

# Social media advertising FAQ

\*This FAQ is not a substitute for legal advice and is not designed as a substitute for advice from qualified independent legal counsel. This FAQ is not intended to be an exhaustive list of applicable legislation. Visit [amvic.org](http://amvic.org) for more information on advertising.

## What counts as an advertisement on social media?

An advertisement is a public announcement advertising goods or services. All automotive advertisements must comply with all applicable legislation including the *Consumer Protection Act* and regulations. This includes, but is not limited to paid social media advertisements such as a paid Facebook advertisement or a paid Instagram Business advertisement. It also includes, but is not limited to non-paid posts such as a Facebook status from an employee, a tweet, a Snapchat video or an Instagram post.

## Does an advertisement on social media for a specific vehicle need to include the stock number?

The advertisement must include the stock number of the specific vehicle that is advertised as being available for sale at the time the advertisement is placed (Automotive Business Regulation (ABR), Section 11(2)(m)).

## Can the vehicle price be excluded from an advertisement on social media?

It is the supplier's choice whether or not to display price. However, if the advertisement is offering credit for a specific vehicle, the advertisement must include the price. In addition, if the advertisement offers credit and states the interest rate or amount of payment, the advertisement must also state the APR (annual percentage rate), term and total cost of borrowing (Cost of Credit Disclosure Regulation, Section 4 and 6).

## Do advertisements for vehicles that have been sold have to be removed from social media?

Yes, Section 11(2)(o) of the ABR states the automotive business cannot "...advertise a specific vehicle for sale if more than 14 days have elapsed since the vehicle was sold." This includes, but is not limited to Facebook posts, tweets and Instagram posts, which must be removed within 14 days if the vehicle advertised has sold. Businesses may edit their old posts to say "sold" if that is preferred, but for social media posts such as tweets that do not allow editing, the post must be deleted.

## Can a salesperson advertise vehicles on behalf of a licensed business on their personal social media account?

The advertisement must clearly indicate in a conspicuous manner the name of the business operator as set out in your AMVIC licence (ABR, Section 11). Anyone who solicits, negotiates or concludes a sale on behalf of an automotive business must be registered and authorized by the business to act on its behalf (ABR, Section 16).

## Does the vehicle history have to be disclosed on social media?

Vehicle history including, but not limited to if a vehicle was damaged in a fire; whether it was used a police car or emergency vehicle; or whether it was declared salvage at any time is a requirement under Section 31.1(1) of the ABR. Any applicable vehicle history information under Section 31.1(2)(a) must be disclosed in any online advertisements for the vehicle such as a tweet, Facebook post or Instagram post.