Council Report

2023–24

4As MALAYSIA

GROWING BRANDS THROUGH CREATIVITY

About

The Association of Accredited Advertising Agents, Malaysia (4As) formed in 1971, is the Malaysian industry's foremost body engaged in promoting the 'value' of Advertising Agencies in the Marketing Communications industry among advertisers, media, suppliers, government and the public.

The organisation encompasses more than 50 homegrown and international Member Agencies and Agency brands who are key players in the advertising industry.

We help grow Member businesses and advance individual careers through professional development services, industry awards, advocacy and support.

Objectives

The five objectives adopted by the Council not only serve as the backbone of the Association, but also a commitment. As we face the challenges of tomorrow, these objectives will steer us through the tough times & propel us towards sustainable growth and inspiration for our industry.

01 To Provide Industry Guidance & Leadership

We set clear frameworks for best practices in the industry, to encourage the highest standards of creativity, ethics and business.

Pitch Disbursement By-Laws

Finding an Agency Guide

Standards of Practice & Ethical Conduct

Ownership of Agency Ideas During a Pitch

Agency Remuneration Fee Guide

02 To Raise Standards & Professionalism

To actively cultivate a creative economy and raise the quality of works, 4As organises and promotes various awards, coaches Member Agencies, is an active founding member of self-regulatory organisations and a founding member of VoxComm, the global voice for Agencies.

Effie Masterclass
—
How to Craft Effie Case-studies Submissions

Kancil Awards
—
Creative Competition

Putra Brand Awards / Putra Aria Brand Awards
—
The People's Choice Awards

The Global Voice for Agencies
—
35+ National Agency Trade Associations

Malaysian Effie Awards
—
Effectiveness Competition

Founding Member of Industry Self-Regulatory Bodies

03 To Foster Continuous Professional Development for the Attraction & Retention of Agency Talent

To help Member Agencies up-skill their talent pool, 4As partners with top institutes, practitioners and specialists, for customised educational and participatory programs. We know clients trust Agencies that invest in their staff.

Craft-focused Programs by Top Practitioners

Institute of Practitioners in Advertising (UK)

—

- IPA Foundation Certificate
- IPA Commercial Essentials Certificate
- IPA Advanced Certificate in Effectiveness
- IPA Digital Performance Certificate
- IPA Effectiveness Essentials Certificate
- IPA Diversity & Inclusion Essentials Certificate

Workshops by Core-subject Specialists

04 To Promote Commercial Creativity & Its Effectiveness

4As engages in PR and Marketing activities to showcase the winning 'idea' created by Member Agencies that exceeded KPI's and helped transform an Advertiser's business.

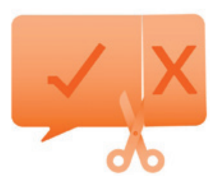
Pre- & Post-event Publicity of Putra & Malaysian Effie Awards

Effie Winners' Showcase in the Business Press

05 To be the Government's Principal Information Source & Advisor on Advertising

4As works with the government and gives its objective inputs to influence public policy, regulations and resist any unwise decisions affecting advertising.

Inputs into the Drafting of An Advertising Code for Medical Device Advertising for the Ministry of Health



Inputs into Re-drafting of the Content Code/ Advertising Rules for the Content Forum

Inputs into the Drafting of an Advertising Film Production Contract Template for the National Film Development Corporation (FINAS) and the Malaysian Association of Advertising Filmakers (PPFIM)

Removal of Unwise Rules by the Film Censorship Board and the National Language Institute (Dewan Bahasa)

Why Join the 4As

01

Subsidised Award Entry Fees

Members enjoy a rate that is between 40% to 60% lower than a non-member for entry fees into the Malaysian Effie and Kancil awards competition.

02

Cost-Reimbursement Pitch presentations

The 4As Pitch Disbursement By-Laws enable Members who are not successful in a competitive pitch to receive a partial reimbursement for Agency costs to develop the pitch presentation.

03

Salary and Charge Out Rates Survey

Members who participate in the 4As surveys gain free access to classified findings on:

a) Average salaries across an extensive range of Agency positions. This enables Agency management to confidently establish competitive remuneration to help retain/recruit valued employees.

b) Benchmarks for the charge out rates/fees for chargeable Agency positions, plus a benchmark of the key drivers used to establish these rates (chargeable hours, overhead recovery, profit margin).

04

IPA Alliance

The 4As alliance with the Institute of Practitioners in Advertising (IPA) enables Member access to the portfolio of award winning qualifications and bespoke Agency training programs conducted by IPA's top UK "endorsed trainers".

05

Employee Scholarships

Member employees are able to attain globally recognized advertising qualifications from the annual 4As scholarships for the:

- IPA Foundation Certificate
- IPA Commercial Essentials Certificate
- IPA Advanced Certificate in Effectiveness
- IPA Digital Performance Certificate
- IPA Effectiveness Essentials Certificate
- IPA Diversity & Inclusion Essentials Certificate

These award winning qualifications are developed and written by top industry practitioners. Not academics.

06

Subsidised Registration Fees

Members receive between 20% to 30% reduction on non-member fees to attend 4As hosted seminars and workshops, including fees for the IPA qualifications.

07

Networking

Members have access to industry platforms to help influence Government Regulators on advertising rules. Also to directly play an active role to safe guard interests within the industry.

08

Best Practice Guides

Members have access to industry best practice guides on Fair Agency Remuneration, IP Ownership of Pitch Ideas, Finding An Agency, Better Briefs and more as the 4As builds it's library of relevant guides.

09

Free Legal Advice

Members have access to free legal advice for an initial 1 hour consultation session from top legal firms. This includes topics related to contracts, HR, commercial, intellectual property and advice on client contract reviews.

Why Choose A 4As

01

Indicator of Success

Working with a 4As Member Agency will help you transform your business because they are the creative pioneers of today, and tomorrow. Membership of the 4As is an indicator of an Agency's success. It is a sign of professional competence, financial stability and a commitment to learning and development.

