

1. Complaints

1.1 (i) Any complaints which advertisers may have against other advertisers, or agencies against other agencies should in the first instance, be raised with the "offending party" in writing specifying the section of the Code which has been breached with a copy to the ASA so that the "offending party" may have the opportunity of defending their actions.

(ii) If within two working days the complaints have not been resolved to the satisfaction of the parties concerned then either party shall advise the ASA, in writing together with a complaint lodgement fee of RM750 which shall then take the following action :-

Copies of the complaint shall be circulated to the Committee for their views. Any member of the Committee who is in any way interested in the advertising of a similar product or service to that against which the complaint has been submitted shall declare a vested interest and refrain from expressing any views. The remaining members shall submit their views, to be received within seven working days of the date of the ASA's letter. In the event these views on a complaint are unanimous the Chairman shall instruct the secretaries on the action to be taken. In the event of a difference of opinion a meeting of the Committee shall be convened as early as possible to consider the complaint.

(iii) On advice being received as per subsection (i1) above, the Committee shall advise the media concerned that they shall cease to print, or otherwise display the ad until such time as the Committee shall have determined whether the complaint is justified. Copies of the correspondence relating to the complaint shall be included in the agenda for the next meeting. if it is considered expedient, the Chairman, Deputy Chairman, or Secretaries may convene a special meeting of the Committee to deal with the complaint.

1.2 (i) Complaint from members of the public or those representing them, that the Code has been breached should be addressed to the Chairman of the ASA. All that is necessary is a signed letter which shall include the full name and address of the complainant, indicating the basis of the complaint. It is helpful if complainants can wherever possible provide examples or copies of any advertisements to which they take exception with an English translation, if it is in the vernacular. Anonymous complaints will not be entertained.

(ii) Copies of the complaint shall be included in the agenda for the next meeting of the Committee. If it is considered expedient, the Chairman, Deputy Chairman, or Secretaries may convene a special meeting of the Committee to deal with the complaint.

1.3 (i) Any member of the Committee who is involved directly in the complaint before the Committee shall refrain from participating in the Committee's deliberations on the complaint.

(ii) Any member of the Committee who is in any way interested may be permitted to participate in the deliberations of the Committee but shall not participate in the decision-making. This is to enable the Committee to have access to such expertise as is available from the Committee members.

1.4 (1) All submissions to the ASA should be made to the Chairman, The Advertising Standards Authority.

(ii) under no circumstances will the ASA entertain correspondence addressed to individual members.

1.5 The ASA shall meet at least six times per year or on the requisition of the Chairman or Deputy Chairman to consider complaints.

1.6 The ASA may call upon either party to the dispute or any outside independent party for further information. Members of the Committee, other than the Chairman of the meeting will have one vote and all decisions will be by a simple majority. In the event of the votes being divided, the Chairman of the meeting shall have a casting vote. Any member of the Committee who has a vested interest in a dispute must immediately declare that interest and absent himself from all deliberations.

1.7 The ASA's decision shall be notified in writing to the interested parties advising them of any action which is required to be taken.

2. Enquiries

2.1 (i) The ASA is prepared to offer to advice to any advertiser, advertising agency or media owner who might be in doubt as to the interpretation of the Code. Any enquiries of this type will be strictly confidential. No spoken or written communication with the ASA should be understood as containing legal advice.

(ii) All such enquiries shall be in writing and be addressed to the Chairman, The Advertising Standards Authority.

3. Interpretation

3.1 The Committee's interpretation of the Code is final.