

Violations of the law about advertising in Ukrainian media

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Abstract – In the article there are analysed different kinds of advertising in Ukrainian mediasphere. It is investigated the quality of the publicity texts after the criteria of legality, literacy, originality and journalistic ethics. Advertising which violates Ukrainian law about advertising is found out and it is grounded negative influence such kinds of ad on the readers audience and on the society on the whole.

Keywords – advertising, law, violation, media.

I. Introduction

Nowadays advertising became part of our life. It surrounds us everywhere – at home, on the street, in the metro, supermarket etc.

Magazines, television programs, movies and advertising are very well known forms of media and are used constantly in our society to influence on our lives. We confront so many ads every day that we overlook them and they become invisible. From the researches, the typical U.S. citizen will spend more than one year of his or her life just watching television commercials. In any daily routine life, people do tend to keep themselves busy all the time by reading newspaper, watching television, listening to the radio and reading other print media production. That's why the most amount of advertising is placed in mass-media. Nevertheless, advertising should be legal and comply with the laws of Ukraine.

II. Analysis of the problem

The most amount of advertising is placed on television (23,9%), in the newspapers (22,8%) and in the online media (22,1%) [1]. As online media in Ukraine has no special legislative norms, so in our article we examine advertising on the television and in the newspapers. Its pity, but Ukrainian ad market is not high-developed, that's why the advertising in printed mass-media is not of high quality. So we studied the phenomenon of poor quality advertising in Ukrainian press. Advertising can be defined as paid communication that is intended or designed to alter the perception and behavior of people and to cite H. G. Wells [2], advertising is 'legalized lying'. Advertising in printed mass-media can influence on the reader by its original text or by illustration. In our country there is also such kind of ad like hidden advertising, which influences on subconsciousness of the people and which is unrealized. As far as we know, the analysis of the problem of quality or unquality advertising is nowhere to be found in the literature. So we tried to define these terms and for better understanding the phenomenon of unquality advertising we proposed to divide it into two groups:

1. advertising which violates actual Ukrainian legislative norms
2. advertising which violates the norms of the journalistic ethics.

To analyze the advertising of the first group we learned the rules of foreign specialists on advertising such as David Ogilvy [3], Leo Burnett [4], Dominic Hettings [5] and others. They recommend to write creative, original and laconic advertising, using common words and phrases. They also advise to pay attention to the headlines of the advertising. It should consist of no more than 5 words and should be informative, ironical or witty.

Analyzing the Ukrainian press, we have noticed some types of the advertising which is forbidden by the Law about advertising. In particular it is hidden and unconscious advertising. When we analyzed the typical advertising in Ukrainian press (we chose regional newspapers "Vysokyj zamok", "Express" and "Lvivska gazeta" and allukrainian "24", "Gazeta po-ukrainsky" and "Ukraina moloda"), we saw that our ad messages are usually very long and dull, so that it's hard to read the whole text to the end. In fact the ad is made without creativeness or original thoughts; there is no pointing about the advantages of the product, so that the reader is not interested in buying this commodity.

The group of ad which we analyzed was unconscientious and hidden advertising. These kinds of advertising are forbidden by Law "About advertising" [6] but unfortunately such ad messages are popular in Ukrainian newspapers. Among unconscientious advertising the most often is printed ad of alcohol and tobacco. This ad messages are written without the warning about the damage to the health however such notice is compulsory. Another kind of unconscientious ad is advertising of medical preparations, which is printed without direction about the number and date of the special license. In Ukrainian newspapers are also popular ad texts about the services of different sorcerers and witch-doctors, though such advertising is forbidden by law. Unconscientious advertising can bring readers into the trickery and as a result it can be harmful for their health.

Hidden advertising is also printed in our newspapers. Hidden advertising is the text which has hidden purpose – to advertise a product, service or a politician and which is not printed under the headline "Advertising". So hidden advertising we should divide into the commercial and political hidden advertising.

