

Bishkek

18 December 2009

No. 310

Advertising Act (Additions and Amendments) Act

Date of adoption: 18 December 2009

Date of entry into force: 22 December 2009

Article 1

The following additions and amendments are hereby made to the Advertising Act (Legislative Gazette of the Kyrgyz Republic 1999, No. 4, art. 195):

1. Add the following paragraph to article 2:

"Direct advertising is overt publicity for specified items, services and persons with a view to generating or maintaining interest in an individual or a corporate body, items, trademarks, works, services, ideas or undertakings, and facilitating the promotion thereof;

Indirect (subliminal) advertising is any activity other than direct advertising carried on in any form or manner that acts upon the unconscious mind and is intended to attract the attention of the mass media and/or to shape public opinion or perception with regard to specified items and services, ideas or undertakings that indirectly influence purchasing behavior and/or mass or individual consciousness, by creating an impression of impartiality and objectivity, including:

- The sponsorship of sporting, cultural and musical events;
- The making of films featuring well-known actors to popularize items, smoking, tobacco products, and the brands and manufacturers thereof;

- References in advertisements to prominent political and public figures or persons using the specified item or service;
- The placement of subliminal advertising in television shows and films;
- The organization of mass cultural and public events and competitions;
- Promotions and sales drives for specified items, services and undertakings through the mechanism of price discounts using coupons and vouchers;
- The manufacture and sale of edible and non edible items shaped like tobacco products;
- The use or presentation in radio or television programmes, articles, advertisements and publicity material of the brand names of items or services, or their logos or trademarks."

2. Article 16:

Paragraph 1:

- In line 1, delete "tobacco and tobacco products";
- In line 2, replace "Be issued" by "Be circulated";
- Line 3 is no longer in force;
- In line 5, delete the words "and smoking" and "or smoking";
- In line 6, delete the words "or from smoking" and "tobacco and tobacco products";
- Line 11 is no longer in force;
- In line 13, delete the words "and tobacco";
- In line 14, delete the words "or tobacco"
- In line 15, delete the words "and tobacco", "or tobacco" and "and smoking";
- Add the following line:
"The advertisement of alcoholic beverages on radio or television is prohibited between 07:00 and 22:00".

Paragraph 2:

- In line 1, delete the words "tobacco and tobacco products";

- In line 2, delete the phrase "including through the use of terms such as "light", "ultra-light", "low tar", "mild" and similar";

Paragraph 3:

- In line 1, delete the words "tobacco and tobacco products";

- In line 2, delete the words "and smoking";

- In line 3, delete the words "(tobacco products)";

Add the following new paragraph 8:

"Advertising of any kind (direct or indirect) for tobacco or tobacco products is prohibited, as specified under the Harmful Effects of Tobacco (Public Health Protection) Act. Tobacco product advertising is permitted only in tobacco product vending outlets. The dimensions of the advertising material must not exceed 2000 cm². Every advertisement inside a shop must display a health warning covering at least 40% of the surface of the advertisement."

Article 2

This Act shall enter into force on the day of its official publication.

Published in the Official Gazette No. 107 of 22 December 2009.

The Government of the Kyrgyz Republic has 3 months to bring its laws and regulations into line with the provisions of this Act.

The President of the Kyrgyz Republic

K. Bakiev

Adopted by the Parliament of the Kyrgyz Republic

19 November 2009