



Australian Government
Department of Health
Therapeutic Goods Administration

Advertising COVID-19 vaccines to the Australian public

Government advertising content is available to assist you to advertise COVID-19 vaccines without breaking the rules

2 March 2021

The advertising of prescription medicines (including vaccines) to consumers is generally prohibited in Australia. However, some exceptions (such as the use of authorised materials) are in place to support the roll-out of COVID-19 vaccines across Australia.

As part of the Australian Government Department of Health, the Therapeutic Goods Administration (TGA) regulates the advertising of therapeutic goods in Australia. This fact sheet explains how vaccine providers and other parties can lawfully provide information about and promote COVID-19 vaccines without risking a breach of the prohibition on advertising prescription medicines.

Consultations are exempt from advertising requirements

Information shared between a doctor, pharmacist or nurse and their patient during consultation or treatment is **not** subject to the advertising rules for therapeutic goods including the prohibition on advertising prescription medicines. For example, if a patient asks their doctor what brand of vaccine they will be receiving the doctor can provide advice to the patient without risk of breaching the advertising laws.

Advertising COVID-19 vaccines lawfully

People wanting to advertise (i.e. promote) the COVID-19 vaccines can use a range of government advertising content to inform consumers about, and facilitate access to, the vaccines. Advertisers, including doctors and pharmacists, can also add to this material to advise consumers of when and where the vaccines are available.

Specifically, it is acceptable to:

- use Australian Government produced materials** to promote COVID-19 vaccines
- use materials produced by Australian state or territory governments** to promote COVID-19 vaccines

add factual information to government materials to assist the public in obtaining the vaccine such as:

- the location of the COVID-19 vaccination service
- times vaccines are administered or opening hours of the service provider
- whether there is a need for an appointment to receive the vaccination and how to make one

provide the factual information listed above, independently to government materials, to assist the public in obtaining the vaccine.

When using government materials, advertisers must:

ensure that the materials are:

- genuine
- not altered or added to, other than to record the factual information described above
- not used in a way that may alter the take-home message for consumers, through either placement of the materials or proximity to other promotional materials

Government produced materials may be used in all communication channels including on websites, as flyers, in newsletters, in social media or emails, or as posters in the windows and on the walls at vaccine providers, clinics, pharmacies, and other businesses.

In using **government materials** to promote COVID-19 vaccines, advertisers must be careful **not to add:**

the tradename and/or active ingredient of the specific vaccine

statements or the implication that harmful effects will result from not receiving the vaccine

statements or the implication that the vaccine offered is superior to other vaccines (e.g. a statement about the efficacy against a particular strain)

incentives to encourage a consumer to obtain the service or vaccine

any comparisons between vaccines (even if supported by evidence)

Advertisers must not:

use self-developed advertising about COVID-19 vaccines

In regulating the advertising of therapeutic goods the TGA uses a range of compliance approaches from education and assisted compliance through to more serious compliance action such as issuing directions, fines or pursuing court action.

Factual and balanced information may not be advertising

Presenting factual and balanced information about the COVID-19 vaccines is unlikely to be considered as advertising or promotional, subject to the context in which the information is presented. Some examples of this include:

- a doctor providing their general view in relation to vaccination broadly (provided they do not promote individual vaccines - COVID-19 or otherwise)
- technical information relating to how the vaccines were developed and manufactured
- sharing scientific reports from reputable sources (like the World Health Organization) about vaccination
- re-tweeting or sharing valuable news-worthy information from reputable sources about the COVID-19 vaccines that would not have the effect of promoting the vaccines; or
- presenting comprehensive information that doesn't emphasise the benefits over, for example, the risks and limitations.

As a general guideline, if the content persuades consumers, for example through the use of promotional terms or language, to seek out COVID-19 vaccines, then it would be considered advertising.

Further information

- The Australian Government materials on COVID-19 vaccines are available from:
 - the [COVID-19 vaccine collection](https://www.health.gov.au/resources/collections/coronavirus-covid-19-vaccine-campaign-resources) (<https://www.health.gov.au/resources/collections/coronavirus-covid-19-vaccine-campaign-resources>)
 - [vaccination clinic resources](https://www.health.gov.au/initiatives-and-programs/covid-19-vaccines/information-for-covid-19-vaccination-providers#consent-information) (<https://www.health.gov.au/initiatives-and-programs/covid-19-vaccines/information-for-covid-19-vaccination-providers#consent-information>)
- You should use the appropriate Australian Government or Australian state or territory government materials in the same way to promote influenza and other vaccines.
- If you have questions about the legal requirements regarding advertising of therapeutic goods including vaccines, please lodge an [advertising enquiry online](https://compliance.tga.gov.au/advertising-enquiry/) (<https://compliance.tga.gov.au/advertising-enquiry/>) with the TGA.

Examples

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<p><i>Facebook post</i></p> <p>Downtown Medical Centre</p> <p>You can now get vaccinated against COVID-19 at the Downtown Medical Centre. Available Monday to Friday from 9am - 9pm. Call 9999 9999 for an appointment.</p>	<p><i>Facebook post (all content self developed)</i></p> <p>Downtown Medical Centre</p> <p>A COVID-19 vaccine is the best way to protect you and your family from falling seriously ill!</p> <p>You can now get your COVID-19 vaccination at the Downtown Medical Centre. Available Monday to Friday from 9am - 9pm. Just walk-in and enjoy a free cappuccino while you wait.</p> <p>Video of patient receiving a vaccine and saying "Wow that didn't hurt at all!".</p>	<p><i>Facebook post</i></p> <p>Downtown Pharmacy</p> <p>You can now get the COVID-19 vaccine at Downtown Pharmacy. Available Monday to Friday from 9am - 9pm. Call 9999 9990 for an appointment.</p> <p><image - Australian Government social media tile showing <u>vaccine is free</u> (https://www.health.gov.au/resources/publications/covid-19-vaccine-social-media-image-vaccines-free)></p>

Other regulatory requirements

Advertising to consumers, whether for a product or service, is regulated under the Australian Consumer Law (<https://consumerlaw.gov.au/>).

Registered health professionals are also subject to the Australian Health Practitioner Regulation Agency's Guidelines for advertising a regulated health service (<https://www.ahpra.gov.au/Publications/Advertising-hub/Advertising-guidelines-and-other-guidance/Advertising-guidelines.aspx>).

Category: Advertising

Tags: vaccines, COVID-19 vaccines