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# NOTIONS OF ARCON-BASED ADVERTISING STANDARDS AND RELATIVE ADHERENCE TENDENCY BY ARCON MEMBERS IN LAGOS STATE

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#### **ABSTRACT**

Professionalism is imperative and required in every profession to carve an itch for itself. In view of the above, this seminar article examines the notions of ARCON-based advertising standards and relative adherence tendency by ARCON members in Lagos State. The research, which is theoretically framed by the value theory and social responsibility theory, employs qualitative survey research method via structured physical oral interview guide instrument to ascertain the ARCON-based advertising standards and relative adherence among advertising practitioners in Lagos state. The interviews involved five advertising practitioners and two ARCON officials. The interviewees were purposively considered due to relative experiences and willingness to participate in the research. The paper reveals that even though there are well established and generally acceptable standards for professional advertising practice in Lagos state, there is relatively poor compliance among some ARCON-registered member and some media organisations. There are also reported complicity by some registered members who aid unregistered practices in Lagos State.

**Keywords:** ARCON-based advertising standard, ARCON-members, ARCON-officials, Advertising practitioners, and adherence.

## 1.0 INTRODUCTION

Advertising is increasingly found to influence modern communication strategies amidst rapid modernisation and industrialisation. The generality and pervasiveness of advertising is enormous (Wolburg, 2015). Instances of basic wall papers or posters to radio or television sets and billboards or signage strategically positioned, there is advertisement everywhere. The practice of contemporary advertising has nevertheless become more complex and requires more professional standards. This is because advertising is used for varied purposes and is found to have enormous influence. Indeed, advertisements are used for education and

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socialisation. Advertising also serves to induce behaviour and standard of performances (Olatunji, 2018).

The requirements for advertising standards are not misplaced. The overall concern grows from the reality of the need to properly communicate product-information to people who are deemed gullible or vulnerable to strategic persuasive techniques (Olowokudeo, 2021; Pardun, 2014; Rabiu, 2009). Advertising is no longer the vocation for mild communication about goods and services but has become sophisticated ground for battle of ideas. The stakes are high -and the chances that poor advertising standards can cause havoc has become more obvious to scholar and practitioners (Olatunji, 2018; Olubodede, 2013; Onuorah, 2020).

The question of advertising standard and relative compliance ought to be without challenge (Okiyi & Eteng-Martins, 2015). However, the issue of advertising standard adherence seems to forge on (Nasidi et al 2022). In Nigeria, like in many countries, there are advertising regulators to guide relative standards and compliance with advertising codes. In 1973, the Association of Advertising Practitioners in Nigeria (AAPN) was formed in Lagos. The name of the association was later changed to Association of Advertising Agencies of Nigeria (AAAN) (Arinsola, 2017). However, to give legal backing to advertising practice, in 1988, decree 55 which gave birth to Advertising Practitioners Council of Nigeria (APCON) was promulgated with amendment in 2022 which changed the name to Advertising Regulatory Council of Nigeria (ARCON Act of 2022) to infuse some control, discipline and regulate advertising practitioners in Nigeria. However, there still issues surrounding compliance with advertising regulations. As such, to understand the inherences of advertising standards and relative compliance, this research considers Lagos state -where advertising regulation commences, to appreciate the circle of the situation and the way forward.

#### 1.1 Statement of the Problem

Despite the growth and standardisation of advertising industry in Nigeria, there are persistent controversies about what standards are acceptable and the extent of relative compliance (Chudi & Onyeanwuna, 2020; Gebreselassie & Bougie, 2018; Hovland & Wolburg, 2015; Ibrahim et al 2019). Therefore, in view of the growth and expansion of advertising in Nigeria -with associate regulatory framework (Advertising Regulatory Council of Nigeria Act, 2022), one wonders how more urban states like Lagos have so far evolved amidst the foregoing. The focus on Lagos among other states in Nigeria is because advertising professionalism and standards and regulation were historically horned in the state. Amidst factors such as increasing population density, contemporary expansionism, and inherent advertising industry growth, the question of the extent of advertising standards and relative compliance in Lagos has become eminently crucial, and herein investigated.

## 1.2 Research Questions

This paper seeks to address the following questions:

- 1. What are the dominant notions of ARCON-based advertising standards amongst advertising official based in Lagos state?
- 2. What are the dominant notions of ARCON-based advertising standards amongst advertising practitioners in Lagos state?