02

Professional Competence

To become a Member of the 4As, Agencies must demonstrate high levels of professional competence in the eyes of their peers, Clients and suppliers.

03

Committed to Learning and Development

To ensure Member Agencies skills are kept up-to-date, we encourage them to access a wide range of bespoke courses and industry qualifications through our alliance with UK's Chartered Institute of Practitioners in Advertising(IPA). Member Agencies are required to invest in continuous professional development in order to retain membership.

Agency

04

Proven Effectiveness

Member Agencies and their Clients regularly sweep the board at the annual Malaysia Effie Awards, the global Gold standard among marketing effectiveness competitions.

05

Maintain Rigorous Standards

All our Member Agencies are required to uphold the industry's legal, regulatory and ethical standards, including the Malaysian Code of Advertising Practice and the Content Code.

06

Adhere to Our Best Practice Guidelines

We champion Best Practice Guidelines on a wide range of topics including Finding An Agency, Better Briefs, Agency Evaluation, Agency Remuneration, Ownership of Agency Ideas and Agency-Film Production Agreement templates.

When you choose a 4As Member Agency you can be confident you've made a wise business decision.

Acting President

Ryusuke Oda
Managing Director
Hakuhodo Malaysia Sdn Bhd

Senior Advisor

Dato' Johnny Mun
Chief Executive Officer
Oxygen Advertising Sdn Bhd

Khairudin Rahim
Chief Executive Officer
4As

Service Acknowledgement

Marcus SK
Grey Worldwide Sdn Bhd

Council Members

Jasmin Omar
Managing Director
Ellipsis Asia Sdn Bhd

Irene Wong
Chief Executive Officer
Grey Worldwide Sdn Bhd

Joyce Gan
Partner/Group Client Services Director
Fishermen Integrated Sdn Bhd

Parames Dorai
Group Chief Business Officer
ForeFront Studio Sdn Bhd

Clarence Koh
Chief Executive Officer
Naga DDB Sdn Bhd

Yee Hui Tsin
Chief Executive Officer
TBWA Kuala Lumpur Sdn Bhd

Adrian Loh
Managing Director
Shinajii Sdn Bhd

LV Chong
Regional Managing Director
Monster Interactive Sdn Bhd

Nizwani Shahar
Chief Executive Officer
Havas Malaysia Sdn Bhd

Kunal Roy
Chief Executive Officer
Dentsu Malaysia Sdn Bhd

Nisha Devina Roy
Managing Director
M&C Saatchi Sdn Bhd

President's Report

The Association continues to champion the value that agencies bring to their clients and do so through the purposeful delivery of the association's 5 objectives:

RYUSUKE ODA
Acting-President, 4As

- To Provide Industry Guidance & Leadership
- To Raise Standards & Professionalism
- To Foster continuous Professional Development for the Attraction & Retention of Agency Talent
- To Promote Commercial Creativity & Its Effectiveness
- To be the Government's Principal Information Source and Advisor on Advertising

The main highlights of your association's efforts for the past 12 months follow. Details of all our activities and accomplishments are contained in the various section reports.

AWARDS

THE PUTRA BRAND AWARDS

The 14th edition of the Putra Brand Awards was captured under the theme " Transform - Lead the Change". Consumer behavior changes and global upheavals notwithstanding, the fundamentals of our industry remain unchanged- to win over the consumers' loyalty through creativity and ideas that alters their perceptions and behavior towards the advertised brand. By measuring the consumers' impression of brands, their purchase intentions and whether they would make word-of-mouth recommendations, the Putra Brand Awards are a true reflection of brand penetration into the consumer's mind. Brands which have continued to pursue and stay committed to a strong advertising presence are the ones that reaps the rewards.


Star Special
PUTRA BRAND AWARDS 2023

Resilience in the face of change.

The world is in a state of constant change. Despite this challenging environment, brands have continued to deliver outstanding products and services.
Putra Brand Awards and Putra Aria Brand Awards celebrate the exceptional brands that win the hearts and trust of Malaysians.

THE PUTRA ARIA BRAND AWARDS

The 4As continued with the 2nd edition of the Putra Aria Brand Awards, an extension of the Putra Brand Awards. It recognizes the top 15 brands within each category that are included in the same consumer survey. From the survey scores, brands within the higher percentile group are the Putra Brand Awards winners and brands in the 2nd percentile group are the Putra Aria Brand Awards winners. We are delighted that the 2nd edition of this award resulted in Malaysian consumers i.e. the people, choosing to present 40 Gold, 50 Silver and 60 Bronze awards. The awards were presented at the respective gala events on 18 and 19 January. A combined attendance of almost 2000 guests were in attendance. Winners were also celebrated in an 88 page "Star Special" supplement published on 29 February 2024.

EFFIE AWARDS

The 15th edition of the Malaysian Effie Awards- the global gold standard among marketing effectiveness competitions. The theme for this year's awards was "To The Uncharted " with 3 Gold, 11 Silver and 12 Bronzes awarded from a shortlist of 63 campaigns.

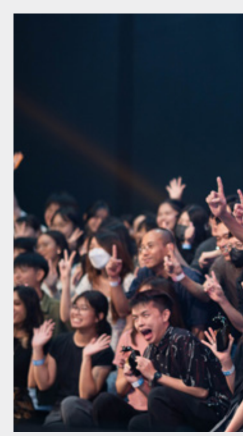

Star Special

Putra Aria Brand Awards 2023

Winners
Gold 40
Silver 50
Bronze 60

KANCIL AWARDS 2023

The theme for Malaysia's premier creative competition, the Kancil Awards this year was "Make it for Malaysia". Over 400 delegates attended the 1 day festival and nearly 1500 guests attended the awards night on November 24.



ADVOCACY

SALARY & CHARGE OUT RATES SURVEY

The 4As commissioned the second benchmark industry surveys amongst Member Agencies. The first was in 2018. Cost was fully funded by the 4As as a benefit to Members. This is similar to the survey undertaken by the Institute of Practitioners in Advertising (IPA).

