

## INFORMATION SHEET

### Producing a TVC which promotes Legal Services

The following points need to be considered when producing a television advertisement promoting legal services:

- A lawyer may advertise a legal practice provided the content of the advertisement is not false, misleading or deceptive.
- A lawyer may not advertise as a specialist in a particular area of practice unless they hold the appropriate qualifications.
- In certain States and Territories, advertising of personal injury and work injury services is prohibited.
- For example in New South Wales under the Legal Profession Regulation 2005, a lawyer must not publish an advertisement promoting legal services which refers to or depicts:
  - a) personal injury;
  - b) any circumstance in which personal injury might occur, or any activity, event or circumstance that suggests the possibility of personal injury, or any connection to or association with personal injury or a cause of personal injury; or
  - c) a personal injury legal service (that is, any legal service that relates to recovery of money, or any entitlement to recover money, in respect of personal injury).
- The Workers Compensation Regulation 2003 (NSW) contains almost identical provisions in respect of work injury.
- In New South Wales, a similar prohibition applies to non lawyers. Under the Legal Profession Regulation 2005 a person must not publish a “personal injury advertisement”<sup>1</sup> if the advertisement;
  - a) promotes legal services, whether or not that is its purpose or only purpose and whether or not that is its effect or only effect; or
  - b) includes any reference to or depiction of the recovery of money or a claim for money, or any entitlement to recover money or claim money, in respect of personal injury.

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<sup>1</sup> “Personal injury advertisement” means an advertisement that includes any reference to or depiction of:

- (a) personal injury; or
- (b) any circumstance in which personal injury might occur, or any activity, event or circumstance that suggests or could suggest the possibility of personal injury, or any connection to or association with personal injury or a cause of personal injury.

There are similar restrictions on advertising legal services relating to personal injury in Queensland, Western Australia and the Northern Territory.

Refer: Individual State Legal Practitioners Acts, Regulations and Professional and Conduct Guidelines

**For further information please contact CAD on 02 8968 7200 or email us at [cad@freetv.com.au](mailto:cad@freetv.com.au)**