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3. 3 Are advertising standards and regulations appreciably adhered by registered practitioners in Lagos state?

#### 2.0 REVIEW OF RELEVANT LITERATURE

Conceptually, Burgh-Woodman (2018) rightly notes that advertisements are wrapped around virtually every space in human existence. Indeed, advertisement is weaved in people's lives and is one of the most potent agencies of human socialising and influences in a modern world -wherein information conveyances are increasing, accessible and sophisticated. The issues in advertising are supposedly caused by quacks (Soriola, 2018). Besides, there are numerous advertising agencies, many of which do not register with the Association of Advertising Agencies in Nigeria (Arinsola, 2017). In south-western Nigeria, where Lagos is located, there is reported increase of number of persons entering the advertising profession.

Despite the evolution of advertising to the current state of improved professionalism and expansion, the benchmark used for advertising policy guide, policies and enhanced ethical standard are generally deemed to be controversial. The advertising industry has rightly expanded, but some studies so far point to weaknesses of advertising practitioners and what can be done to improve optimal and efficient advertising practices. Evans (2013) posits that advertising has the attraction of being a many-sided and fascinating pursuit. It is a multi-dimensional profession touching on multi-disciplinary areas of study (Olatunji, 2018.) The resulting situation also seems to be concern for advertising standards and regulations -since varied disciplinary mind sets seemingly interlock with persuasive paid communication.

In relation to advertising code, every advertisement in South-western Nigeria or directed at the Nigeria market shall be legal, descent, honest, truthful, respectful, and mindful of the Nigeria's culture, constitutional tenets, and relevant laws (ARCON, 2023). This is a call to professionalism in Nigerian advertising landscape (Soriola 2018). Closely related to advertising standards is the question of compliance -wherein the rules must be seen to be regulated.

One related empirical research conducted by Endong (2015), titled "How Un-Ethical is Print Advertising in Nigeria?" showed aspects of the relationship between advertising standards and regulations. The study measures the extent to which some churches base their advertising messages on miracles and prosperity. The study used content analysis of 340 advertising copies generated from over 50 different Pentecostal churches to sell a variety of religious services, products and ideas in the three southern Nigerian cities of Calabar, Uyo and Porth Harcourt. They found out that advertising message from Pentecostal churches was grossly exaggerated with profit motive as the core reason. It further revealed that to gain false attention they use sensational language and visuals which contravene the requirement of ethics in advertising. The reviewed study emphasized on ethical relevance of faith-based advertising but appeared to have neglected the measure of professionalism needed in advertising practice. The reviewed research went on to say that this flagrant disrespect for moral principles is not particularly different from what secular organisations do.

Furthermore, research done by Nyam & Olubodede (2017) looked at the use of persuasive messages in by mobile telecommunication companies in Nigeria. The study titled Paradox and Persuasive-Appeals in Mobile-Telecommunications: Evaluation of MTN-N's 9004

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Promotional Texts, investigated variations of the MTN-N 9004 promotional texts, and highlighted inherent persuasive message clarity. The research used a particular case study - wherein purposively, the entire 9004 messages were profiled and reviewed. The 9004 messages are MTN-N sales and products promotions code-based promotional texts message that the company sent to all customers towards self-corporate promotion.

The validity and reliability of the study was nonstatistical. AIDA Model and Locutionary Act was used as theoretical framework. One of the most important findings of the research pointed the deliberate use of paradox to avoid ethical persuasive message responsibility. Much of the 9004 promotional messages were indulged via logos and pathos, and less of ethos. This means the company attempted to avoid assurances of credibility of messages but rather used deliberate ambiguity to ride on emotions [pathos] and some level of marketing communication logic [logos].

The 9004 promotional texts -which were in twenty dominant variants, contained thirteen logos/pathos. Seven of the messages were a combination ethos, logos, and pathos. This meant that ethos -as the core of character, competence, and commitment, was implicated in only seven instances the 20 instances. As such, the research concluded that the 9004 promotional texts creatively crafted towards some level of unethical mobile telecommunication service and product persuasion. It could be deduced that the overall corporate intention was not a mutually beneficial transaction between MTN-N and customers, but an idea to lure unsuspecting customers into committing themselves financially to the dominant advantage of the company. This empirical review serves to drawn attention to the broad issue of unprofessional promotional message activities being indulge in Nigeria.

