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Committee of Advertising Practice (Non-broadcast)

Help Note on Cherished Number Marketing

CAP Help Notes offer guidance for non-broadcast marketing communications under the British Code of Advertising, Sales Promotions and Direct Marketing (the CAP Code). For advice on the rules for TV or radio commercials, contact Clearcast www.clearcast.co.uk for TV ads or the RACC www.racc.co.uk for radio ads.

These guidelines, drawn up by the CAP Executive, are intended to help marketers, agencies and media interpret the rules in the British Code of Advertising, Sales Promotion and Direct Marketing as far as they relate to the subject discussed. They are not intended to be a substitute for the full Code.

1. General

- 1.1 This guidance applies to all non-broadcast marketing communications including those appearing on the Internet.
- 1.2 The British Code of Advertising, Sales Promotion and Direct Marketing states: “No marketing communication should mislead, or be likely to mislead, by inaccuracy, ambiguity, exaggeration or otherwise” (**clause 7.1**).

2. VAT Disclaimer

- 2.1 Ideally, prices shown should include VAT, if applicable, and any other compulsory fees (though see 2.2 and 2.3 below).
- 2.2 Marketing communications that quote the prices of a number of registrations where VAT may or may not apply (and whose status in this respect may change during the marketing communications’

appearance) should, as a minimum requirement, include a prominent disclaimer to the following effect:

“Some registrations are subject to VAT”.

- 2.3 Marketing communications that quote the prices of a number of registrations where additional compulsory fees apply should, as a minimum requirement, include a prominent disclaimer to the following effect:

“Registrations are subject to further fees”.

- 2.4 Marketing communications that quote the prices of registrations where VAT always applies, or that quote the prices of registrations where additional compulsory fees may not always apply, should reflect this in the wording of the disclaimer used.
- 2.5 Marketing communications that do not quote prices need not include these disclaimers.

3. Size/Prominence of Disclaimer

- 3.1 The disclaimer should be distinct from other copy and clearly visible to a normally-sighted person reading the marketing communication once at a normal speed.

4. Lineage Advertisements

- 4.1 If lineage advertisements are too small to include a disclaimer, publishers may include their own disclaimer in the relevant section. An acceptable draft is:

“If you’re interested in a particular registration please ask the dealer to clarify if the price quoted includes or excludes VAT. We also recommend asking what other charges may apply as these can vary according to the buyers’ requirements”.

- 4.2 The disclaimer should be prominent and placed as close as possible to the relevant advertisements.

5. 'From' Prices

- 5.1 'From' price claims should not exaggerate the availability of marketed registrations that can be purchased at that price. Marketers should either qualify such statements by indicating clearly *which* registrations are available for the 'from' price or, where the marketing communication lists a large number of registrations without giving greater prominence to one or more registrations (see point 5.2 below), should ensure that a substantial number of the marketed registrations (for example, 10% or more) are available for the 'from' price for the duration of the marketing communication's appearance.
- 5.2 Marketers should not mislead consumers by positioning 'from' statements close to more expensive registrations. Marketers should separate these registrations from the irrelevant 'from' price by means of a box or distinct area.

6. Availability

- 6.1 Marketers should keep marketing communications up-to-date and remove sold and 'under offer' registrations. In view of the uniqueness of registrations, and the possibility that they might be sold or 'under offer' before the end of the marketing communication's appearance, marketers should include a statement that:

"All registrations are subject to current availability".

- 6.2 Companies should not market any other dealer's stock or commission registrations without that dealer's written consent. If, due to registration practice, registrations will not be available to be assigned until a certain date, marketers should state when the registration can be 'used' and assigned to a vehicle.

- 6.3 Before marketing a registration for sale, marketers must hold documentary evidence that it is available and they can supply it. Marketers should not imply that they can order in advance or reserve registrations with the DVLA before they are released for sale by the DVLA.

7. Legality

- 7.1 Marketers should not mis-space or mis-represent registrations to make them more attractive. Marketing communications should comply with all current legislation.

Advice on specific marketing communications is available from the Copy Advice team by telephone on 020 7492 2100, by fax on 020 7404 3404 or by email on copyadvice@cap.org.uk. The CAP website at www.cap.org.uk contains a full list of Help Notes as well as access to the AdviceOnline database, which has links through to relevant Code rules and ASA adjudications.

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