



# **Complementary Healthcare Council of Australia**

## ***Office of Advertising Compliance***

### **Advertising Review Process Policy**

#### **Deadline Extensions**

**May, 2016**

#### **Purpose**

The purpose of this Policy is to ensure consistency of approach across all CHC ACMs<sup>1</sup> and that all applicants seeking advertising approval are handled in a fair and consistent manner.

#### **Scope**

This Policy is applicable to all applications for advertising approval reviewed by the CHC.

#### **Responsibility**

The ACMs have responsibility for maintaining this Policy, ensuring it is up to date, and that any changes are incorporated and assimilated as soon as possible.

#### **Background**

Therapeutic Goods Regulation 5H(s) states that, "If written notice is not given to the applicant within 60 days after the day on which the application was made, or within such longer period as may be agreed in writing between the applicant and the Secretary, the Secretary is taken to have approved the advertisement at the end of the period."

CHC ACMs set a deadline for applicants to provide all submissions in support of their application at approximately the 30 day mark, leaving 30 days for the ACM to finalise the application and notify the applicant of the final decision.

From time to time, an applicant may request an extension of time, or the ACM may find that an extension of time would be of benefit to the applicant in situations where the ACM requires further compliance input. It is crucial that there is always adequate time remaining to finalise an application without the proposed ad receiving an automatic approval.

#### **Policy**

1. Where an application for advertising approval is to receive an 'extension' to a deadline set by the ACM, whether required by the applicant or the ACM, it is the policy of the CHC that extensions can only be granted in increments of 60 days.

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<sup>1</sup> CHC ACMs (CHC Advertising Compliance Managers) are also referred to as ASMs (Advertising Services Managers) in the TGAC.



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2. It is the policy of the CHC that applications may receive a maximum of three 60 day extensions. This provides an additional 180 days which should be more than enough time for all matters to be addressed, both by the ACM and by the applicant.
3. This policy may not be varied without the direct approval of the Chief Executive Officer.

#### **Relevant Legislation**

Therapeutic Goods Advertising Code (TGAC) - as amended from time to time  
Therapeutic Goods Regulations – as amended from time to time

#### **History of the Matter**

Not applicable.

#### **Document History**

Version 1: Issued May 2016

#### **Approved By**

Carl Gibson, Chief Executive Officer



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Council of Australia**  
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**Document History**

Version 1: Issued October 2015

**Approved By**

Carl Gibson, Chief Executive Officer