Another relevant study by Osei-Frimpong et al (2019) examined impact of celebrity endorsement on consumer purchase intention and found that celebrity endorser who has attribute such as attractiveness, trustworthiness, and familiarity have a positive influence on consumer perception of quality, purchase intentions and brand loyalty. However, celebrity endorser's negative publicity had no moderation effect on consumer purchase intention. The study concludes that celebrity endorsements affect the attitude of consumers towards the advertisement and brands thus enhancing purchase intention and increase in sales. The study thus recommends that managers must select and use celebrities who are perceived by the target market to be attractive, trustworthy, and familiar to be able to organize persuasive campaigns.

The foregoing studies have shown the potentials and likely dangers inherent in unregulated advertising practices. In Lagos, a study by Ibitayo & Tejumaiye (2015) examined the role of celebrity endorsements versus product quality of Pepsi among undergraduate in Lagos. Findings showed that Pepsi-cola marketability is rather influenced by the name the brand has already built, its price and other variables like taste. The findings point that celebrity endorsements were the least influential factor. While the study did not adopt regression analysis to understand the relative significance of the intervening variables in Pepsi-Cola sales, there is appreciable fact that established standards of good and products and relative ethical standards and regulations ought to matter to advertisers than the mere fact of persuasion.

#### 2.1 Theoretical Framework

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Theoretically, this research is based on the Value theory as well as Social Responsibility Theory. Value theory is relevant to advertising studies and related concerns for standard because the entire essence of regulating persuasive communication is to ensure trustworthy and accountability towards mutual value (Thorson & Rodgers, 2012). Once value is realised via engaging communication, people tend to stick -irrespective of changing fortunes. The notion of value as shown by research is that once information about a brand connects with the audience and helps them to improve in relative need aspirations, satisfaction becomes a driving force towards increased patronage and higher tendency of brand loyalty (Tang et al, 2021). The Social Responsibility theory serves as a complimentary theory to consider the mediated communication nature of advertising, the inherent media dependencies, and expected code of practices. It is worth nothing that the media operations are is one of the tripods of advertising.

#### 3.0 RESEARCH METHOD

This research article is based on derived qualitative survey research by Olubodede (2024). Survey research design method is known in communication research (Bhattacherjee, 2021). In this research, the derived survey data is based on structured oral interview of ARCON officials and advertising professionals in Lagos state. Oral interview, as a means of data collection, is a notable qualitative method which involves two or more people one of whom is an interviewer who asks questions to collect data. Two directors at ARCON headquarters in Lagos and five ARCON registered directors of advertising agencies were interviewed.

The sampling was purposively considered, validated and found to be reliable. Purposive sampling is also known as deliberate sampling (Boyle & Schmierbach, 2020). The resulting data was thematically schemed via Reflexive Thematic Analysis (RTA). The classic example of RTA by Bryne (2022) was used. All inherent data were critical evaluated through the six RTA steps towards cogent thematic collation of the interview excerpts. The execution of the validity and reliability of all qualitative data is shown below in tables 1 and 2.

**Table 1: Process of Adoption of RTA** 

RTA Phases	Relative Narration and Interpretation	
Phase one: familiarisation with the data	-	
Phase two: generating initial codes	Coding template is designed. Main themes = C; serial number of general themes = n1 to n2); Sub-themes = (A & B).	
Phase three: generating themes	five main themes were considered and delineated.	
Phase four: reviewing potential themes	Thorough review of the themes was further done towards stringent textual alignment with research objectives.	

