C.N. 17

Advertising Agencies Certification - Minimum professional structure. Minimum professional structure of advertising agencies for obtaining Certificate of Technical Qualification.

São Paulo, September 9th, 2014.

Considering that:

1. The Standard Rules of the Advertising Activity establish on item 2.5.3, as a mandatory requirement, that the Agency must have what it is understood as a permanent expert board, in a professional structure, which is referred to in the art. 3 of Act 4.680/65, in order to obtain the technical certification;

2. Because of such provision, CENP has been requiring on the certification, revalidation and/or review processes that the Agency indicates name and number of advertising experts employees as a way to improve the analysis process and to better comply with the requirements of the Law and the Standard Rules;

3. The need for specific regulation determination on the matter has become indispensable to ensure compliance with the provisions of art. 4 of Act 12.232/10, which regards bids and contracts for the providing of advertising services to the Government, by which CENP is the certifying entity of the Agency's technical capacity;

4. The definition of advertising expert provided on the Law 4.680/65 must respect the legislation and, numerically respect the market's different realities, determining factor of the requirements of personnel qualified to provide advertising services;

5. The legislation says the professional registration for the advertising person is mandatory (Article 8 of Act 4.680 / 65), laying the ways in which the registry must be requested and the essential requirements – graduation in advertising and/or statement of advertising activity service by the employer, who does it according to his knowledge of the professional's quality;

6. To enforce the law and ensure the certification that the Agency is able to technically provide advertising services, with regard to specialized personnel, **CENP** should require the minimum for the certification/revalidation, and verify that such structure is maintained;

7. To guarantee equal treatment to all requests, **CENP** Executive Council

RESOLVES:

First - In requests for certification/revalidation, or at any time in the evaluation of technical training, it will be required from the Advertising Agency the evidence that it has a permanent structure of specialized personnel, referred to in item 2.5.3 of Standard Rules of Advertising Activity;

Second – The evidence referred to in the previous article shall be made by the demonstration, through a legal document, of the professional practice of at least two (2) Advertising experts referred to in art. 3 of Law No. 4.680 / 65, a condition that will be shown by (i) certificate of recognized teaching institution specialized in the graduation of advertising and/or (ii) professional registration pursuant to art. 8 of Law No. 4.680 / 65;

Paragraph 1. When failing to comply with the Second item above, evidence of technical training can also be given by means of documents presentation, as provided for in the sole paragraph of art. 8 of Law No. 4.680/65;

Paragraph 2. When failing to comply with the paragraph 1, another document that meets the same purpose will be accepted.

Caio Barsotti
President

* First writing approved in 02/11/2014.

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