Among hidden commercial advertising the most popular are ad texts about banks and about the services of mobile operators. And this is not strange because as we have already said these companies are the most wide advertisers in Ukrainian press. Hidden advertising is usually written by a journalist like a simple informative text, but when you read this publication, you will understand the hidden purpose of this text – to advertise some product or service. Hidden advertising in Ukrainian press is written in different journalistic genres – short story, analytic article or even essay. And no matter where is printed hidden advertising – in regional or in allukrainian newspapers – it always effects on the readers, and what is the worse – that this influence is unrealized.

But when we get caught into the hidden commercial advertising – we may buy unquality product and what is the result of being caught into the hidden political advertising? Then the result is worse.

Talking about television, we should say that situation with this media is not better. Hidden advertising on the TV is situated usually as product placing – when the advertising is in the content of the Tv program, film or serial.

In the news program on the channel “Ukraine” there is a big amount of the hidden advertising. In particular it is hidden advertising in the news program about the owner of this channel – Rennat Achmetov and about his companies. Information about him is broadcasted in each news release.

Another Ukrainian channel 1+1 also broadcasts hidden advertising about the bank of his owner – but more rare.

Hidden political advertising is usually widened during the elections, but in fact it is printed in our press more often. Last summer, during the pre-election campaign hidden advertising was printed almost in each number of regional newspapers such as “Vysokyj zamok”, “Express” and “Lvivska gazeta”. Each of this newspapers supported different politicians.

Texts with hidden advertising were written like informative stories about the one of the members of political parties, and in general this advertising created a positive image to the political subject. Such texts should be printed under the notice “Political advertising”, but they were situated under the heading “News” or “Official” so these messages are in fact a hidden advertising. It’s good that the political hidden advertising is widening only in regional newspapers. In general Ukrainian press there is no such phenomenon. In such newspapers as “Ukraina moloda”, “Gazeta po-ukrainsky” and “24” during the pre-election campaign there were articles about each political party, so we can’t say that any of these newspapers supported some politicians.

It is interesting the phenomenon of printing hidden advertising in the newspaper “Ukraina moloda”. Near the advertising there is no mark as “Advertising” or “On the rules of the advertising”. Instead, there is a small letter R in the circle, printed in the corner of the publication. Such kind of printing of the advertising is not provided by the Ukrainian laws and in fact is illegal. Besides it is dishonesty for the older readers, which just can’t notice such symbol.

Speaking about the unquality political advertising, we should remember that mass media forms the political consciousness and political culture of the residents, and when people make the wrong choice – it is often the fault of the media. So the journalists should comply with law, with the journalistic ethics and with the own conscious.

The most amount of the political advertising is situated on the TV before the elections. Such advertising is often hidden and unconscious. It is manifested in the ordered materials and in the number of the references of the subject of the electoral process in the ether of the channels broadcastings.

Conclusion

So, in the conclusion we can say that in the Ukrainian media there are a lot of the advertising, which violates the Law about advertising. The quality of the advertising we can determine by the originality and the method of its presentation and by the legality of the ad. From my researching follows that the ad texts can be unquality as from the one of this positions, thus in both. It’s pity that the texts of forbidden advertising are usually written in very original and creative form, and vice versa. And the presence of quality advertising from both this positions is a rare occurrence.

The most often violation of the legislation is the existence of the hidden and unconscious advertising. We should also point out that from the one hand the advertising in regional newspapers such as “Vysokyj zamok”, “Express” and “Lvivska gazeta” is more interesting and vivid, than in all-ukrainian press. But from the other hand, in the Ukrainian newspapers such as “Ukraina moloda”, “Gazeta po-ukrainsky” and “24” there are less forbidden unquality advertising, than in the regional. So as we see there are more unquality, than quality advertising in Ukrainian press.

On the Ukrainian television the most amount of the forbidden advertising is hidden ad on the channel “Ukraine”. And there are few reasons of this phenomenon. Unquality advertising touches to advertisers, advertise-makers, copywriters, journalists and the owners of the media.

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