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Phase five: defining and naming	To enhance summary of presentation without losing
theme	relative cogency, all themes were carefully paraphrasing.
1 0 1	The structured interview excerpts were then arranged
Phase six: producing the excerpts-based report	according to codes. C1A.1 and C1A.2 and C1B.1 to
1 0 1	according to codes. C1A.1 and C1A.2 and C1B.1 to C1B.5. The codes formed the foundations for
1 0 1	according to codes. C1A.1 and C1A.2 and C1B.1 to

**Table 2: Categories of interviewees** 

S  N	Interview Category	Code of Interview	Number of Interviews
1	ARCON Officials	A	2
2	Advertising Practitioners	В	5

#### 4.1 Research Data

Table 3: Officials' views on acceptable advertising standards in Nigeria
Main Code: C41A

## C1A.1:

- •Mass Communication, Marketing, Advertising or Graphic Arts Degrees
- •Register Directly after NYSC. If your school is accredited
- •Different levels of membership include graduate, associate, full member and fellow.
- •ARCON also register corporate organisations under its corporate licensing.
- •Company registration with corporate licensing regime of the ARCON

#### C1A 2

- •Register with advertising regulatory Council of Nigeria.
- •Degree/Higher National Diploma in mass communication, marketing, advertising, or graphic Art,
- •Executive membership registration by people with at least five years' experience
- •License from ARCON to setup an advertising organisation

In table 3, data indicate that advertising officials interviewed and coded as C1A.1 and C1A.2 all mentioned that formal training, and resulting diplomas or degree qualifications in mass Communication, marketing, advertising or graphic arts are required to qualify to practice advertising in Nigeria. Any of the foregoing qualifications can then register directly after National Youth Service Scheme (NYSC) -provided the school is accredited. They also mentioned that there are also varied tiers of advertising professional membership such as graduate, associate, full member and fellow. ARCON must also register corporate organisations under its corporate licensing.

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Registered organisations are also expected to obtain certificates of incorporation from Corporate Affairs Commission (CAC). C41A.2 also mentioned 'executive membership registration by people with at least five years of experience, as an alternative means of entry into professional advertising experience. Such is considered in relations to those practising before the evolution of ARCON from Advertising Practitioners Council of Nigeria (APCON). All duly registered advertising practitioners are therefore expected to abide to ARCON code of advertising regulation in Nigeria.

## Table 4: Practitioners' views on acceptable advertising standards in Nigeria

#### Main Code: C1B

#### C1B.1

- •Anybody can come into advertising.
- •Registration with ARCON is necessary
- •Agency must be licensed by ARCON.
- •Required capital

#### C1B.2

- •Anybody can come into advertising
- •Registration with ARCON is necessary

## C1B.3

- •Registration with ARCON and CAC
- •Company registration with ARCON
- •Registration with Lagos signage and advertising Agency to operate in Lagos State

## C1B.4

- •Requires degree in Mass Communication, marketing, advertising, graphic arts
- •Other degrees are to take professional exams to qualify
- •Registration with ARCON and CAC
- •Company registration with ARCON

#### C1B.5

- •Requisite training and or professional exams
- •Registration with ARCON because it is the regulatory body.
- •Registration with CAC and ARCON

Details of data in table 4 points that anybody can come into advertising. However, registration with ARCON is necessary. Also, agency must be licensed by ARCON. The foregoing is coded as C1B.1 also, all advertising agencies are expected to be licensed by ARCON as well. Nevertheless, C1B.2 disagreed that advertising requires preference for certain disciplines and noted that anyone can come into advertising. While agreeing the point that ARCON registration is mandatory, C1B.3 mentioned that registration with Lagos signage and advertising Agency is also required for those who wish to operate in Lagos State. C1B.4 insisted that any graduate of disciplines not considered advertising-related is queried and expected to take professional exams to qualify. Also, other registrations with CAC are also mandated.

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## Table 5: Officials' views about compliance to Advertising Code of Practice

Main Code: C44A

## C2A.1:

Lagos

- •High employing of non-ARCON registrants to posts meant for advertising professionals
- Poor compliance by media organisations [Media houses collect advertisement that are not vetted and approved by ARCON]
- •High compliance with usage of only local models in adverts meant for Nigerians

#### C2A.2

- •High employing of non-ARCON registrants to posts meant for advertising professionals
- •Poor compliance with outdoor advertising post such as billboards in Lagos

Details of qualitative data in table 5 deals with ARCON officials' view about compliance to Advertising code of practice in Lagos. Consequently, C2A 1 and C2A 2 indicate that there is high employment of non-ARCON registrants to posts meant for advertising professionals. There is also generally poor compliance by media organisations [Media houses collect advertisement that are not vetted and approved by ARCON]. However, there is relatively high compliance with usage of only local models in adverts meant for Nigerians. Nonetheless, there is also poor compliance with outdoor advertising post such as billboards.

