

advertising self-regulatory codes and act as a coordinator to ensure that this goal is achieved.

Accountability is an essential component of any self-regulatory system. Even though self-regulatory bodies are responsible to their members, the Committee believes that they also have a duty to those who use the system and to the public. The Consumers' Association of Canada suggested that a regime which would require the review and approval of self-regulatory body decisions by some external authority might be advisable.¹⁵ While the Committee acknowledges that such a proposal might have merit, it would not want to impose a degree of regulation on the advertising self-regulatory system which might destroy its benefits or make it unworkable. The Committee, however, also believes that self-regulatory bodies should demonstrate that they are performing their mandated functions. In this regard, a public reporting of their activities, including the publication of the names of persons against whom complaints have been sustained, would be appropriate.

At present, various self-regulatory bodies maintain records of the number, type and disposition of complaints received. As an example, the CAF informed the Committee that of the 293 complaints regarding advertising received by the Advertising Standards Council in 1986, 35 were sustained as being deceptive.¹⁶ In the Committee's view, such numbers suggest that it would not be a great burden for these bodies to report such data to the Director of Investigation and Research nor for the Director to manage the reported information.

Recommendations:

- 3.4 The Committee recommends that the Director of Investigation and Research request organizations charged with administering codes and guidelines on advertising standards and practices to report to him relevant information and data with regard to the administration of those codes and guidelines.**
- 3.5 The Committee further recommends that any report made to the Director include information as to the number and type of complaints received, the action taken with respect to them, the names of persons against whom complaints have been sustained and whether decisions have been complied with.**