This enabled Agency management to confidently establish competitive remuneration to help retain and recruit valued employees. It also enabled Agencies to know current benchmarks used to establish charge out rates and fees.

EDUCATE

Our 9 year alliance with the Institute of Practitioners in Advertising (IPA) keeps on growing from strength to strength. To date 561 Malaysian practitioners including Advertising/ Marketing lecturers have been qualified through the 6 exam-based, globally recognized IPA certificates we offer to our industry.

We brought back the “4As Creative Director’s Leadership Bootcamp ” conducted over 2 days on June 14-15 as well as the “4As Consumer Insights Workshop” held on June 16. Both were conducted by Paul Arnold an “IPA endorsed trainer”. Delegates again gave it a very high rating of 4.6/5 and 4.7/5 respectively (0=Poor, 5= Excellent).

GRADUATE RECRUITMENT

The 4As launched 'The Refinery' in September 2023. A student talent development programme with the goal of shaping the next generation of ad-makers who will one day be the trailblazers of the industry. By inviting students to see first-hand the work that we do in delivering business results through the power of creativity, we want to increase the students' passion and motivation to join our industry. The Refinery by the 4As is a formal outreach to the universities, providing an official gateway for the universities to connect with the 4As Member Agencies. The 4As provided placements for up to 200 students.

ADVERTISING STANDARDS MALAYSIA (ASA)

ASA has submitted 3 proposals to the Ministry of Domestic Trade (KPDN) seeking grants to run ASA. This was due to the recent development where one of the founding constituent members, the Malaysian Newspaper Publishers Association (MNPA) withdrew from the alliance as well as another constituent member, the Outdoor Advertising Association of Malaysia (OAAM), is currently facing financial constraints, making it challenging for the remaining three constituent members 4As, MAA and MSA to continue funding ASA Malaysia. The decision from KPDN is awaited.

AWARDS COMMITTEE REPORT

OBJECTIVES

01 Elevate the role of the Association in cultivating a Creative Economy

02 Engineer a positive perception of Malaysia as a market for creative excellence locally and internationally

03 Promoting that ideas (creative economy) drive value change

COMMITTEE

Led by Dato' Johnny Mun, Mr. Ryusuke Oda, Mr LV Chong Ms. Yee Hui Tsin and Ms. Joyce Gan

THE PUTRA ARIA AND PUTRA BRAND AWARDS (PBA)

Dato' Johnny Mun, from Oxygen Advertising, resumed his role as the organizing chairman for both awards. The theme for the 2023 Putra Brand Awards (PBA) is "Transform - Lead the Change," while the Putra Aria Brand Awards (PABA) theme was "Transform - Be the Change."

A total of 158 awards were bestowed covering Platinum, Gold, Silver and Bronze at the 14th edition of the Putra Brand Awards also known as the “People’s Choice Award”. It continues to be a closely followed event by top marketers. An event to which the entire marketing and communications industry looks forward to keep tabs on the brands that are most favoured by consumers.

Putra Aria Brand Awards (PABA), an extension of the Putra Brand Awards (PBA) that recognises the top 15 brands within each category that are included in the same consumer survey returned for the second consecutive year. Winners were determined and separated by percentiles. Brands within the higher percentile group are the Putra Brand Awards winners and brands in the 2nd percentile group are the Putra Aria Brand Awards winners. Awards were presented in 24 categories with 40 Gold, 50 Silver, and 60 Bronze awards handed out.

PBA and PABA are endorsed by MATRADE as Brand Champion Partner and supported by the Malaysian Advertisers Association, Malaysian Digital Association and the Media Specialists Association. Organised in collaboration with the Star Media Group.

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Datuk Lim Kok Boon, Spritzer Berhad
Putra Brand Personality

Sunway University
Putra Enterprising Brand

Touch 'n Go eWallet
Putra Brand of the Year

Watsons Malaysia
Putra Brand Marketer of the Year

Golden Screen Cinemas
Putra Hall of Fame

SELECTION CRITERIA

This is based strictly on consumers' choice of brands that consistently invest in brand building. This year, a total of 25,000 consumer responses were received for both awards during an eight-week survey period, surpassing the minimum requirement of 6,000 responses.

This was promoted over 60 digital platforms. Survey respondents rate the brands based on:

- Their familiarity with the brand
- Their experience with the brand
- Their impression of the brand
- Their intent to purchase the product of the brand
- Their forced-choice brand
- Brands they would recommend to friends and families

The awards were presented at the respective gala events on 18 and 19 January 2024 at the One World Hotel, Petaling Jaya. A combined attendance of almost 2000 guests came to celebrate their wins.

2023 KANCIL AWARDS

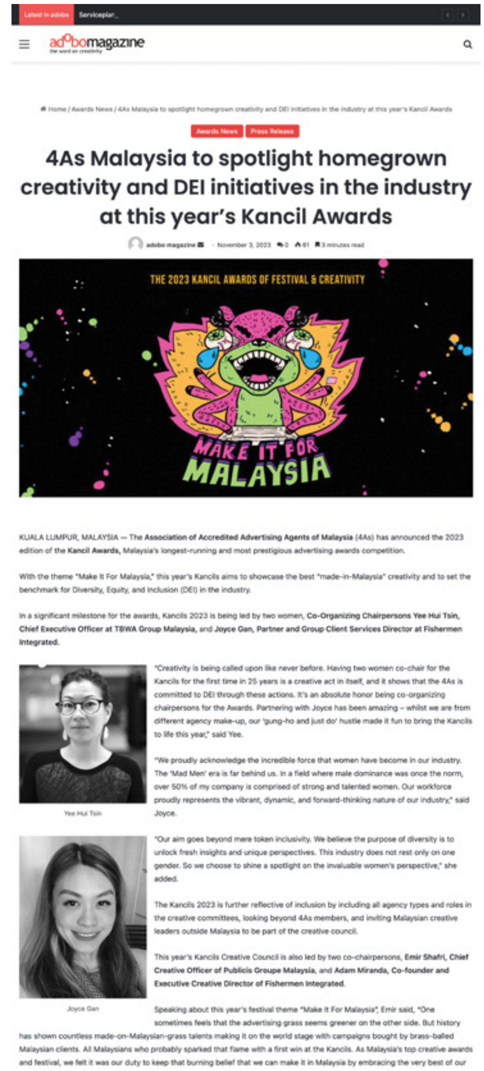
For Kancil 2023, Yee Hui Tsin of TBWA Group Malaysia and Joyce Gan of Fishermen Integrated were appointed as Co-Organizing Chairpersons.

