

NIGERIA



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1.	
Topic:	Ban on Cigarette and Tobacco Adverts
Who:	Advertising Practitioners Council of Nigeria (APCON)
When:	With effect from April 1, 2004 and December 31, 2004
Where:	Nigeria
What Happened:	<p>The ban on the advertisements of tobacco products has become a global issue and Nigeria is not excluded. As part of its efforts to minimize the harmful effects of smoking, the Federal Government in 1990 passed the Tobacco Smoking (Control) Act, which imposed health warnings on tobacco advertisements in the media. The Act also banned smoking in schools, churches, mosques and on public transportation. Despite these restrictions, several tobacco companies continued to advertise their brands in contravention of the law. As a result, on August 8, 2001 the Advertising Practitioners Council of Nigeria (APCON), the regulatory body for advertising practitioners in Nigeria pronounced a ban on tobacco products advertising on television and restrictions on advertisements in print, billboards and on radio with effect from January 1, 2002. The restrictions were as follows:</p> <ul style="list-style-type: none">- No tobacco advertisements to be carried on the outside covers of magazines and newspapers.- No colour advertisements in print media;- No tobacco adverts in publications targeted at children;- No displays of tobacco brands and packs in sporting arenas and stadiums. <p>The stakeholders in the industry appealed for an extension of the effective date, citing adverse economic results if the prohibitions were to take immediate effect and an extension was granted till January 1, 2004.</p> <p>On January 26, 2004, APCON announced a new effective date for the prohibitions stating that the restrictions in outdoor media, print and television will be effective from December 31, 2004; and from April 1, 2004 on radio.</p> <p>Also in its effort to reduce the consumption of tobacco products, the Federal Executive Council on March 10, 2004 granted its approval to Nigeria becoming a signatory to the World Health Organization (WHO)'s Framework Convention on Tobacco Control, which provides for a comprehensive ban on tobacco advertisement and promotion, increased taxes on tobacco products, for bold health warnings to be printed on all tobacco products and proposes measures for environmental control of tobacco smoking.</p> <p>In May 2003, APCON had also decided that with effect from January 1, 2006 all</p>

	forms of tobacco products advertisements will be prohibited.
Comments:	<p>Currently, there is no law banning the advertisement of cigarettes and tobacco products in Nigeria. However, there is a "Tobacco Advertisement Bill" currently before the National Assembly, which if passed into law will further strengthen the ban imposed by APCON.</p> <p>As a result of the restrictions, tobacco companies are now increasingly turning towards corporate advertisements as against product advertisements, although a few still disregard the rules.</p>

2.	
Topic:	Control of Advertisements of Alcoholic Beverages
Who:	Advertising Practitioners Council of Nigeria (APCON) and The National Broadcasting Commission (NBC)
Where:	Nigeria
Current Position:	<p>The APCON code prohibits advertisements of alcoholic beverages on radio or television during children, religious or sports programmes. Also, no displays are allowed near schools, hospitals, sports arenas or places of worship. Furthermore, sponsorship of sporting events was prohibited until APCON in a pronouncement on August 8, 2001, proposed allowing sponsorship of sporting events by brands of alcoholic beverages provided that only brand names or product packs flashed on the screen were used as back-drops.</p> <p>There are also restrictions on time schedules for the airing of alcoholic beverage advertisements. The National Broadcasting Commission (NBC), the Nigerian regulatory body in broadcasting and APCON are currently trying to reach a consensus on times when such adverts should be aired. The NBC presently requires that all advertisements for alcoholic beverages be aired on radio after 6.00 p.m. and on television after 9.45 p.m., while APCON requires such advertisements to be aired after 12 noon and 8.00 p.m. respectively. The two bodies are working towards having such adverts airing from 6.00 p.m. on the radio and 8.00 p.m. on television.</p> <p>They are also working together to ensure that all stations adhere to the specified airtime for alcoholic beverages.</p>
Comments:	<p>There is no law currently regulating the advertisements of alcoholic beverages in Nigeria, the only restrictions being those imposed by the NBC or APCON. There is a need for more stringent laws in this regard.</p> <p>As evidenced by the conflict in the timing restrictions, APCON and NBC need to harmonize their respective positions on the restrictions to be put in place.</p>