

ADVERTISING BRIEFING TEMPLATE

For Marketing Agencies Working with Australian Dental Practices

IMPORTANT: Healthcare advertising in Australia is heavily regulated. Non-compliant advertising can result in fines up to \$60,000 per offence for individuals and \$120,000 for bodies corporate under the Health Practitioner Regulation National Law. This briefing document outlines the rules your agency **MUST** follow.

1. PRACTICE DETAILS

Practice Name: _____

Contact Person: _____

Date of Briefing: _____

Practitioner(s) to be Named: _____

Registration Number(s): _____

2. THE FIVE LEGAL PROHIBITIONS (Section 133, National Law)

Every piece of advertising created for this practice must comply with ALL five prohibitions below. Breach of any one is a separate offence.

1. NOT FALSE, MISLEADING OR DECEPTIVE

Every claim must be factually accurate. Even technically true statements can breach this if the overall impression is misleading. Avoid superlatives ("best", "leading", "top-rated") unless independently verified.

2. OFFERS MUST INCLUDE FULL TERMS

Any discount, gift, or inducement must include complete terms and conditions: what is included, who is eligible, validity dates, exclusions, normal price, and any limitations.

3. NO CLINICAL TESTIMONIALS

Do NOT use patient testimonials, reviews, or endorsements that reference clinical care, treatment outcomes, or practitioner skill. Non-clinical service reviews (e.g., "friendly staff") may be used with care.

4. NO UNREASONABLE EXPECTATIONS

Do not imply guaranteed results. Avoid language like "pain-free", "guaranteed", "transform your smile", or "perfect results". Always include "results may vary" disclaimers.

5. NO ENCOURAGING UNNECESSARY USE

Avoid urgency/scarcity language ("limited time!", "hurry!", "don't miss out!") that pressures patients into treatment they may not need.

3. SEPTEMBER 2025 COSMETIC ADVERTISING RULES

The following are **completely banned** in advertising for cosmetic dental procedures (whitening, veneers, cosmetic bonding, facial aesthetics):

- BANNED:** Before-and-after photos (even with patient consent)
- BANNED:** Patient testimonials or endorsements about cosmetic outcomes
- BANNED:** Influencer partnerships or sponsored content
- BANNED:** Specific product brand names in consumer-facing advertising
- BANNED:** Advertising targeted at or featuring anyone under 18
- BANNED:** Language that trivialises cosmetic procedures
- BANNED:** AI-generated or digitally manipulated "smile simulations" that create unrealistic expectations

4. TITLES, QUALIFICATIONS AND CLAIMS

Rule	Requirement
"Specialist"	ONLY for practitioners with specialist registration on the Dental Board register. NEVER use "specialises in" for general dentists.
"Dr"	Can be used by registered dentists, but MUST be accompanied by profession (e.g., "Dr A. Smith, Dentist").
Special Interest	General dentists may say "has a special interest in [area]" but NOT "specialist in [area]".
Qualifications	Only list qualifications actually held. Do not list in a way that implies specialist status.
Evidence Claims	Every clinical claim must be supported by peer-reviewed research. Keep records of evidence sources.

5. TGA REQUIREMENTS (Teeth Whitening & Therapeutic Products)

If the practice sells or advertises teeth whitening or other therapeutic dental products:

- Products with >6% hydrogen peroxide are classified as therapeutic goods
- Do NOT use the words "safe", "effective", or "painless" in advertising
- Do NOT use specific product brand names in consumer-facing advertising
- Include: "Always read the label and follow the directions for use"
- Include: "Consult your dentist to determine if this treatment is suitable for you"
- Do NOT target or feature anyone under 18 in whitening advertising

6. AUSTRALIAN CONSUMER LAW (ACCC)

In addition to healthcare regulation, all advertising must comply with the Australian Consumer Law:

- **No misleading conduct** (Section 18 ACL) - even unintentional. No proof of intent required.
- **No drip pricing** - advertised price must include all fees; do not add costs during booking.
- **No bait advertising** - offers must be genuinely available for a reasonable period.
- **No inflated "was/now" pricing** - the "was" price must be a genuine previous price.
- **Comparative claims** must have a reasonable, verifiable basis.
- **ACCC penalties** can reach up to \$50 million for corporations - separate from AHPRA fines.

7. PRE-APPROVAL CHECKLIST

Before submitting ANY creative, copy, or campaign material for approval, confirm:

- Every statement is factually accurate and not misleading
- No clinical testimonials, patient stories, or outcome endorsements are used
- No before-and-after photos of cosmetic procedures
- All offers include complete terms and conditions
- Practitioner name, profession, and registration details are included
- Only correct titles are used (no "specialist" unless specialist-registered)
- No superlative claims without independent verification
- No urgency/scarcity language that pressures patients
- Pricing is transparent and inclusive (no hidden fees)
- No brand names for therapeutic products in consumer advertising
- No content targeting or featuring minors for cosmetic procedures
- All claims can be supported with peer-reviewed evidence on request

8. APPROVAL PROCESS

All advertising material must be approved by the designated compliance reviewer at the practice BEFORE publication. Do not publish any material without written sign-off.

Designated Compliance

Reviewer: _____

Review Turnaround Required: _____

Approval Method: _____

Emergency Contact: _____

9. KEY RESOURCES

- **AHPRA Advertising Guidelines** - ahpra.gov.au/Resources/Advertising-hub
 - **AHPRA Advertising Summary** - ahpra.gov.au (Summary of advertising requirements)
 - **Dental Board of Australia** - dentalboard.gov.au/Codes-Guidelines
 - **ACCC Advertising Guide** - acc.gov.au (Advertising and Selling Guide)
 - **TGA Advertising Code** - tga.gov.au (Therapeutic Goods Advertising Code 2021)
-

Agency Representative

Name: _____

Signature: _____

Date: _____

Practice Representative

Name: _____

Signature: _____

Date: _____

This briefing template was generated as part of the Dental Practice Advertising in Australia eLearning Course. For the most current regulatory requirements, always check ahpra.gov.au.