Mr. Alvin Teoh, from Naga DDB Tribal, who served as the Creative Chairman from 2018 until 2022, effectively enhancing the stature of the awards during his tenure, decided to retire from the role. This paved the way for fresh leaders to assume responsibility and drive further innovation.

Mr Adam Miranda of Fishermen Integrated and Mr Emir Shafri of Publicis Malaysia were appointed as Co-Creative Chairmen for the 2023 awards and festival.

The theme- " Make It For Malaysia", was aimed to showcase the best "made-in-Malaysia" creativity and to set the benchmark for diversity, equity and inclusion (DEI) in the industry.

More than 400 delegates attended the Kancil Festival talks and nearly 1500 guests attended the Awards night on November 24 with both international and local guest speakers delivering their illuminating views at the Ex8 Subang Jaya event space.



4As Malaysia to spotlight homegrown creativity and DEI initiatives in the industry at this year's Kancil Awards

KUALA LUMPUR, MALAYSIA — The **Association of Accredited Advertising Agents of Malaysia** (4As) has announced the 2023 edition of the **Kancil Awards,** Malaysia's longest-running and most prestigious advertising awards competition.

With the theme "Make It For Malaysia," this year's Kancils aims to showcase the best "made-in-Malaysia" creativity and to set the benchmark for Diversity, Equity, and Inclusion (DEI) in the industry.

In a significant milestone for the awards, Kancils 2023 is being led by two women, **Co-Organizing Chairpersons Yee Hui Tsin, Chief Executive Officer at TBWA Group Malaysia,** and **Joyce Gan, Partner and Group Client Services Director at Fishermen Integrated.**

"Creativity is being called upon like never before. Having two women co-chair for the Kancils for the first time in 25 years is a creative act in itself, and it shows that the 4As is committed to DEI through these actions. It's an absolute honor being co-organizing chairpersons for the Awards. Partnering with Joyce has been amazing – whilst we are from different agency make-up, our 'gung-ho and just do' hustle made it fun to bring the Kancils to life this year," said Yee.

Yee Hui Tsin

"We proudly acknowledge the incredible force that women have become in our industry. The 'Mad Men' era is far behind us. In a field where male dominance was once the norm, over 50% of my company is comprised of strong and talented women. Our workforce proudly represents the vibrant, dynamic, and forward-thinking nature of our industry," said Joyce.

"Our aim goes beyond mere token inclusivity. We believe the purpose of diversity is to unlock fresh insights and unique perspectives. This industry does not rest only on one gender. So we choose to shine a spotlight on the invaluable women's perspective," she added.

The Kancils 2023 is further reflective of inclusion by including all agency types and roles in the creative committees, looking beyond 4As members, and inviting Malaysian creative leaders outside Malaysia to be part of the creative council.

This year's Kancils Creative Council is also led by two co-chairpersons, **Emir Shafri, Chief Creative Officer of Publicis Groupe Malaysia,** and **Adam Miranda, Co-founder and Executive Creative Director of Fishermen Integrated.**

Joyce Gan

Speaking about this year's festival theme "Make It For Malaysia", Emir said, "One sometimes feels that the advertising grass seems greener on the other side. But history has shown countless made-on-Malaysian-grass talents making it on the world stage with campaigns bought by brass-balled Malaysian clients. All Malaysians who probably sparked that flame with a first win at the Kancils. As Malaysia's top creative awards and festival, we felt it was our duty to keep that burning belief that we can make it in Malaysia by embracing the very best of our identity and talents, alive and kicking."

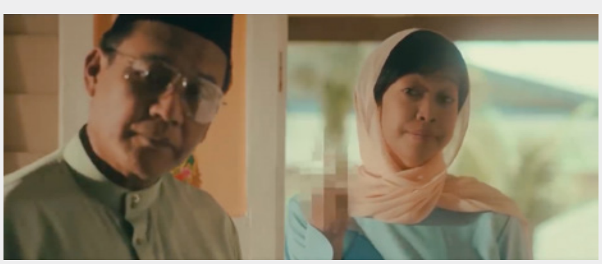
ADOBO MAGAZINE
4As Malaysia to spotlight homegrown creativity and DEI initiatiaves in the industry at this year's Kancil Awards
3 November 2023

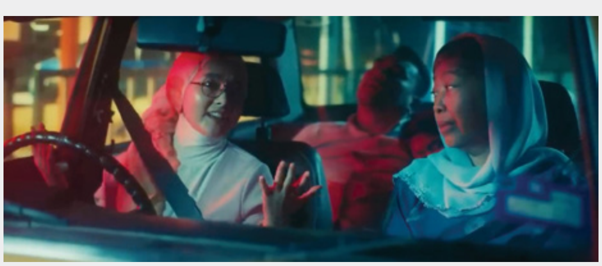
Judging

Mr. Graham Drew of Grey Malaysia was appointed as the Jury Chairman, alongside Mr. Chan Woei Hern of Vayner Media, who serves as the Deputy Jury Chairman. This year the final judging returned to a physical format for both professional and student entries. A total of 739 entries were received. The Student Kancils X Scoolers recorded 300 entries. The Kancils X Scoolers was sponsored by Genting Malaysia.

