

MARKETING AND ADVERTISING GUIDELINES

Context

The Kingston Arts Precinct otherwise known as Section 49 Kingston (**Precinct**) is an ACT Government project. Policy responsibility for the arts component of the project sits with artsACT in the Chief Minister, Treasury and Economic Development Directorate, and delivery with the Suburban Land Agency in the Environment, Planning, and Sustainable Development Directorate. The marketing and promotion of the Precinct will be underpinned by the ACT Government values and the 2015 ACT Arts Policy.

The ACT Government adheres to the values set out in the *ACT Public Service Code of Conduct (ACT) 2012*. Those values are respect, integrity, collaboration and innovation. The ACT Arts Policy has at its centre the same values. The ACT Arts Policy identifies the following principles:

- participation in and access to the arts;
- great art and great artists;
- vitality of the Canberra Region arts ecology; and
- engagement with the Aboriginal and Torres Strait Islander arts and culture.

Marketing and advertising guidelines

The Precinct arts buildings and event space form the heart of the Precinct. Other development within the Precinct will benefit directly from their proximity to and association with the art spaces, activation, and activities in the precinct. And in turn, the Arts Precinct will benefit from the mixed-use Precinct that is proposed around the fringe of the arts core.

It is expected that the public will associate the marketing and promotion of all developments by the Developer or the ACT Government within the Precinct as representative of the ACT Government as well as the Developer. In light of this, both parties agree that marketing and promotion for developments by the Developer or the ACT Government within the Precinct will adhere to the marketing and advertising guidelines set out in Schedule 1 of these guidelines.

In some situations, the law may prescribe the information that must, or must not, be contained in an advertisement, and accordingly these guidelines are in addition to the various laws relating to advertising, including the Do Not Call Register Act 2006 (Cth) and Spam Act 2003 (Cth).

These guidelines apply worldwide and are not limited to only the Canberra or Australian market. These guidelines do not apply to the occupants of the Precinct, including the Canberra Glassworks and the operator of the Bus Depot Markets. The Developer and the ACT Government will not be regarded as occupants of the Precinct.

The ACT Government will appoint an independent reviewer of marketing materials to determine whether or not the material meets these guidelines (**Independent Reviewer**). The ACT Government may refer any marketing materials to the Independent Reviewer. Any marketing material determined by the Independent Reviewer not to meet these guidelines must not be published by the Developer.

Schedule 1 – General requirements for advertising

This Schedule 1 sets out the general requirements that relate to the form and content of advertising material.

1 Kingston Arts Precinct arts buildings & event space

Any marketing and promotion materials produced by the Developer or ACT Government for the Precinct must:

- (a) centre on the activities that will take place, and the art that will be made, exhibited, and sold there; and
- (b) comply with the requirements set out in the table below.

To this end, the Developer will provide reasonable opportunity for artsACT and arts organisations to participate in creating content for marketing purposes, and artsACT and arts organisations will make all reasonable efforts to provide images and/or be available to be photographed for the purpose of generating marketing images.

Advertising item	Requirements
General	<p>Marketing and promotional material for the Precinct must include and depict:</p> <ul style="list-style-type: none"> • individuals in a way that promotes best practice in inclusion and participation and includes a diverse range of people depicted in a respectful, empowering and dignified way, including people of different cultures, ages, genders and abilities; • the Precinct as accessible, utilitarian and functional; and • art images in consultation with the ACT Government, in order to ensure: <ul style="list-style-type: none"> • art making processes and practices are accurately depicted; and • that local artists and locations are depicted wherever possible (as opposed to images depicting artists/and art making from interstate).
Marketing and promotional material	<p>Wherever possible, marketing and promotional material for the Precinct should represent:</p> <ul style="list-style-type: none"> • each arts organisation that will be at the Precinct; • local artists and locations; • a diverse range of people depicted in an empowering, respectful and dignified way; • a diverse range of art practices;

