

ADVERTISEMENT OF ALCOHOL PRODUCTS: DETERMINATION OF PROCEDURES, RULES, AND FORMALITIES (PRAKAS NO. 084)

AUGUST 2024 LEGAL UPDATE

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The Ministry of Information issued Prakas No. 084 on the Determination of Procedures, Rules, and Formalities in Managing the Advertisement of Alcohol Products (“**Prakas No. 084**”) on 23 July 2024. The new regulation aims to further control alcohol product advertisements with the stated intention to maintain social order, protect public health, mitigate negative economic, cultural, and traditional impacts, and promote fair competition in the Kingdom of Cambodia. A company with any existing alcohol advertisements must seek approval from the Alcohol Product Advertising Management Team by 23 October 2024 and with any new advertisements must seek approval prior to release.

Scope of Prakas No. 084

Prakas No. 084 regulates all types of advertisements related to alcohol products with ethanol content exceeding 3% by volume across all forms of media, including digital media, within Cambodia.

Key Provisions

All alcohol product advertisements require permission from the Alcohol Product Advertising Management Team, established in June 2024 with the Minister of Information as the Chair, and must adhere to the following principles:

1. **Prohibition of Misrepresentation:** Advertisements must not misrepresent alcohol products.
2. **Inducement Features:** Advertisements must not use images that promote sex drive or sexual attraction.
3. **Advertisement Campaigns:** Marketing campaigns must not involve taking audiences to drink on stage.
4. **Stage Hosts:** Hosts must not promote or encourage alcohol consumption on stage.
5. **Targeting Minors:** Advertisements must not target minors or use minors to advertise alcohol products.
6. **Time Restrictions:** Advertisements are prohibited on television and radio from 18:00 to 20:00 hours, except for mere display of image or name or read aloud of the name of alcohol products.
7. **Proximity Restrictions:** Advertisements are banned within 200 meters of schools, health centers, religious institutions, cultural sites, and international airports.
8. **Cultural Sensitivity:** Advertisements must not include images of violence, pornography, or nudity that would affect the culture, tradition, honor and dignity of the Cambodian women.
9. **Warning Messages:** Ads must display warnings like "drink don't drive" or "drink responsibly" with visible text covering at least 1/4 of the ad size.
10. **Attraction to Minors:** Ads must not use elements that attract minors to consume alcohol, such as cartoon characters or celebrities.
11. **Driving:** Ads must not show alcohol consumption before or during driving.
12. **Social Acceptance:** Ads must not portray alcohol consumption as necessary for social acceptance, success, or national pride.
13. **Health Claims:** Ads must not target pregnant or breastfeeding women or suggest health benefits.

14. **Disease Prevention:** Ads must not claim alcohol helps prevent or treat diseases unless legally permitted.
15. **Respect for Non-Drinkers:** Ads must respect individuals who do not drink, including religious persons, cultural figures, patients, and pregnant women.
16. **Digital Media:** Ads on electronic, digital, or social media must include warnings to prevent minors' access and ensure they are not targeted.
17. **Compliance:** Ads must comply with all applicable laws and regulations of Cambodia.

Application Process

Anyone wishing to advertise alcohol products must apply for a permit either online or in person at the one-stop service office of the Secretariat of the Alcohol Product Advertising Management Team during working hours from Monday to Friday at No. 62 Preah Monivong Blvd, Sangkat Sras Chork, Khan Daun Penh, Phnom Penh, Cambodia (inside the Ministry of Information premises).

Existing Advertisements

Those currently advertising alcohol products or providing advertisement services must seek permission from the Alcohol Product Advertising Management Team by 23 October 2024. This timeframe also applies to alcohol advertisement agencies yet to register their business. All media must comply with the permitted content provided by the Alcohol Product Advertising Management Team. Non-compliance will result in legal consequences.

Permit Issuance

The Secretariat of the Alcohol Product Advertising Management Team must issue a permit within seven working days after verifying the accuracy and completeness of the application. The permit will be issued electronically and published on the website in accordance with Cambodian laws and regulations.

Disclaimer: This Legal Update shall not be deemed as legal advice. Please do contact us should you require legal advice.

AUTHOR'S PROFILE



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Intellectual Property Rights