Kisah Raya P.E.R.I.T, Fastman Studios

Golden Kancil





Grey Malaysia

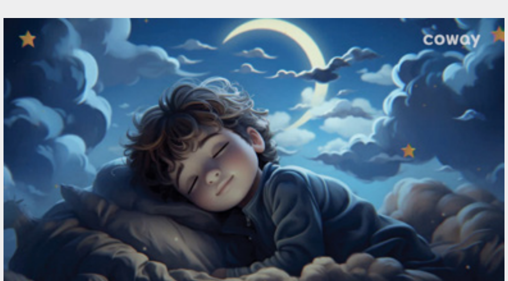
Agency of the Year

LONDON INTERNATIONAL AWARDS

London International Awards (LIA) was pleased to continue sponsoring the Young Kancils Challenge 2023 winning team with four placements to Creative LIAisons 2023. This honour was presented at the 2023 Kancil Awards. The winning team, One from TBWA Kuala Lumpur, received one coveted spot in the Creative LIAisons onsite programme in Las Vegas 2024, plus two spots to Adfest 2024. Three spots were given to the runner up, Ernie of Leo Burnett Kuala Lumpur to join the global, virtual, one-to-one bespoke coaching program, featuring mentoring sessions from top global creative practitioners. The Young Kancils Challenge was sponsored by Bask Bear Coffee.

Coway Malaysia

Advertiser of the Year



EFFIE AWARDS

Mr Ryusuke Oda of Hakuhodo Malaysia and Mr LV Chong of Monster Interactive were appointed as Co-Organising Chairpersons for the 15th edition of the Effie Awards Malaysia. Datuk Lai Shu Wei of Sime Darby Property was appointed as Jury Chairperson. The theme for this year's Effie Awards was "To the Uncharted", with 3 Gold, 11 Silver, and 12 Bronze awarded from a shortlist of 63 campaigns.

The overall standard of submissions remained remarkably high. The final round of judging was face-to-face on 21 September 2024. The gala night was held on 20 October 2023 at the One World Hotel, Petaling Jaya.

Grab

Brand of the Year

Fishermen Integrated

Agency of the Year

ADVOCACY COMMITTEE REPORT

OBJECTIVES

01 Improving the quality of talent, ethics and professional standards

02 Membership Recruitment and Marketing

COMMITTEE

Led by the Chairman, the Vice-President, Ms. Parames Dorai, Ms. Yee Hui Tsin, Ms. Irene Wong, Mr. Adrian Loh and Mr. Marcus S.K

UNETHICAL IP OWNERSHIP DEMAND

The awareness and understanding of fair pitch practices are still not widespread amongst the Advertiser community.

A case in point is Persatuan Insurans Am Malaysia (PIAM) and Malaysian Takaful Association (MTA) who included an unethical intellectual property (IP) ownership claim in their pitch brief that read:

"All supporting materials and other documentation submitted with the response will become the property of the Associations unless otherwise requested by the proposers at the time of submission."

Agencies who had overlooked this clause would have automatically surrendered their IP rights, without any recourse to compensation. Council urged Members to boycott their pitch for a consumer education campaign on the "phased liberalisation of motor and fire insurance tariffs"

Four appeal letters to remove this clause with clear rationales were sent to the CEO's and chairmen of the two associations. In the absence of any response from PIAM and MTA, the 4As decided to speak out in public about the Advertisers' bad practice and value-destroying behaviour. It tantamounts to a demand for free ideas. Regulator Bank Negara Malaysia was also informed of this unethical behaviour.

An official reply from PIAM and MTA is awaited.

6 Billings

STARBIZ, MONDAY 19 FEBRUARY 2024

By DALJIT DHESI
daljit@thestar.com.my

Ad agencies call for changes to rules

Industry body: Pitch clause jeopardises intellectual property

"It is tantamount to a demand for free ideas, contradicting core business principles and global norms of business dealings with the creative industry."
Khairudin Rahim

PETALING JAYA: After unsuccessful appeals by the Association of Accredited Advertising Agents Malaysia (4As) to the General Insurance Association of Malaysia (PIAM) and the Malaysian Takaful Association (MTA) for the removal of Clause 2.14 in their pitch terms and conditions, 4As is now taking the matter to a higher level.

This time, the association is appealing to both the chairpersons of PIAM and MTA to consider the removal of the contentious clause which is deemed unethical.

Clause 2.14 within the request for proposal (RFP) documentation from these associations reads: "All supporting materials and other documentation submitted with the response will become the property of the PIAM and MTA unless otherwise requested by the proposers at the time of submission."

An RFP is a briefing document from an advertiser that is interested in procuring from advertising agencies a customised communications solution for a given assignment.

It is issued to advertising agencies for them to submit their detailed plans, strategies, creative ideas, designs and pricing proposals based on the specifications outlined in the document.

Khairudin Rahim, 4As chief executive officer, said the advertising industry deems the clause unfair as it would lead to what is effectively the take over of an agency's ideas and work in an unethical, oppressive and highly prejudicial manner.

It would be tantamount to a demand for free ideas, Khairudin told StarBiz.

"Unless otherwise requested in writing and objected to by the advertising agency before the proposals are submitted, both associations through this clause are unethically demanding ownership and retention of intellectual property," he added.

Khairudin said, earlier three written appeals for the removal of the clause from future RFP and pitch documents directed at advertising agencies were made to the heads of MTA and PIAM, but fell on deaf ears.

The appeals were made on Aug 9, Aug 29, and again on Oct 26 last year. With no forthcoming official response, the 4As is therefore left with the conclusion that Malaysia's foremost takaful and general insurance trade bodies, despite knowing their demand is unethical, feel entitled and wish to continue making this their standard when dealing with advertising agencies, he added.

The stance contradicts their association's stated goals of wanting to build trust, positively promote the image of, foster confidence in and raise professionalism within the takaful and general insurance industry.

Khairudin said he hopes the chairmen of both the associations will address the situation and do what is right in a bid to remedy the trust deficit.

As of press time, PIAM and MTA could not be reached for comment.

PIAM and MTA last year issued an RFP for advertising agencies to submit proposals for a consumer education campaign on the phased liberalisation of motor and fire insurance tariffs.

Khairudin reiterated that Clause 2.14 is oppressive and highly prejudicial to advertising agencies who are unsuccessful as they would not in any future bid or project rely on their intellectual property rights. Member agencies of the 4As have and will continue to decline pitch invitations which contains conditions and clauses similar to this.

