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Marketing involves any attempt to gain consumer interest in a product or service. The desire of a business to gain consumer interest, and thus market share, is ripe and continues to proliferate. It is because of this that it is vital to implement protections to ensure that consumers and corporations are not exploited. Such protections come under ethical behaviour and government regulation, which ensure the ethical practice and impose legal responsibilities upon businesses.

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E-marketing is a significant area of modern marketing within which ethical behaviour and government regulation are often irrelevant due to the breadth and anonymity of services such as telephone, SMS, e-mail and the internet or Cargp. Although government regulatory bodies such as the Australian Competition and Consumer Commission (ACCC) and the Australian Securities and Investments Commission (ASIC) are fortified with a number of laws that allow them to effectively "froll" the internet for scams, unethical practice or consumer exploitation, they are often reluctant to do so as the task would prove to be perpetual. Scams that often proliferate 'online' include spam, the continuous

infiltration of promotions and advertisements, as well as phishing and consumer profiling, both of which involve the <sup>unlawful</sup> collection of consumer information to understand their wants and needs in order to make to their specific appeal.

An example of a business that opposed the government regulation of the 'Do Not Call Register', protected under the Do Not Call Act, is Vodafone. The Sydney Morning Herald released an article in 2012 entitled 'Vodafone wanted to put a dent on telemarketers' as its telemarketers were caught calling ~~member~~ numbers on the do not call register in order to market their products. The ~~all~~ world ~~are~~ businesses that if they were caught again, immense fines would ensue. This invasion of consumer privacy and unethical behaviour is an example of why ethical behaviour and government regulation is important in marketing.

Advertising is an aspect of marketing that often infiltrates many aspects of the lives of consumers. Advertising is a paid, non-personal message conveyed through a mass medium.

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Unethical behaviour in advertising is often the catalyst for business reprimand or criticism. Qantas has been subject to such criticism for a number of reasons. For example, Qantas television advertisements during the 2000 Sydney Olympic games contained 'puffery', or vague statements that lead consumers to believe that Qantas was a sponsor of the Olympic games, which could greatly bolster the business's reputation as well as its consumer base. The company was reprimanded by the Olympic Committee, and the public was notified via the SMH that Qantas was not in fact a sponsor, further exemplifying the importance of ethical behaviour in marketing or unethical behaviour <sup>where</sup> <sup>such</sup> <sup>detriment.</sup>

(ASB) The Australian Advertising Standards Bureau is an independent statutory body that establishes advertising standards, evaluates and rectifies the unethical or illegal behaviour of businesses, and makes this information available to the public. Its importance has been exemplified in a number of cases, two recent ones of which include the Subway Chicken Gillet



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Sandwich and the Corefree ultra-fresh inner ad. Subsequently the ASB received customer complaints regarding the quality of the chicken fillet within the Subway sandwich, with the ASB reports stipulating that Subway was accused of "false claims, as the public is led to believe the fillet is unprocessed chicken breast" when in fact it was a processed fillet. This unethical behaviour, as well as the role of the ~~the~~ government regulatory bodies, resulted in ~~the~~ major public scare for Subway, who was forced to rename the sandwich which was is now known as the 'Chicken Classic', further exemplifying the importance of ethical behaviour and government regulations in marketing in relation to business success, ~~and~~ consumer protection, and false or deceptive advertising.

Government regulation in advertising is also important in determining ethical behaviour, and can often conflict with the stated of ethics for some consumers. An example of this can be derived from the ASB's interaction with Corefree. The recent

Corel's 'active fresh lives' advertisement received a lot of criticism due to the use of the word 'vegies' as well as the rebel appearance of the women, which some consumers claimed to oppose the standards of good taste in advertisement. The ASB assessed the advertisement and determined that it "treated subject matter in a factual, ~~straight~~ professional way that was appropriate to the target audience." ~~That it is clear that~~ It was determined that the advertisement did not breach standards of good taste in advertisement. This particular case displays the importance of government regulations in determining the standards of ethics related to marketing, ensuring that reasonable advertisements are distinguished from those that are truly offensive.

Ethical behaviour is important in marketing as it ensures that groups, minorities and individuals will not be offended. ~~When~~ When a business engages in ethical behavior, its reputation is bolstered and it often allows the business to establish a better relationship with its customer base. Qantas is a business

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that displays the detriments of engaging in unethical or distasteful marketing. For example, the Qantas symbol, known as the "flying kangaroo" was ~~referred~~ named a "flying rip off" by the Sydney Morning Herald in 2002, when claims were made that the well known, globally-branded symbol, was copied from an Aboriginal symbol, ultimately exploiting and degrading a cultural group with infinite protections within Australia, the country in which Qantas is based. Although Qantas did not breach any government regulations in utilising this symbol, the media <sup>publicised</sup> ~~published~~ the unethical behaviour and caused consumer outrage, greatly tarnishing Qantas' reputation.

This event prompted further investigation and hype regarding Qantas' relationship with the indigenous peoples of Australia. Qantas received more criticism for the use of a picture of a young Aboriginal girl with a painted face in their advertisements and marketing due to their previous ethical misdeeds. This ~~case~~ criticism was enhanced when media investigation



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revealed that the girl was living in a 'poverty stricken ~~comm~~ slum community in the Northern Territory', according to the Sydney Morning Herald in 2006. Thus, it is made clear through Qantas' ~~an~~ alleged unethical behaviour ~~and~~ regarding the symbol and the girl featured in a Qantas marketing campaign, that ethical behaviour in marketing is vital not only for consumer protection, but also for businesses themselves, as ethical behaviour contributes to business success, in the fact that it fortifies a positive reputation.

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Government regulations in marketing is also vital to protect consumer health as it is illegal to market a dangerous product. An example of government regulation interplay with unethical and illegal marketing can be derived from the case of 'Beads' a Mattel product named products at toy of the year in 2007. Unfortunately, mass marketing had occurred before it was discovered that the product was dangerous to the health of children who ingested it, as a manufacturing company in China had used products that, when ingested, became toxic. This was discovered after two children were hospitalised. When it was discovered that the product

being marketed was extremely harmful to consumer health, governmental regulations were enforced by the Australian Competition and Consumer Commission, and the company was forced to halt all marketing and production. Marketing and production has since been returned, with <sup>new, safe</sup> the product being renamed 'Beadoes', however ~~the attempt~~ the attempt to sever ties with the dangerous product was not very effective. Thus, government regulation is extremely important in marketing as it ~~can~~ can protect consumers from harmful products, or products that are found to be dangerous.

Thus, it is clear that ethical behaviour and government regulation in marketing are essential for a myriad of specific reasons that can be simplified into two broad categories; the protection and regulation of businesses, and the protection of consumers. While ethical behaviour and government relation are often interdependent, it is ~~undeniable to know~~ clear that their respective and collective ~~roles~~ roles are vital to marketing, ensuring that consumers are not exploited, offended or harmed, whilst ethical behaviour and government

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regulation safeguard the accepted marketing practices of a business, and essentially allow a business to understand its expected conduct, that can translate to consumer loyalty, positive recognition, a competitive advantage in their business success. Thus, the ~~imp~~ due to these many varied roles and cases of protection, ~~and~~ the importance of ethical behaviour and government regulation in marketing is undeniable.

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