

REGULATION AND SELF-REGULATION ON ADVERTISING DIRECTED AT MINORS - Lichtenstein

DEFINITIONS

Child	A minor who has not yet fully reached the age of 14 (art. 9 of the Children and the Young Persons Act)
Minor	An individual who has not yet fully reached the age of 18 (§ 2 of the Juveniles Procedure Act).
Civilian majority	As of 18 years (§ 2 of the Juveniles Procedure Act)
Civilian minority	Until 18 years (§ 2 of the Juveniles Procedure Act)
Legal entitlement to contract	contract which is usually concluded by children his age, and which refers to a matter of minor importance, is legally bound by this contract
Youth protection	social benefits (Jugendhilfe). The Liechtenstein Children and Young Persons Act contains also regulations regarding different sectors such as outlet, public movies, theatre, variety, cabaret, television programs, alcohol, tobacco, drugs, all kinds of morally dangerous documents or other dangerous objects
Sex offences	and pornography.
Moral protection	Children and Young Persons Act
Advertising	1 lit. c FLGBl. 2000 Nr. 121).

LEGAL PROVISIONS

GENERAL PROVISIONS

1. In general	the Act against Unfair Competition bans all kinds of incorrect, unnecessary and misleading trade practices which also include advertising practices. According to Art. 3 lit. h of the Act against Unfair advertising
2. Through media	
PRESS	
	22 Children and Young Persons Act)
RADIO	
Principles	Implementation of the directive TVWF in the Radio and Television Act
Special protection of minors	see TV
TELEVISION	
Principles	Implementation of the directive TVWF in the Radio and Television Act
Art. 10 TVWF	art.23 of the Radio and Television Act - Subliminal and misleading advertising are prohibited
Art. 11 TVWF: insertion of advertising	Technical requirements for advertising have to be met in order to obtain a license. Advertising must be clearly identifiable by acoustical and optical warnings.
Art. 12 TVWF: human dignity	Religious or political advertising is prohibited
Art. 13 TVWF: tobacco	advertising for tobacco is prohibited
Art. 14 TVWF: medicinal products	no advertising is allowed for medicinal products which require a doctor's prescription
Art. 15 TVWF: alcohol	advertising for alcohol is prohibited
Special protection of minors	Art. 16 TVSF: advertising and minors Advertising may not take advantage of the gullibility of children and the inexperience of juveniles; nor may it abuse their loyalty Art. 22 TVWF: protection of minors and public order
Sponsoring (Art. 17 TVWF)	
Teleshopping (Art. 19 TVWF)	Art. 14 par. 1, 3, Art 16 of the Children and Young Persons Act states: public movies especially broadcasting advertising being qualified to endanger minors' development may not be released for publication. As a consequence par. 2 prohibits minors to visit and see such programs and advertising

INTERNET

No specific rules for the internet. However general rules will also apply here.

CINEMA

The organiser of movies needs the governmental consent to diffuse public programs and can therefor be asked to make the film material available. Movies for minors have to be scheduled in time zones which makes it possible to take the regulations concerning the prohibition for minors into account (art. 14 of Children and Young Persons Act). Art. 14 is also applicable to other public events such as theatre, variety, cabaret, revue or similar events

POSTERS

SPECIFIC LEGAL PROVISIONS

3.1 ALCOHOL	
3.1.1 General rules	<p>Children and juveniles must not drink spirits. Children and juveniles under the age of 17/18 must not drink alcoholic beverages. They must not be given alcoholic beverages and tobacco, even if these are destined to someone else. Alcoholic beverages may not be given to people under the age of 18 years.</p> <p>Trade of spirits and alcoholic beverages requires a licence.</p>
3.1.2 Advertising	
3.1.2.1 In general	
3.1.2.2 Per media	
Television	All advertising for alcohol is prohibited (art. 16 of Television and Radio Act)
Radio	All advertising for alcohol is prohibited (art. 16 of Television and Radio Act)
Print	No specific rules, but the same principles as for TV and radio should apply
Posters	No specific rules, but the same principles as for TV and radio should apply
Cinema	No specific rules, but the same principles as for TV and radio should apply
Internet	No specific rules, but the same principles as for TV and radio should apply
3.2 TOBACCO	
3.2.1 General Rules	
3.2.2 Advertising	
3.2.2.1 In general	
3.2.2.2 Per media	
Television	All advertising for tobacco products is prohibited (art. 16 of Television and Radio Act)
Radio	All advertising for tobacco products is prohibited (art. 16 of Television and Radio Act)
Print	No specific rules, but the same principles as for TV and radio should apply
Posters	No specific rules, but the same principles as for TV and radio should apply
Cinema	No specific rules, but the same principles as for TV and radio should apply
Internet	No specific rules, but the same principles as for TV and radio should apply
3.3 DRUGS AND HEALTH	
3.3.1 General rules	<p>Public boosting of medicine must be admitted by the IKS (Interkantonale Kontrollstelle)</p> <p>Boosting of narcotics directed to consumers is prohibited.</p> <p>Boosting of narcotics directed to medical professionals may not be incorrect or misleading and the product should be marked as narcotic.</p>
3.3.2 Advertising	
3.3.2.1 In general	
3.3.2.2 Par support	
Television	All advertising for medicinal products requiring a doctor's prescription are banned
Radio	All advertising for medicinal products requiring a doctor's prescription are banned