"The inclusion of this clause by the PIAM and MTA is especially disappointing given the 4As repeated calls for advertisers to remove unfair and unethical intellectual property retention clauses from procurement documents.

"It is tantamount to a demand for free ideas, contradicting core business principles and global norms of business dealings with the creative industry," he added.

The 4As Malaysia, formed in 1971, is the Malaysian industry's foremost body representing and promoting the value of advertising agencies in the marketing communications industry to advertisers, media, suppliers, government and the public.

The organisation encompasses more than 50 homegrown and multinational member agencies and agency brands, involved in brand strategy and marketing communications.

THE STAR
Ad agencies call for changes to rules
19 February 2024

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4As Malaysia appeals to MTA and PIAM to remove 'unethical' pitch clause

Published
15 February 2024
Author
Camillia Dass

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The Association of Accredited Advertising Agents Malaysia (4As) has written to the heads of the Malaysian Takaful Association (MTA) and the Persatuan Insurans Am Malaysia (PIAM) after it introduced a clause in its pitch conditions that takes ownership of all materials submitted by agencies for a pitch. The clause, Clause 2.14, states: "All supporting materials and other documentation submitted with the response will become the property of the associations unless otherwise requested by the proposers at the time of submission."

Don't miss: Can you really do anything when your pitch idea gets stolen?

The clause was introduced as part of MTA and PIAM's 2023 advertising agency pitch conditions for a consumer education campaign on the "Phrased Liberalisation of Motor and Fire Tarrifs".

"The advertising industry deems this clause, that brazenly wants to take over an advertising agency's ideas and work, as unethical, oppressive and highly prejudicial," said Khairudin Rahim, CEO of 4As in a letter that was shared with MARKETING-INTERACTIVE. He added:

> This is tantamount to a demand for free ideas.

It added that unless otherwise requested in writing and objected to by the advertising agency before the proposals are submitted, both associations through this clause are "unethically" demanding for ownership and retention of intellectual property.

Rahim said in his letter that three written appeals have been made to the CEOs of MTA and PIAM since to remove the clause but that the CEOs have displayed "a lack of professional curtesy".

"They did not bother to respond stating their association's position to agree with or disagree with the 4As appeal," Rahim said. "We are therefore left to the conclusion that Malaysia's foremost takaful/general insurance trade bodies, despite knowing the demand is unethical, wish to continue making this 'the standard' when dealing with advertising agencies."

MARKETING-INTERACTIVE
4As Malaysia appeals to MTA and PIAM to remove 'unethical' pitch clause
15 February 2024

REMOVAL OF TENDER DOCUMENT FEE

The 4As repeated appeals were successful. Telekom Malaysia Berhad (TM) agreed to remove their unfair demand for a fee of up to RM5,000 for tender documents that are sent via email with effect from March 1, 2023. The efforts to persuade TM's senior management to remove their demand for a RM 10,000 refundable tender deposit are still ongoing. This demand ties up an Agency's working capital for up to 6 months.

MARKETING-INTERACTIVE Region: Singapore Change

Partner Insights News Analysis Agencies Media Opinions Brand Highlights Tech Events

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4As Malaysia comes down hard on MNCs and GLCs for bypassing pitch payment

Published 28 August 2023

Author Reema Dudekula

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The Association of Accredited Advertising Agents Malaysia (4As), is aiming to clamp down on the growing practice of MNCs and GLCs foregoing paying its member agencies, with some advertisers even compelling 4As members to secure a written exemption from 4As long standing pitch disbursement by-laws. In a statement put out by the 4As, the organisation's CEO Khairudin Rahim (pictured) reinforced the belief these exemptions are primarily being made due to the companies' lack of familiarity with the rationale for pitch disbursement which was introduced in 2006.

The pitch disbursement requirement, Khairudin said, is intended to allow 4As' members who are participating in a pitch to recover some of the costs associated with preparing customised strategy, ideas and creative submissions for the pitch. Considering the fact that speculative pitches are expensive and resource draining, agencies are bound to experience a financial burden, he explained. Furthermore, advertiser pitch briefs have become more demanding and complex in their requirements. He added that 100% of the successful member agencies' pitch disbursement allocation would be returned to the advertiser upon the results of the pitch being announced.

The practice, according to 4As Malaysia has been hugely supported by over 200 companies, including Celcom Axiata, Etiqa, Malaysia Airlines, Malaysia Rail Link, Maybank, Petronas, Proctor & Gamble, Telekom Malaysia and Watsons.

MARKETING-INTERACTIVE
4As Malaysia comes down hard on MNCs and GLCs for bypassing pitch payment
28 August 2023

PANEL AGENCY PITCH

Bank Negara Malaysia (BNM) had invited several Members to pitch and be part of BNM's panel of Agencies. It will then "entitle" them to pitch amongst themselves for future projects.

This did not make any business sense as the projected revenue, based on BNM's annual communications budget, is too small to be meaningfully shared amongst panel Agencies.

Members were advised to notify BNM in writing on why they declined to pitch. This to help BNM realise that their plan is not attractive to reputable 4As Agencies. The 4As also highlighted the same and briefed BNM on "best practices" to hire an Agency.

BNM then understood the need to provide better fee allocations. They also agreed to pay pitch disbursements for invited Members.