# Table 6: Practitioners' views about compliance to Advertising Code of Practice

## Main Code: C2B

C2B.1

• Diverted from theme

C2B.2: Poor compliance with registration requirements

C2B.3: Poor compliance with registration requirements

## C2B.4

- •Limited compliance with registration requirements such as ARCON; CAC
- •Limited compliance with registration requirements
- •Poor orientation: Need for induction courses for talented non-mass communication graduate

#### C2B.5

- •Poor registration with ARCON; CAC
- •Appreciable compliance with Lagos Tax requirements and tax clearance
- •Appreciable compliance with Lagos signage and advertising agency requirements
- •Increasing registration with ARCON & CAC mentioned

In table 6, data show the level of compliance with advertising professional standards [Main Code: C4B]. While C4B.1 and C4B.2 diverted from the supposed theme, C4B.3 insisted that there is poor compliance with registration requirements, and many advertising agencies migrate

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offices to new environments wherein monitoring or apprehension is more difficult to actualise. WhileC4B.3 mentioned poor compliance with registration requirements, C4B.4 noted limited compliance with ARCON and CAC registration requirements. There is also specific mention of poor orientation- which relates to the need for induction courses for talented non-Mass Communication graduates. Nonetheless, both C4B.4 and C4B.5 corroborated that there is appreciable compliance with Lagos tax requirements, tax clearance and compliance with Lagos signage and Advertising agency requirements.

## 4.2 Discussions of Findings

Based on data collected, collated, presented, analysed, and interpreted, findings imply there are acceptable standards for advertising professionals in Lagos. Such standards include the fact that there are ARCON registration requirements, payments of stipulated professional advertising practice fees, as well as mandatory attendance of ARCON organized conferences and seminars. Such applicable standards are meant to enhance legal and ethical aspects of the profession. These findings align with the views of Okiyi & Eteng-Martins (2015) as well as Weigold & Arens (2018), who note that some dominant ethical considerations ought to guide professionals in their responsibilities.

Data further implied that increased metropolitan environment such as Lagos do prompt more standardisation challenges and efficiency of ARCON-based advertising regulations -which corroborates with the view that advertising involves enormous use of human and material resources (Olatunji, 2018). Successful advertising has economic, social, cultural, and moral impact on the society. If harmful or utterly useless goods are advertised to the public; if false assertions are made about goods for sale; if less than admirable human tendencies are exploited, those responsible for such advertising harm society and forfeit their good name and credibility (Snyder, 2017; Onuorah, 2020).

Relative data agrees with the foregoing because respondents agreed to the notion that any person occupying the position of the Head of the Department or establishment providing advertising services must be a full member of ARCON. The professional standard of advertising is enshrined in the Advertising Act, now ARCON Act of 2022. The Act empowers the regulator to determine who should be an advertising practitioner; determine standards of knowledge and skills required to register as members of the advertising profession and reviewing those standards from time to time. Furthermore, the Act establish and maintains a register of persons entitle to practice as advertising practitioners and the publication from time to time of the list of these persons; regulating and controlling the practice of advertising in all its aspects and ramifications; conducting examination in the profession and awarding certificates or diplomas to the successful persons as at when appropriate; and for such purpose. Other aspect empowers the council to prescribe fees to be paid; performing other functions conferred on the council by this act. To ensure strict compliance with all the provisions of this law governing advertising, ARCON established the Advertising Standards' panel (ASP) which screens advertisements to ensure that they conform to the required standards and the existing laws of the nation.

Relatedly, the two ARCON officials indicated via qualitative data analyses that there is need for advertising standards. While some data showed disagreements about the fact that

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advertising requires preference for certain disciplines, there is still acknowledgment that all advertising practitioners ought to register with ARCON. Overall, formal training, and resulting diplomas or degree qualifications in mass communication, marketing, advertising, or graphic arts are required to qualify to practice advertising in Nigeria. The interviewees also mentioned various levels of membership, which include graduate, associate, full member and fellow (Oritz, 2022).

