

## NIGERIA



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<b>1. Topic:</b>	Ban on cigarette and alcohol adverts
<b>Who:</b>	Advertising Practitioners Council of Nigeria (APCON)
<b>When:</b>	With effect from January 1, 2004
<b>Where:</b>	Nigeria
<b>What Happened:</b>	<p>In 2001, APCON, the regulatory body for advertising practitioners in Nigeria, announced its decision to ban the advertisement of cigarette and tobacco products within the Nigerian media with effect from January 1, 2002.</p> <p>Pleading undischarged commitments to and contracts with their clients, practitioners successfully made a case for an extension, which APCON granted. Thus, the ban is to become effective 1<sup>st</sup> January 2004.</p> <p>While allowing the manufacturers of these products to continue their promotion of fairs, carnivals and sport activities, the ban will restrict them to displaying only their brands and not their products at these events. APCON's main reason for the ban is to discourage the 'disturbing habits' formed as a result of the consumption of these products.</p>
<b>Comments:</b>	<p>Currently, there is no law banning the advertisement of cigarette and tobacco products in Nigeria, but APCON's ban would fall within the powers granted by its enabling law.</p> <p>The legal issue arising from APCON's decision is that statutorily, APCON can only regulate the activities of individual practitioners while advertising contracts and commitments are invariably made with agencies. Any sanctions that APCON can impose may only be imposed against the practitioners in their individual capacities.</p> <p>However, although the ban is yet to become effective, there has been a noticeable shift from product advertising to brand promotion in all media by alcohol and tobacco manufacturers.</p>