

Bill #1
The Advertising Standards Act
Moved By: Registrar General

WHEREAS advertisements sometimes depict anatomically impossible, such as an individual's head being larger than their pelvis¹; and

WHEREAS children and teens are becoming "sexualized" and researchers and psychologists say it adversely shapes their view of themselves and their potential, as well as how others view them²; and

WHEREAS in advertising, "women's bodies are often dismembered into thighs, legs, breasts, stomach, midriffs, partly clothed parts, reinforcing the message that women are objects rather than whole humans."³

THEREFORE HER MAJESTY, BY AND WITH THE ADVICE AND CONSENT OF THE YOUTH PARLIAMENT OF MANITOBA, ENACTS AS FOLLOWS:

Purpose

- 1 The purpose of this Act is to
 - (1) Establish **ADS** with the mandate set out in Section 3.
 - (2) Review and approve all advertising campaigns in Canada to ensure they abide by advertising standards regarding sexual objectification.
 - (3) Fine corporations and individuals who fail to abide by **ADS** standards.

Definitions

- 2 In this bill, the following terms are defined as
 - (1) **Advertising:** Content containing a visual or auditory message that is paid for and controlled by an advertiser, expressed with the primary intention to influence a consumer's choice, opinion, or behaviour.
 - (2) **Objectification:** To imply or suggest that individuals are not autonomous, due in part to their gender.
 - (3) **Sexualization:** To make an individual's appearance suggest sexuality in character or quality, or to bring attention to their sexuality.
 - (4) **Unattainable body expectations:** To portray the body of an individual in a way that cannot be reasonably attained by an average person.

Establish ADS

- 3 The Advertising Decision Standards [**ADS**] committee is hereby established.

¹ Jean Kilbourne, "The Dangerous Ways Ads See Women," *The Singju Post*, August 24, 2016, <https://singjupost.com/jean-kilbourne-on-the-dangerous-ways-ads-see-women-full-transcript/2>.

² Lois M. Collins and Sara Lenz, "The End of Innocence: The Cost of Sexualizing Kids," *Deseret News*, September 17, 2011, <https://deseretnews.com/article/700180194/The-end-of-innocence-The-cost-of-sexualizing-kids.html>.

³ Pratima Pokharel, "Stereotyped Representation of Female Body in Advertisement," http://www.academia.edu/1929940/Stereotype_representation_of_female_body_in_advertisement.

Mandate and Powers

- 4 The mandate of **ADS** is to oversee and grant permissions for all advertising campaigns to reduce the harms caused by sexual objectification in advertising.
- 5 **ADS** will create and publish a document providing advertising standards for Canadian advertising practices.
 - (1) **ADS** standards will take into account, but are not limited to:
 - (a) Objectification.
 - (b) Over-sexualization.
 - (c) Unattainable body expectations.
 - I. **ADS** shall focus primarily on the use of image editing software to create unattainable body expectations.
 - (2) The following will be considered affected advertising practices:
 - (a) Traditional advertising practices, such as television, print media, and others.
 - (b) Digital advertising practices, such as social media marketing, email marketing, search engine marketing, and others.
 - (3) **ADS** will determine the standards that must be met for each type of advertising practice, in accordance with its mandate outlined in (4).
- 6 **ADS** shall be comprised of non-partisan professionals in the following fields:
 - (1) Advertising.
 - (2) Psychology.

Approval Process for Advertisements

- 7 Advertisements fitting within the affected types of advertising practices in Clause (5.2) must be submitted to and approved by **ADS**.
 - (1) Any new advertisement published by a for-profit organization, non-profit organization, and/or individual must first be submitted to **ADS** for approval.
 - (2) Approved advertisements must follow standards as set out in the **ADS** document, outlined in Clause (5).
 - (3) Organizations whose advertisements are found non-compliant may make an appeal to **ADS** and will receive a second round of review.

Punishment for Non-Compliance

- 8 Publishing an advertisement without approval from **ADS** will result in
 - (1) A fine of no less than \$10,000, based on the revenue of the non-compliant organization.
 - (a) The corporation's top executives must pay 30% of this fine.
 - (2) A probation period of no less than one month for the organization's decision makers, including but not limited to the CEO and members of the Board of Directors.
 - (a) During this probation period, the decision maker may not be involved in the organization's advertising decisions.
 - (3) Continued involvement in the organization's advertising during the probation period may result in jail time for the individual.
 - (a) If a person is sentenced to jail time under (7.3), that person will be prohibited from returning to the non-compliant organization.