<p>Print</p> <p>Posters</p> <p>Cinema</p> <p>Internet</p>	<p>No specific rules, but the same principles as for TV and radio should apply</p> <p>No specific rules, but the same principles as for TV and radio should apply</p> <p>No specific rules, but the same principles as for TV and radio should apply</p> <p>No specific rules, but the same principles as for TV and radio should apply</p>
<p>3.4 VEHICLES</p>	
<p>3.4.1 General rules</p> <p>3.4.2 Advertising</p> <p>3.4.2.1 In general</p> <p>3.4.2.2 Per media</p> <p>Television</p> <p>Radio</p> <p>Print</p> <p>Posters</p> <p>Cinema</p> <p>Internet</p>	<p>The applicant should be 18 years old to obtain a license in class B (cars) and A (motor cycles) and 21 years to obtain a license in class D (cars over 3500 kg)</p> <p>Advertising which can be mistaken for a traffic signal or traffic marking, or which can influence the traffic security is prohibited on public roads.</p>
<p>3.5 EDUCATION</p>	
<p>3.5.1 General rules</p> <p>3.5.2 Advertising</p> <p>3.5.2.1 In general</p> <p>3.5.2.2 Per media</p> <p>Television</p> <p>Radio</p> <p>Print</p> <p>Posters</p> <p>Cinema</p> <p>Internet</p>	<p>Schulgesetz Art. 74 requires all children who are residents of Liechtenstein to attend school</p>
<p>3.6 TOYS AND CHILDREN'S THINGS</p>	
<p>3.6.1 General rules</p> <p>3.6.2 Advertising</p> <p>3.6.2.1 In general</p>	<p>The Liechtenstein government can prohibit the use of dangerous products such as for example pyrotechnic articles</p>

<p>3.6.2.2 Per media</p> <p>Television</p> <p>Radio</p> <p>Print</p> <p>Posters</p> <p>Cinema</p> <p>Internet</p>	
<p>3.7 FINANCIAL SERVICES</p>	
<p>3.7.1 General rules</p> <p>3.7.2 Advertising</p> <p>3.7.2.1 In general</p> <p>3.7.2.2 Per media</p> <p>Television</p> <p>Radio</p> <p>Print</p> <p>Posters</p> <p>Cinema</p> <p>Internet</p>	<p>The Banking Act regulates all matters with regards to banks and their business. There are no specific provisions regarding minors.</p> <p>Misleading or importunate advertising is prohibited, especially in foreign countries re Liechtenstein branches/establishments</p>
<p>3.8 LEISURE</p>	
<p>3.8.1 General rules</p> <p>3.8.2 Advertising</p> <p>3.8.2.1 In general</p> <p>3.9.2.2 Par support</p> <p>Television</p> <p>Radio</p> <p>Print</p> <p>Posters</p> <p>Cinema</p> <p>Internet</p>	<p>Children may not without important reason be present in public facilities or other arrangements between 21.00 and 5.00, juveniles who have not fully reached the age of 17 between 23.00 and 5.00 and juveniles above 17 years between 24.00 and 5.00, except if the child or juvenile is accompanied by an adult</p>
<p>3.9 ARMS/VIOLENCE</p>	
<p>3.9.1 General rules</p> <p>3.9.2 Advertising</p> <p>3.9.2.1 In general</p> <p>3.9.2.2 per media</p>	<p>Minors may not have arms or ammunition, except for minors dealing with arms while in training for a profession. However, minors who are reliable and mature enough to see the danger and to deal with arms, can get a governmental permission.(except for "Faustfeuerwaffen")</p>

Television
Radio
Print
Posters
Cinema
Internet

3.10 POLITICS

3.10.1 General rules
3.10.2 Advertising
3.10.2.1 In general
3.10.2.2 Per media
Television
Radio
Print
Posters
Cinema
Internet

3.11 TELECOMMUNICATIONS

3.11.1 General rules
3.11.2 Advertising
3.11.2.1 In general
3.11.2.2 Per media
Television
Radio
Print
Posters
Cinema
Internet

PROJECTS AND PROPOSALS OF LAW

SELF-REGULATION

GENERAL RULES



RULES PER MEDIA

Medienkommission

has to observe and control the rules of the Television and Radio Act. It decides whether a program is detrimental to the physical, mental or moral development of minors.

RULES PER SECTOR

ALCOHOL
TOBACCO
DRUGS/HEALTH
VEHICLES
EDUCATION
LEISURE
FINANCIAL SERVICES
ENTERTAINMENT
ARMS/VIOLENCE
POLITICS
TELECOMMUNICATIONS
SCHOOLS

OTHER ADVERTISING TECHNIQUES (LEGISLATION AND SELF-REGULATION)

DIRECT MARKETING



HANDLING OF COMPLAINTS

Self-regulation
Administrative procedure
Judicial procedure

Medienkommission: no case law available until now
appeal to the Administrative Court
Princely Country Court - appeal to the Princely High Courts and to the Princely Supreme Courts