MEMBERSHIP

NEW MEMBERS

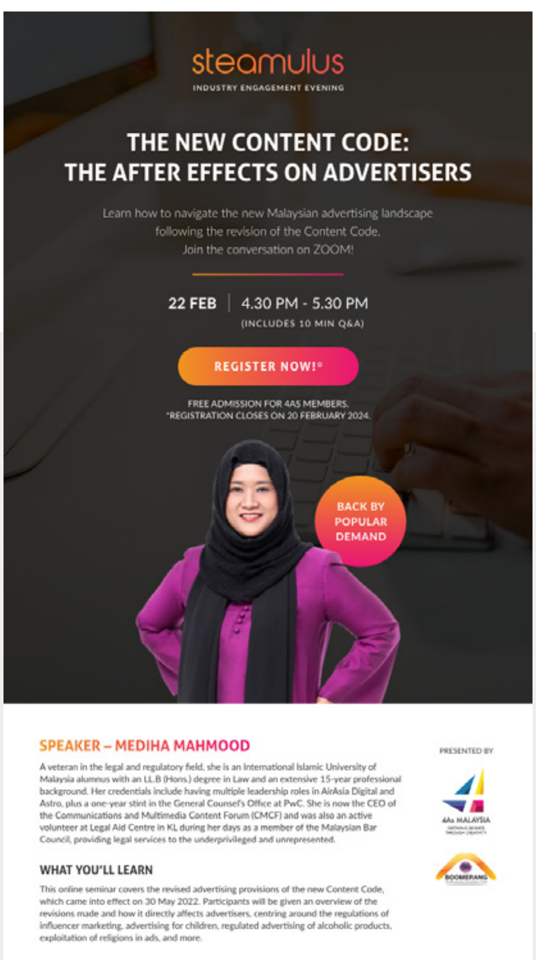
The Council welcomed Lion Digital Malaysia Sdn Bhd (which is part of the Dentsu Group Inc.), DNA Creative Communications Sdn Bhd and A Paper Creative Sdn Bhd as Associate Members following the Association's evaluation process. All 3 fulfilled the requirements for membership.

CONTENT FORUM

MEMBER ENGAGEMENT

STEAMULUS

The goal of Steamulus first introduced in July 2019, is to expose Members to a wide range of thought-provoking speakers from different industries and create productive networking sessions. The 16th session was presented on February 2024, by Puan Mediha Mahmood, CEO of the Communications and Multimedia Content Forum (CMCF). She delved into "The New Content Code: The After Effects on Advertisers". This was to meet popular demand for a repeat session on this topic. Many practitioners were still unfamiliar with the updated Content Code rules and complaint mechanism. 63 practitioners attended the online session.



SALARY & CHARGE OUT RATES SURVEY

Members who participated in the second 2023 survey gained free access to classified findings on:

a) Average salaries across an extensive range of Agency positions. This enables Agency management to confidently establish competitive remuneration to help retain/recruit valued employees.
b) Benchmarks for the charge out rates/ fees for chargeable Agency positions, plus a benchmark of the key drivers used to establish these rates (chargeable hours, overhead recovery, profit margin).

Survey findings now include "gender " to help determine what pay gaps exist for each job description. The first survey was done in 2018.

World Federation of Advertisers

WFA-VOXCOMM GLOBAL DEI SURVEY

The WFA and VoxComm's Global DEI survey commenced on March 15 and involved 34 countries, including Malaysia. The questionnaire was shared with Members and the MAA Malaysian Advertisers Association (MAA) members too.

There were unfortunately only 146 total responses from Malaysia. As there must be a minimum of 300 from a country for it to be eligible to receive a country- specific survey report, Malaysia did not receive one.

ENGAGE COMMITTEE REPORT

OBJECTIVES

01 To be a source of reference for brand marketing and communications issues and legislation that affect consumer communications and demand

02 To build relationships through networking

COMMITTEE

Led by the President and En. Jasmin Omar and supported by Dato' Johnny Mun and Ms. Nisha Roy

Professional Bodies and Marketers

COMMUNICATIONS AND MULTIMEDIA CONTENT FORUM OF MALAYSIA (CMCF)

NEW CHAIRMAN

Mr. Kenny Ong was returned unopposed as the chairman of CMCF at their AGM in May for his second term while the 4As was re-elected as the body's Council Member. However, in December 2023, Mr Kenny Ong announced he will be leaving Astro and hence has to relinquish his position as the Chairman. An Extraorindary General Meeting was called to elect a new Chairman on 30 January 2024. En Rafiq Razali, Group Managing Director of Media Prima Berhad was unanimously elected as the Chairman and will serve until the term ends in March 2025.

EN RAFIQ RAZALI
Chairman, CMCF

CONTENT CODE VS CENSORSHIP GUIDELINES/CERTIFICATES

The 4As at a content industry dialogue in November 2023 raised to the Directors of the Malaysian Communications and Multimedia Commission (MCMC) that there are 2 different content regulation frameworks that take diametrically opposite approaches to the same medium of film.

The main differential is the platforms on which the film content is being delivered and the consumer classes to whom they are accessible.

There is no standard model of content regulation in Malaysia. This depends on the medium or platform of delivery. Only films (including advertisement films) on traditional terrestrial-based platforms are covered by the film censorship framework (Ministry of Home Affairs/Film Censorship Act). Censorship Laws and restrictions give censors significant veto power.

Film content on digital and internet platforms (including advertisement films) falls under a different framework (Ministry of Communications / Communications and Multimedia Act). This does not require prior Censorship and is based on industry self-regulation via the Content Code. This Code is produced through industry consultation. The government monitors but does not control.

Power and responsibility of determining what is and is not suitable content is shared between the content producer and consumer of the content.

The 4As opinion is there is no more justification for the regressive, paternalistic approach to the regulation of traditional film platforms on free-to-air TV compared to the more inclusive, rights-based approach for the internet and online platforms. As today's viewers increasingly embrace OTT and online platforms for film content (including advertisements) is the film censorship framework working in delivering its objectives?

The Film Censorship Act and the newer Communications and Multimedia Act 1998, both introduced by the government contradict each other. There should be only one industry standard and it should be based on industry self-regulation i.e. the Content Code. This code been "registered" by MCMC/ Ministry of Communications and backed by law.

The MCMC Directors at the November 2023 dialogue concurred there is a contradiction. MCMC agreed to have a smaller group dialogue involving members of the Content Forum, including the 4As to establish the way forward. This is planned to take place during Q2, 2024.

