

DEUTSCHER WERBERAT

PRONOUNCEMENT OF THE GERMAN ADVERTISING STANDARDS COUNCIL ON ADVERTISING WITH CELEBRETIES

Valid from January 2000

The German Advertising Standards Council has received repeated complaints about advertisements in which prominent figures – especially politicians – are portrayed, obviously without their knowledge or consent, for the purpose of commercial advertising.

The German Advertising Standards Council is unable to investigate these complaints since they relate to a breach of the law which, being the self-regulatory body of the German advertising industry, it has no mandate to prosecute. Complainants are referred to the legal situation as described in the following and are advised to enforce their rights in the courts if they so wish.

- Images and names of people, and other representations constituting part of an individual's private sphere, must not be used except with the consent of the individual concerned.
- The sole exception from this rule is if the individual concerned – as is the case with national politicians – is a figure from contemporary history and the emphasis is visibly on purposes of information and documentation rather than business interests.

