

## Advertising Policy

**Reference:** *From the Alberta Funeral Services Act – General Regulation Alberta Regulation 226/1998. With amendments up to and including Alberta Regulation 31/2012*

### **Name of Business**

**7** If a funeral services business carries on business under a name or style other than its corporate name, the business's corporate name must be clearly disclosed to the public

- (a) on the business's letterhead,
- (b) in the business's contracts
- (c) in advertising, and
- (d) on the business's price list

Concern has been raised as to a definition of advertising. The following should provide some guidelines for funeral services businesses in determining where they are required to display their corporate name.

Recognizing that some forms of advertising make disclaimers and additional wording prohibitive, the following policy applies with respect to section 7 (c) of the *Funeral Services Act/General Regulations*:

The business corporate name **does not need to appear** in the following types of advertising/communications:

1. **Any business or promotional material** where it is physically impossible or impractical to include the corporate name such as pens, golf balls, key chains, candy, napkins, logo on apparel, etc.
2. **Radio and Television advertising:** Does not need to include the funeral services business corporate name in cases where a website is referenced that contains that information. In cases where no web reference is provided then the corporate name must appear in the radio and television advertisement.
3. **Obituary announcement:** Considered public service information, an obituary notice does not need to include the funeral services business corporate name.
4. **Signage:** Building signage, and billboard signage on the property of the funeral services business. However, offsite signage should carry either the website address or corporate name of the funeral services business.

The business corporate name **needs to appear** in the following types of advertising / communications including by way of example:

5. **Print advertising (excluding obituary announcement):** Must include the corporate name of the funeral services business, this includes business cards, post cards, flyers, direct mail and print news media advertising.
6. **Website:** Whenever a funeral services business owns a website or controls its content every viewable page must include (or link to) full disclosure of the business's corporate name.

7. **Email, discussion groups** etc: The funeral services business corporate name must be included in every message.
8. **Social Media: Twitter, Face book and other social media mediums** (including instant messaging): The funeral services business must include in the description attributed to the profile the corporate name of the funeral services business.
9. **Web Banner Advertising**: Should include a link to the website that provides full disclosure of the corporate name of the funeral services business, where a web link is not provided the corporate name must appear.

## **A general statement regarding accuracy and clarity in advertising:**

- (a) Advertisements must not contain, directly or by implication, make inaccurate, deceptive or otherwise misleading claims, statements, illustrations, or representations. Reference: *Funeral Services Act* section 13(f) and (g)
- (b) Advertisements must not omit relevant information if the omission results in an advertisement that is deceptive or misleading. In assessing the truthfulness and accuracy of a message, advertising claim or representation, the concern is not with the intent of the sender or precise legality of the presentation. Rather the focus is on the message, claim or representation as received or perceived, i.e. the general impression conveyed by the advertisement. Reference: *Funeral Services Act* section 13(g)

## **Pricing**

- (c) All pertinent details of an advertisement must be clearly and understandably stated and should include all items necessary or usually required. A representation that a service or item is necessary, if it is not, constitutes a deceptive act or practice. Reference: *Funeral Services Act Section 13 (d) and (f) and (j)*
- (d) Disclaimers and asterisked or footnoted information must not contradict more prominent aspects of the message and should be located and presented in such a manner as to be clearly legible and/or audible.
- (e) When providing a price (including but not limited to print, phone, radio, TV, web, and email) the operator shall include an explanation of all conditions of sale that relate to the price and a full description of the goods and services that are included in the advertised price. *As per the legislated requirements as listed in the General Regulation Section 8.*