



## Uzbekistan | August 2022

### NEW ADVERTISING LAW

On June 7, 2022, the Law of the Republic of Uzbekistan (hereinafter – “**Uzbekistan**”) “On Advertising” No. LRU-776 (hereinafter – the “**Law**”) was adopted. The Law will enter into force on September 9, 2022. Please see below some of the key, in our opinion, changes provided by the Law.

#### General Provisions

The Law provides for an expanded definition of the advertising term. After adoption of the Law **advertising** is the special information the content of which is addressed to users within Uzbekistan and distributed through any advertising means, not only for the purpose of direct or indirect profit (income), but also to draw attention to the advertising object, to generate or maintain interest in this object, as well as to promote it on the market.

A number of new definitions, such as “unethical advertising”, “inappropriate advertising”, “incentive action”, “sponsored advertising”, “counter-advertising”, etc. are introduced.

Advertising should be disseminated in the state (Uzbek) language. However, it’s permitted to duplicate the advertising in other languages, subject to certain conditions, including preventing distortion of the text’s main meaning in the state (Uzbek) language. Previously, advertisers could disseminate advertisements in other languages.

The dissemination of advertising is prohibited if the advertiser and the distributor of advertising are both non-residents of Uzbekistan.

In addition, the Law introduces new restrictions on the information that may be contained in advertising. Thus, in advertising, *inter alia*, it is not permitted to:

- Use or imitate state symbols, i.e. the image of the State Emblem of Uzbekistan, the State Flag of Uzbekistan and the sound of the National Anthem of Uzbekistan;
- Indicate prices (tariffs) in foreign currency;
- Use forms, phrases and images that contradict national and family traditions, as well as generally accepted norms of morality.

#### Advertising distributed on the Internet

According to the Law, advertising disseminated on the Internet must comply with the basic requirements to advertising, including the requirement of advertising distribution’s inadmissibility in the case when the advertiser and the distributor of advertising are both non-residents of Uzbekistan.



Furthermore, the legislation may establish additional requirements for the circulation of advertising on the Internet in the UZ domain zone.

## **Advertising of Medicines**

The Law expands the list of medicines the advertising of which is prohibited. This list now includes medicines containing potent substances and medicines that have not passed state registration.

Furthermore, in the advertising of medicines, *inter alia*, will not be allowed to:

- Involve well-known persons, medical professionals or persons whose appearance imitates doctors. However, this requirement does not apply to advertising:
  - ✓ Designed for medical and pharmaceutical workers;
  - ✓ Distributed in the venues of medical or pharmaceutical events; and
  - ✓ Published in print media;
- Provoke excessive and inappropriate use of medicines;
- Create an impression / belief about the possibility of self-treatment without consulting a doctor or performing surgery;
- Refer to specific cases of successful use of medicines.

Advertising of over-the-counter medicines (hereinafter – the “**OTC**”) shall not:

- Present the medicines as unique, the most effective and the safest for the absence of side effects;
- Mislead about the composition, origin, novelty or patentability of medicines;
- Assert that the medicines are biologically active food supplement (hereinafter – the “**BAS**”) or any other type of product;
- Allow inappropriate comparisons with other medicines;
- Contain statements about the guaranteed effect of the medicines;
- Suggest that the non-use of medicines can worsen human health.

It should be noted that the advertising of the OTC in each case should be accompanied by a notice about the presence of contraindications, necessity to familiarize with the use instructions or get expert advice.

In addition, incentive actions to advertise medicines are forbidden.

Please note, that the advertising of medicines for medical workers and medical facilities must fully comply with the list of scientific data on medicines and contain the information specified by the Law.



## Advertising of the BAS

According to the Law, advertising of the BAS, *inter alia*, shall not:

- Create an impression that the BAS are medicines and / or have medicinal properties;
- Contain links to specific cases of healing people, improving their condition as a result of the use of the BAS;
- Create an impression of the advantages of the BAS over medicines;
- Contain illustration of children in advertising of the BAS prohibited for purchase or consumption by minors.

Advertising of the BAS should have a warning that the advertised BAS are not medicines. In addition, it is also prohibited to conduct incentive actions to advertise the BAS.

## Advertising of Traditional Medicine Products

In accordance with the Law, advertising of traditional medicine products (hereinafter – the “**TMP**”), among other things, shall not:

- Contain references to specific cases of curing diseases, improving human health as a result of the use of the TMP;
- Represent the TMP as a medicine / the BAS;
- Contribute to formation of impression of the need for the use of the TMP to a healthy person or the absence of the need to consult a doctor;
- Apply to minors;
- Guarantee the positive effect of the TMP, their safety, effectiveness, and absence of side effects.

Advertising of the TMP in each individual case should be accompanied by a notice about the presence of contraindications, necessity to familiarize with the use instructions or get expert advice. In addition, it is prohibited to carry out incentive actions to advertise the TMP.

## Advertising of Energy Drinks

In accordance with the Law, advertising of energy drinks (hereinafter – the “**Energetics**”) must contain a warning about the harm of the Energetics’ excessive consumption, as well as information about individuals to whom the Energetics are not recommended for drinking. The Law prohibits, *inter alia*, the following:

- Advertising of the Energetics through objects (constructions) of external advertising and information;
- Advertising of the Energetics to minors;



- Conducting incentive actions using the Energetics;
- Demonstration of the Energetics consumption in advertising;
- Indicate in advertising images of people who have achieved success in sports.

## Advertising of Alcohol

The Law prohibits the advertising of alcoholic drinks (hereinafter – the “**Alcohol**”) of any strength, with the exception of beer, natural and sparkling wines produced in Uzbekistan. Advertising of the latter is allowed:

- In the halls of hotels, trade and public catering establishments where such products are traded, as well as in places of demonstration and tasting;
- On train and plane;
- On television and radio, subject to certain conditions, such as dissemination from 23:00 pm to 07:00 am local time, indicating the age classification, etc.
- On the official web pages of manufacturers and sellers, indicating the age classification;

In addition, advertising of beer, natural and sparkling wines produced in Uzbekistan should not:

- Demonstrate the consumption of these products;
- Consist of actions aimed at disseminating in an open or hidden form ideas, views and artistic images forming the impression about the absence of harm in their use;
- Use human images.

When advertising beer, natural and sparkling wines produced in Uzbekistan, it is not allowed to conduct promotional or other similar events, as well as to sponsor cultural and entertainment, social and sports events.

Promotion of the Alcohol’s sale, including conduction any kind of incentive actions and gratuitous distribution of the Alcohol samples is also prohibited.

## Advertising of Tobacco Products and Devices for the Use of Tobacco and Nicotine

Advertising of tobacco products (hereinafter – the “**Tobacco**”) and devices for the use of tobacco and nicotine (hereinafter – the “**Devices**”) is prohibited.

The Law also prohibits the promotion of the Tobacco and the Devices sales by:

- Free distribution of samples;
- Applying discounts;
- Sponsoring events that use the name, trademark (service mark) or illustration of the Tobacco and the Devices;



- Conducting incentive actions or other similar events, etc.

It should be emphasized that in advertising of any other goods it is forbidden to demonstrate the consumption of the Alcohol, the Tobacco, and the use of the Devices, as well as to create an impression of the importance of the above processes for achieving social and sports success or improving the physical and mental condition of the users.