazines	2	2	5	-	-
Telecommunication	1	5	5	3	-
Non-commercial	1	1	3	-	-

Table 3: Cross-border complaints in terms of products and services between 2018 and 2022

Source: Annual Cross-Border Complaints Report 2021 & Online Database

The leisure and tourism services category accounted for 26% of all claims. This sector, as defined for the purposes of this study, includes many different industries that contribute to almost one-third of all claims transferred in Europe. Of the 34 complaints in this category, the majority were against airlines, and another significant portion concerned hotels and accommodation services. The remainder were objections to advertising by various entertainment services, such as movie providers, gaming activities, especially on digital platforms, and music streaming services.

Despite continuing to lead the ranking, the leisure and tourism services has shown significant drop from 66 complaints in 2021 to 34 complaints in 2022, representing a decrease of 50% from one year to the next.

It is also noteworthy to have a closer look at the health and beauty sector, which encompasses various sub-sectors, industries, and enterprises that operate in different marketplaces. Together, this sector recorded a tenth of all CBCs, or 13 complaints, spread as shown in the graph above. Medical services, such as medical information services received 23% of the complaints, whereas cosmetic products and services, such as perfume brands make up a bit less than 14% of all cross-border complaints within this sector. Similar share of complaints was also directed against food supplements, sports equipment (such as digital watches with activity metrics and general outdoor equipment) and health equipment (such as posture correctors). The remaining category, dental products, received 5% of complaints in this category.

9 European data on CBCs: wrap-up for 2022

Decrease in total number of CBCs, Online Advertising remain dominant media, leisure remains the dominant sector for CBCs as Europe moves on from the pandemic era.

We can conclude, from the analysis of the figures for 2022, that consumers in the UK and Ireland were the source of most complaints transferred abroad. The 133 CBCs predominantly took issue with misleading online and digital advertising material from leisure services, clothing, and accessories, as well as health and beauty services of which the marketers' headquarters are in Ireland and the Netherlands.

Due to the substantial decrease in complaints compared to the year before, the statistics for 2022 are slightly less varied and smaller in scale in terms of geography and sector than in 2021. As such, multiple sectors have seen a decrease in CBCs, although the leisure sector remains the most prominent. However, other sectors that were quite prominent in 2021, such as food, are down quite significantly in 2022.

Yet, the data for 2022 also indicates that CBCs are still principally lodged against digital and online adverts that allegedly contained misleading content. Thus, despite the plunge in complaints, the 2022 statistics follow the same trends as in 2021, namely in terms of digital marketing communications being still overwhelmingly the most complained-about media. Continuously developing digitisation implies that the digital realm will remain the medium with the most CBCs for the foreseeable future. As mentioned in the last CBC annual report, Covid-19 has influenced the last few years of our lives causing us to consume more and more digital content. A great example would be the fact of ordering food online, but as we return more and more to pre-covid normalcy, the consumption of this service decreases as can be seen with the differences in complaints between 2021(14%) and 2022 (5%) in this sector.

The notable drop in number of complaints could partly be attributed to still a level of uncertainty felt across the Single Market's economy.

These statistics and figures are a testimony to the successes and challenges for SROs to mediate between consumers rightfully expecting correct, transparent, and high-quality ads informing them of new products and services, and brands competing to capture audience attention. All in all, SROs filtered, handled, and assessed each of the 133 cross-border complaints to ensure that all ads in Europe were accountable for their claims and that they respected the local advertising standards.

Annex: How the Cross-Border Complaints (CBC) System Works

EASA's Cross-Border Complaints System

EASA's Cross-Border Complaints (CBC) system has been **in operation since 1992**. With the increase of media travelling across borders, the CBC system was established to provide people who wished to make complaints against advertising featured in media or by advertisers originating from outside their home territory with the same redress available to consumers within the country of origin of the media or advertiser. Since 1992, EASA has coordinated around 3,400 cross-border complaints.

The Basic Principles of the EASA Cross-Border Complaints System

The **first principle is the 'country of origin'**, a concept enshrined in EU law to facilitate the growth of the European Single Market. The CBC system is founded on the principle that an advertisement must abide by the rules of the country where the media is based that features the advertisement. However, in the case of Direct Marketing and Online Advertising, the advertisements will generally be expected to follow the rules of the country where the advertiser is based, whereas, in the case of Online Behavioural Advertising (OBA), the country of origin of the company will be based on the principal decision-making presence (headquarters' offices). The **second principle is 'mutual recognition'**. By this principle, EASA members agree to accept advertisements that comply with the self-regulatory rules in the country of origin of the media or advertiser, even if those rules are not identical to their own.

The Competent Body

Once the advertisement's 'country of origin' has been established, the complaint will be assigned to the local self-regulatory organisation (SRO). It is not possible to assign a complaint to more than one SRO.

Dealing with a Cross-Border Complaint

The complainant may not initially realise that their complaint lies outside the competence of their national SRO. Hence, the plaintiff's first point of contact will be the local, national SRO. Once the latter ascertains that a complaint is a cross-border issue, it will first inform the complainant of the Cross-Border Complaints system and the measures that will be taken to handle the complaint. The complaint, along with any other relevant details, is then passed on to the relevant self-regulatory organisation (SRO) present in the country of origin of the media or the advertiser for investigation. The EASA Secretariat is included in all correspondence related to the case and will closely monitor its progress. Furthermore, EASA may become involved in the process by, for instance, recommending the SRO to take certain actions, involving industry bodies where appropriate, and reporting on the outcome of cases once they have been closed.

Ad-Alerts

If an ad shows evidence of deliberate unethical, dishonest, or criminal activity, the SRO will transfer the complaint to the relevant government authorities. In these circumstances, the EASA Secretariat may, after discussion with members involved, decide to issue an Ad-Alert, which notifies concerned parties of the advertisers' activities. Ad-Alerts are published on the EASA website: www.easa-alliance.org.

Publications

Closed cross-border complaints are reported annually in CBC Reports, published on the EASA website: www.easa-alliance.org.



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