Relevant literature further points that apart from ARCON there are self-regulatory bodies that control advertising practice in Nigeria. These are Association of Advertising Practitioners of Nigeria (AAPN; Advertisers' Association of Nigeria (ADVAN); Broadcasting Organisations of Nigeria (BON; Newspaper Proprietors' Association of Nigeria (NPAN); Outdoor Advertising Association of Nigeria (OAAN), and Media Independent Association of Nigeria (MIPAN). These sectoral associations have both standard and code of ethics to guide their members. They work with ARCON to regulate advertising practice in Nigeria. Other governmental agencies that also regulate advertising practice in Nigeria are National Agency for Food Drug Administration and Control (NAFDAC) and Federal Ministry of Health. These bodies control and regulate advertisements; especially, those on food, drug, and tobacco. National Communication Commission (NCC) regulates advertising in telecommunication industry. National Broadcasting Commission (NBCC) regulates advertising in broadcasting industry (ARCON, 2022; Oritz, 2022).

Based on the preceding, there are dimensions to advertising standards that involve corporate entities as well. ARCON must also registers corporate organisations under its corporate licensing. Such organizations are also expected to obtain certificates of incorporation from Corporate Affairs Commission (CAC). There is also an 'executive membership registration by people with at least five years' experience '-which is an alternative means of entry into professional advertising practice. Such is considered in relation to those practicing before the evolution of ARCON from Advertising Practitioners Council of Nigeria (APCON). Other aspects of professional registration with ARCON include an 18 months ARCON diploma.

Extent of compliance with advertising is another dimension to advertising standards and professionalism. Audiences and other parties involved in the advertising interplays usually trust the whole experience because of the overall perception that professionalism and associated legal and ethical standards' compliance (Pennycook & Rand, 2020). Fortunately, research findings indicate plausible mentioned compliance with advertising code of conduct in Lagos. However, such advertising regulation measures are more stringent in Lagos state. It is due to questions about continuous advertising standards' compliance that some industry lobby groups are formed towards relative compliance cohesiveness (Pérez-Seijo et al, 2020; Zia, 2016).

The issue of advertising compliance also spans across complicit behaviour by government officials. Poor transparency and government corruption is generally deemed the root problem. Reforms in extended aspects of fairness and equitability of advertising control policies are part of the critical gamut of modern advertising industry regulations. Considering the likely potentials inherent in regulatory fairness, the structures of advertising policy entities like ARCON constantly require introspection that enables the mechanisms for dealing with otherwise justified criticisms.

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Standard policy information on the adoption of new media technologies have also been called into interrogation of advertising standards' compliance. Collaborations from regulatory agencies and advertising associations can enhance practical knowledge of what relative realities may be. Example, as virtual reality continues to expand the scope of marketing communication and relative advertising implications that have been complicated by AI, research will be needed to understand the nuances involved (Tang et al., 2021). Similarly, analyses of interview responses indicate that ARCON officials generally consider compliance to Advertising code of practice by practitioners in Lagos to still be a work in progress -since there is high employment of non-ARCON registrants to posts meant for advertising professionals. There is also generally poor compliance by media organisations [Media houses collect advertisement that are not vetted and approved by ARCON], poor refusal to vet advertisement brought-in by unregistered practitioners, as well as poor compliance with outdoor advertising post such as billboards.

Other findings indicate that to evade confrontation due to poor standards, some advertising agencies are said to often relocate offices outside of Lagos. There is also specific mention of poor orientation -which relates to the need for induction courses for talented non-mass communication graduate. Nonetheless, there is relatively high compliance with usage of only local models in advertisements meant for Nigerians -along with appreciable compliance with CAC requirements, and even more serious compliance with advertising related state-registrations and state-based advertising revenue tax returns in Lagos (Badeggi & Muda, 2021).

#### 5.0 CONCLUSION

There are well established and generally acceptable standards for professional advertising practice in Lagos state. However, Lagos advertising practitioners are the least supportive of ARCON registration requirements that include payments of stipulated professional advertising practice fees, as well as mandatory attendance of ARCON organized conferences and seminars. Irrespective, there is also an appreciable measure of compliance with licensing as a prerequisite for organizational advertising practice in Lagos.

Major challenges relating to professional advertising compliance in Lagos include failure of some media organisations to accept only professional vetted advertisements and the indulgence of unregistered advertising practitioners. There are instances of poor compliance with outdoor advertising post such as billboards, and evasive attitudes towards ARCON officials. Other issues include cover-ups for unregistered practitioners and agencies, and instances of non-compliance with CAC.

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