	<ul style="list-style-type: none"> • the Precinct as accessible, utilitarian and functional; • finished artworks, including attribution details; • art being made or produced, including artists ‘at work’; • artists’ studios; • art exhibitions, including installation of works in a gallery, and opening night events; • artists working together and organisations collaborating; • people enjoying and participating in art; and • art making processes and practices accurately. <p>As a guide, activities that will happen in the Precinct include (but are not limited to):</p> <ul style="list-style-type: none"> • printmaking; • glassmaking; • digital design; • photography; • art exhibitions; • installation art; • installation of art exhibitions; • conversations; • outdoor events; • exhibition / gallery openings; and • radio production.
False or misleading conduct	The Developer must not make false or misleading claims in relation to an advertisement. Images should not be misleading or misrepresent the nature of the offer.
Disclaimers	Images should not detract, contradict or reduce the prominence of disclaimers and other qualifying statements.
Prohibitions	<p>Marketing and promotional material for the Precinct must not:</p> <ul style="list-style-type: none"> • objectify people (especially women) in an overtly sexual manner or perpetuate gender stereotypes that reinforce gendered ideas about what it means to be a woman or man and how women and men are valued in our society; or • reference, or depict use of, illegal substances; or

	<ul style="list-style-type: none"> • contain anything which would be considered as offensive to the general public.
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Marketing and advertising for the Precinct will adhere to all relevant standards and guidelines set by the Ad Standards Board, the Australian Communications and Media Authority and the Australian Competition and Consumer Commission.

2 **Specific requirements of advertising**

The guidelines will be applied with attention to the attributes of the different types and media of advertising.

Print advertising can appear in the form of newspaper advertisements, flyers, handouts, billboards, posters, signs, aerial displays and mail-outs. Film and video advertising can be distributed through a variety of mediums including, television, and the internet (including through websites and applications such as YouTube). Audio advertising can be distributed through a variety of mediums including, radio, telemarketing and recorded messages while a person is on hold on the phone. These types of advertising must also comply with the requirements of the Do Not Call Register Act, and the Spam Act.

The Developer must ensure that all advertising (regardless of the type or medium) presents an accurate and balanced message to consumers.

The table below sets out the specific considerations for advertising:

Advertising item	Requirements
General	Generally, all advertising should comply with the form and content requirements set out in this Schedule 1.
Choosing the type of print advertisement and the content to be included	Depending on the type of print advertising used the Developer should have regard to the content of the advertisement. Where an advertisement will be viewed from a distance or only for a short period of time, the type and content of the advertisement will need to be appropriate for that situation. The promotion of information which requires disclaimers, qualifications or assumptions may not be appropriate for advertisements viewed in these conditions.
Choice of images and sound	Images and sounds used in an advertisement should not be misleading or misrepresent the nature of the Precinct or the off the plan residential dwellings being offered for sale within the Precinct.
Speed of information and sounds	Audio and text should be presented at a speed that is easy for an average person to understand. The average viewer or listener should be able to easily understand the content of the advertisement, including any disclaimers, qualifications and assumptions displayed or described in the advertisement.

<p>Disclaimers, qualifications and assumptions</p>	<p>Images and sounds should not detract, contradict or reduce the prominence of disclaimers and other qualifying statements.</p> <p>If a disclaimer or qualification is required in a film or audio advertisement, it must be published at the same time as the original message to which it relates.</p> <p>Disclaimers, qualifications and warnings used in an advertisement should be in a form similar to the main body of the advertisement. This includes the size of the font.</p>
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3 Internet and email advertising

Advertising item	Requirements
General	Generally, all internet advertising should comply with the form and content requirements set out in this schedule.
Using landing pages	Care should be given when including information related to an advertisement in a landing page where that information is not also available in the advertisement. Generally, all relevant information should be included within the advertisement.
Banners and webtile	Care should be given as to what content is included in online banner and webtile advertising as only limited information can be included in banners and webtile.
Mandatory content of emails	<p>Email advertising must including the following information:</p> <ul style="list-style-type: none"> • clearly identify that the email is sent from The Developer; and • include information about how the consumer can contact the Developer (e.g. email address or phone number).
Using links to landing pages in emails	Care should be given when including information related to an email advertisement in a landing page where that information is not also available in the email advertisement. Generally, all relevant information should be included within the email advertisement.