

**Victoria Shvedun,  
Ph.D. in Economics,  
senior scientific employee of Research Laboratory  
on Management in Sphere of Civil Protection  
of the Research Center of National University  
of Civil Protection, Ukraine**

**COMPLEX ANALYSIS OF NEIGHBORING STATE'S  
EXPERIENCE IN ADVERTISING ACTIVITY  
PUBLIC ADMINISTRATION**

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*The article deals with the complex analysis of neighboring state's experience in advertising activity public administration. The author emphasizes that advertising activity public administration plays a key role for development of social and economic environment in the state, and takes into consideration corresponding experience of the neighboring states – the Russian Federation and Republic of Belarus – from the point of view of research of features of advertising activity public administration in Ukraine.*

*The analysis of features of standard legal support of advertising activity public administration in the Russian Federation and Republic of Belarus allowed to make a conclusion that at this stage the corresponding legislative base of these states is branched quite out and there are no the complex acts allowing to regulate advertising activity comprehensively. Besides, the key Law of Republic of Belarus "About advertising" is based on the similar, accepted earlier Law of the Russian Federation.*

*Concerning organizational support of advertising activity public administration in the Russian Federation and Republic of Belarus it is necessary to note that nowadays there is no relevant finally created system of the central executive authorities and local government. As for self-regulating organizations in the sphere of advertising it should be noted that their system is developed in the Russian Federation very well.*

**Keywords:** advertising activity, public administration, Ukraine, Russian Federation, Republic of Belarus

**Szvedun W.O. Analiza kompleksowa doświadczeń krajów sąsiadujących w sferze zarządzania przez państwa działalnością reklamową.**

*Ten artykuł zawiera kompleksową analizę doświadczeń krajów sąsiednich dla Ukrainy - Rosji i Białorusi w sferze zarządzania przez państwo działalnością*



generated complex analysis of experience of advertising activity public administration neighboring states.

Statement of research objectives

So, the purpose of work is to make complex analysis of advertising activity public administration influence on social and economic environment in the state on an example of experience of neighboring states.

It is required to solve the following problems for achievement of the specified work purpose:

- to analyze features of the standard-legal maintenance of advertising activity public administration in the Russian Federation and Republic of Belarus;
- to reveal characteristic features of organizational maintenance of advertising activity public administration in the Russian Federation and Republic of Belarus;
- to characterize the degree of influence of self-regulates organizations on advertising activity in the Russian Federation and Republic of Belarus.

### **Results**

It is necessary to carry out the review of the interfaced standard-legal and organizational maintenance in the given states for the qualitative analysis of advertising activity public administration features. It will allow improving advertising activity public administration in Ukraine that, accordingly, will positively reflect on a qualitative condition of social and economic environment.

Concerning carrying out of standard-legal maintenance of advertising activity public administration analysis in the Russian Federation it is necessary to notice, that the leading act in this context is the Federal Law "About advertising" from July, 18th, 1995. The given Law has confirmed a series of the general principles of advertising activity public administration in the Russian Federation, which, in turn, have positively displayed regulation of the legal relations connected with creation, distribution and reception of advertising information. So, the key requirements public administration in advertising sphere, which take into consideration presence of responsibility for distribution of advertising of unfair, doubtful character, have been fixed in the Federal Law "About advertising". Also this Federal Law has defined the rights and duties of advertising process participants and the direct mechanism of advertising sphere public administration. It, in turn, raises level of advertising activity public administration, which positively reflects on social and the cultural environment as a whole [1].

Thus it is necessary to pay into attention that the next edition of the Federal Law "About advertising" has been accepted on March 13th, 2006. In particular the following requirements to advertising process have been specified in this Law:

- “Protection of minors in advertising” (Art. 6);
- “The Goods, which advertising is not allowed” (Art. 7);
- “Advertising of goods at a remote way of their sale” (Art. 8).

So, in Art. 7 of the given Law advertising of products from tobacco, “medical on artificial interruption of pregnancy”, “person’s pipe organs or fabrics like the object of purchase and sale”.

Besides, requirements to advertising in different means of its distribution within Chapter 2 “Features of separate ways of advertising distribution” of the specified Law have been branched more out. In particular, there is Art. 18 “Advertising, extended by telecommunication networks” at the given chapter of the Law.

Also the attention to activity of self-regulation organizations in advertising sphere has been paid (Chapter 4, Art. 31 “Self-regulation organizations in advertising sphere”, Art. 32 “Rights of self-regulation organizations in advertising sphere”) [1].

