

New guidelines to avoid misleading advertising in Lithuania

At the beginning of August 2016, the Competition Council of the Republic of Lithuania issued new guidelines regarding misleading and unlawful advertising.

The Competition Council of the Republic of Lithuania is the institution responsible for the supervision of requirements for advertising established in the Lithuanian Law on Advertising. To seek an active role in ensuring that the requirements set forth in the law are met and to provide more information to businesses, the Competition Council has issued new guidelines regarding misleading and unlawful advertising.

Based on most recent case law

The guidelines provide a more detailed and in-depth review of the principles of and provisions on fair and legitimate advertising set forth in the Law on Advertising. The guidelines are based on most recent case law of the European Court of Justice, the Supreme Administrative Court of the Republic of Lithuania, and the Competition Council of the Republic of Lithuania.

The guidelines inter alia cover areas such as:

- the concept of advertising and the information that qualifies as being of a commercial nature;
- the provision of information regarding licenses held for advertising in specific fields;
- statements regarding exclusive offers for a short amount of time;
- information about delivery charges;
- claims regarding free of charge gifts when purchasing;
- various claims distinguishing the seller as superior to competitors in various forms;
- price comparison;

Although not compulsory, the guidelines are a great tool to identifying the main requirements set forth by the law, providing an overview of an official position taken by the supervisory authority, and prevailing problems associated with misleading advertising.



LAIMONAS MARKAUSKAS

ATTORNEY AT LAW,
PARTNER

+370 5 250 6155

LAIMONAS.MARKAUSKAS@NJORD.LT