Working out of subordinate legislation acts, which purpose was formation of bases of use of the norms, established by the Federal Law “About advertising”, in practice, was actively carried out also. For example, Federal Antimonopoly Service of the Russian Federation has introduced “Order of disposal of legal proceeding on signs of infringement of the legislation of the Russian Federation about advertising”, confirmed by Ministry of Justice of the Russian Federation under № 985 from November, 28th, 1995. Nevertheless, further the given subordinate legislation act has been replaced by the Order of Federal Antimonopoly Service of the Russian Federation “About the statement of forms of remedial documents and about the organization of work concerning disposal of legal proceeding, raised on signs of infringement of the legislation of the Russian Federation on advertising” № 147 from the November, 13th, 1995, registered in Ministry of Justice of the Russian Federation under № 8486 from November, 15th, 2006. Besides, chapter 182 of edition of Criminal code of the Russian Federation, from January 1st, 1997 contained the norms, which provided serious responsibility for obviously false advertising up to imprisonment within two years. Nevertheless, current edition of Criminal code of the Russian Federation with last changes and additions which have come into force on January, 23rd, 2015 according to the Federal Law “About modification of separate acts of the Russian Federation regarding counteraction to turnover of the forged, counterfeit, substandard and not registered medicines, medical products and forged biologically active additives” from December, 31st, 2014, does not contain above-stated article [4, 5].

Except the Federal Law “About advertising” the given field of activity is subject of regulation of the following laws:

- “About state support of mass media and book publishing of the Russian Federation” from December, 29th, 1994;
- “About state regulation of manufacture and a turnover of ethyl spirit, alcoholic and alcohol keeping production and about restriction of taking (drinking) of alcoholic production” from November, 22nd, 1995;
- “About securities market” from April, 22nd, 1994;
- “About protection of the rights and legitimate interests of investors on a securities market” from March, 5th, 1999;
- “About state support of cinematography of the Russian Federation” from August, 22nd, 1996;
- “About narcotics and psychotropic substances” from January, 8th, 1998;
- “About the basic guarantees of the rights of child in the Russian Federation” from July, 24th, 1998;
- “About mail service” from July, 17th, 1999;
- “About the basic guarantees of suffrages and the rights of participation in referendum of the Russian Federation citizens” from November, 26th, 1996;
- “About presidential elections of the Russian Federation” from January, 10th, 2003;
- “About elections of deputies of the State Duma of Federal Meeting of the Russian Federation” from May, 18th, 2005;
- “About physical culture and sports in the Russian Federation” from December, 4th, 2007;
- “About turnover of medicines” from April, 12th, 2010;
- “About restriction of tobacco smoking” from February, 23rd, 2013 [3].

As it is possible to see from the list, given above, the essential volume of the Federal Laws of the Russian Federation is connected with regulation of political advertising.

As to organizational maintenance of advertising sphere public administration it is necessary to consider that a leading direction of the executive government activity is protection of consumers from advertising of inadequate type. According to Art. 33 “Powers of antimonopoly body on realization of the state supervision in advertising sphere” of the Federal Law “About advertising”, Federal Antimonopoly Service of the Russian Federation is engaged in coordination of advertising activity [4, 5].

The essential role in processes of advertising activity regulation in the Russian Federation is played also by bodies of the judicial power, in particular, – Constitutional Court of the Russian Federation. Affairs concerning non-observance of the advertising legislation were subject to consideration also of Supreme Court of the Russian Federation. Also it is necessary to pay attention

to those fact that Supreme Arbitration Court of the Russian Federation, which activity has been stopped on August, 5th, 2014, was engaged in working out of letters, which contained direct recommendations concerning disposal of legal proceeding of advertising activity public administration [5].

Concerning self-adjustable organizations in advertising sphere it is necessary to notice, that they make the greatest impact on social and cultural environment and are not less important in the course of formation of a professional knowledge concerning advertising activity public administration. Their creation has begun in 1990th. The most influential among them are the following ones: Association of Communication Agencies of Russia, Association of Advertisers of Russia, the Russian branch of International Advertising Association, Fund of Advertising Producers Support, National Advertising Association, Advertising Federation of Regions, Moscow Advertising Guild, League of Advertising Agencies, etc. Besides, self-regulation organizations in sphere of advertising activity are created in many cities of Russia (in particular, in Arkhangelsk, Volgograd, Ekaterinburg, Krasnodar, Magnitogorsk, Novosibirsk, St.-Petersburg etc.). In February, 1995, Social Council of Russia on advertising which in 2000 has been reorganized to Advertising Council of Russia, which structure included heads of Commercial and Industrial Chamber of the Russian Federation, Union of Journalists of the Russian Federation, International Confederation of Society of Consumers, Association of Advertisers, Association of Communication Agencies of Russia, etc. [3, 4].

It is necessary to take also into consideration, that Social Council of Russia on Advertising is a member of English European Advertising Standards Alliance, which unites 28 national self-regulation organizations in sphere of advertising from 26 countries [4, 5].

Regulation of advertising activity in Republic of Belarus is carried out according to the following normative legal acts (tab. 1).

Table 1  
**Advertising legislation of Republic of Belarus**

| <b>Name of the normative legal act<br/>of Republic of Belarus</b>              | <b>Year of<br/>acceptance</b> |
|--------------------------------------------------------------------------------|-------------------------------|
| <b>1</b>                                                                       | <b>2</b>                      |
| The Law of Republic of Belarus “About trademarks and service marks” № 2181-XII | 1993                          |

|                                                                                                                                                                                                              |      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| The Law of Republic of Belarus “About highways and road activity” № 3434-XII                                                                                                                                 | 1994 |
| The Law of Republic of Belarus “About languages in Republic of Belarus” № 187-3                                                                                                                              | 1998 |
| The Decree of President of Republic of Belarus “About state regulation of production, turnover, advertising and consumption of tobacco raw materials and tobacco products” № 28                              | 2002 |
| The Law of Republic of Belarus “About the press and other mass media” № 187-3                                                                                                                                | 2002 |
| The Decree of President of Republic of Belarus “About carrying out of advertising games in Republic of Belarus” № 51                                                                                         | 2003 |
| The Decree of President of Republic of Belarus “About improvement of state regulation of production, turnover and advertising of beer, not food alcohol-containing products and not food ethyl alcohol” № 11 | 2005 |
| The Decree of President of Republic of Belarus “About some actions for counteraction to human trade” № 3                                                                                                     | 2005 |
| The Law of Republic of Belarus “About advertising” № 225-Z                                                                                                                                                   | 2007 |
| The Law of Republic of Belarus “About local government and self-government in Republic of Belarus” № 108-Z                                                                                                   | 2010 |
| The Law of Republic of Belarus “About modification and additions in some laws of Republic of Belarus on a question of advertising” № 15-Z                                                                    | 2013 |

Among the legislative documents submitted in tab. 1, which regulate the relations in advertising sphere, the Law of Republic of Belarus “About advertising” is leading one.

The first edition of the Law of Republic of Belarus “About advertising” was approved in February in 1997 [2]. The similar law of the Russian Federation was a basis for development of this normative legal act of the state.

The first edition of the Law of Republic of Belarus “About advertising” doesn’t contain information concerning executive authority, which competence is implementation of advertising activity direct control.

Art. 5 of the last edition of the Law of Republic of Belarus “About advertising” the following government bodies, which realize advertising sphere public administration are noted: “President of Republic of Belarus, National As-

semblies of Republic of Belarus, Council of Ministers of Republic of Belarus, Ministry of Trade of Republic of Belarus, the local executive and ordering and other government bodies within their competence”. Corresponding authority of the given government bodies are held in Art. 6–9 of the given Law.

Also control of activity in the advertising sphere in Republic of Belarus is realized according to the norms established by the following normative legal acts of the state: Constitution of Republic of Belarus, Civil Code of Republic of Belarus, Criminal Code of Republic of Belarus.

Besides, according to Art. 91 “Interdepartmental Council on Advertising” of the last edition of the Law of Republic of Belarus “On advertising”, “The council of ministers of Republic of Belarus can create interdepartmental council on advertising for improvement of interaction of government bodies and other organizations, advertisement producers, advertising distributors on a question of creating favorable conditions for a sustainable development of the advertising market in Republic of Belarus, protection of society from unseemly advertising and also for development of recommendations about carrying out a uniform state policy in the sphere of advertising, regulation of advertising activity, estimation of social advertising quality” [2].

### **Conclusions**

Thus, during researches the following results have been received.

1. The analysis of features of standard legal support of advertising activity public administration in the Russian Federation and Republic of Belarus allowed to make a conclusion that at this stage the corresponding legislative base of these states is branched quite out and there are no the complex acts allowing to regulate advertising activity comprehensively. Besides, the key Law of Republic of Belarus “About advertising” is based on the similar, accepted earlier Law of the Russian Federation.

2. Concerning organizational support of advertising activity public administration in the Russian Federation and Republic of Belarus it is necessary to note that nowadays there is no relevant finally created system of the central executive authorities and local government.

3. As for self-regulating organizations in the sphere of advertising it should be noted that their system is developed in the Russian Federation very well.

Thus, studying of experience of the neighboring countries concerning advertising activity public administration is objectively necessary for formation of the qualitative knowledge base concerning advertising activity public administration in Ukraine.

So, studying of key features of advertising activity public administration of the neighboring countries allows to show problems of domestic practice in



this context more accurately, that, in turn, gives an opportunity of prevention of errors during formation of the domestic concept of advertising activity public administration.

### **References**

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