ADVERTISING STANDARDS MALAYSIA
Protecting Consumer Rights

ADVERTISING STANDARDS MALAYSIA (ASA)

ASA was originally established in 1977 by the 4As and MAA. Today there are 5 constituent members who co funds operations:

- 4As
- MAA (Malaysian Advertisers Association)
- MSA (Media Specialists Association)
- OAAM (Outdoor Advertising Association of Malaysia)
- MNPA (Malaysian Newspaper Publishers Association)

OAAM due to financial difficulties have had to temporarily cease co-funding ASA since January 2023.

MNPA also due to financial constraints have elected to cease their ASA membership from November 2023. With only 3 constituent members left to co-fund, ASA runs a risk of being dissolved.

The ASA board and Chairman Dato' Mah Weng Kwai met the Ministry of Domestic Trade to convey the above development.

The Ministry officials openly acknowledged the relevancy and good work of ASA on self-regulation of advertisements over the print, static outdoor and cinema mediums. The Ministry themselves does not have the capacity to monitor advertisements to be legal, decent honest, socially responsible and truthful. This is done through the rules and complaints mechanism of the "Malaysian Code of Advertising Practice" (aka the ASA Code).

The Ministry upon realizing the risk of ASA being dissolved requested ASA to submit proposals on how the Government can assist ASA to continue its role to protect consumers.

ASA subsequently submitted 3 options in February 2024:

1. Ministry to provide an annual co-funding of RM 250,000
2. Absorb ASA's role in the Ministry and setup a commission
3. Ministry empower ASA as a proactive body with a full annual grant (similar to the Communications and Multimedia Content Forum)

A response is awaited from the Ministry.

AUDIT BUREAU OF CIRCULATION (ABC)

The Registrar of Companies (Suruhanjaya Syarikat Malaysia / SSM) had earlier agreed to the joint industry application to strike off the ABC as an organization. This process was completed by May 2023.

EDUCATE COMMITTEE REPORT

OBJECTIVES

01 To develop and enhance human capital by providing Members the tools, training and other programmes

02 To increase the skills of Members through engaging and transformative learning experiences

COMMITTEE

Led by the Chairman, Mr. Clarence Koh and Mr. LV Chong

Qualifications from the Institute of Practitioners in Advertising (IPA)

FOUNDATION CERTIFICATE	DIGITAL PERFORMANCE	COMMERCIAL ESSENTIALS
26 DELEGATES	**78** DELEGATES	**24** DELEGATES
81% PASS RATE	**94%** PASS RATE	**92%** PASS RATE

IPA FOUNDATION CERTIFICATE (BATCH 10)

The Foundation Certificate qualification is widely regarded as a "rite of passage" in the UK and now in Malaysia for fast tracking the careers of young industry employees. Knowledge that could take several years to acquire is now available in this essential overview of advertising. The course offers a strong basic foundation and a comprehensive understanding of the marketing communications process, from understanding the advertisers' business, writing strategy and briefs, media, ideation, creative development up to campaign effectiveness. These basics never change. Get them right and the rest will fall in place.

26 delegates enrolled for the batch 10 intake. This included scholarships for 2 Member Agencies and 13 lecturers. The 2023 pass rate was 81%. As of 2023, 210 Malaysians have been certified.

IPA DIGITAL PERFORMANCE CERTIFICATE (BATCH 5)

The Digital Performance Certificate qualification is designed for practitioners to be better able to brief, plan and execute digital specific campaigns regardless of their Agency specialization. It helps practitioners understand each of the key disciplines in digital marketing, learn how to buy traffic through display marketing, and "how to message" successful campaigns including how SEO, affiliate marketing and Paid search works.

78 delegates enrolled for Batch 5. This included 3 scholarships for Member Agencies. The pass rate was 94% for Batch 5. There are now 138 certified Malaysians.

IPA COMMERCIAL ESSENTIALS CERTIFICATE (BATCH 7)

The Commercial Certificate qualification is a course for Agency finance for future Agency leaders. It shows the big picture of Agency finance. Everything from KPI's to contracts to fee structures and client P&L's. It teaches delegates to ask the really important financial questions and understand the commercial factors influencing Agencies and Clients.

24 delegates enrolled for the Batch 8 intake. This included 1 scholarship for a Member Agency. The pass rate was 92%. As of 2023, 99 Malaysians have been certified.

16
DELEGATES

88%
PASS RATE

11
DELEGATES

72%
PASS RATE

IPA EFFECTIVENESS ESSENTIALS CERTIFICATE (BATCH 3)

The IPA Effectiveness Essentials qualification enables practitioners to understand that effectiveness is of paramount importance to everyone involved in planning and executing marketing campaigns. Successful practitioners plan for effectiveness early in the day not as an afterthought. It enables delegates to make more informed, more insightful and more strategic decisions when dealing with short-termism, lack of investment in commercial creativity, the battle for consumer attention and the evolving consumer behavior. Delegates will:

- Understand the principles of effectiveness, why it matters and how you can make the case for commercial creativity.
- Learn effectiveness best practice and why a culture of effectiveness should be embedded in your workplace.
- Make better, more informed, more strategic decisions in your role.

16 delegates enrolled for the Batch 3 intake. This included 4 scholarships for Member Agencies. The pass rate was 88%. As of 2023, there are now 68 certified Malaysians.

IPA ADVANCED CERTIFICATE IN EFFECTIVENESS (BATCH 2)

The IPA Advanced Certificate in Effectiveness with its updated content replaces the previous IPA EFF Test qualifications.

Our industry's objective is effectiveness, it's strategy is creativity and it's greatest asset it's people. Developing our effectiveness capabilities isn't a nice to have- it's essential. Fundamental to delivering and demonstrating the value we create for our clients.

After 35 hours of online learning across 14 modules, Delegates will:

- Learn how to prove the value of your contribution to your client's business.
- Improve your client relationships by speaking their language.
- Discover the best practice approach to designing a measurement programme to evaluate multi-platform activity.
- Confidently and correctly analyse the impact and effect of any campaign.

11 delegates enrolled for Batch 2 This included 4 scholarships for Member Agencies. The pass rate was 72%. There are now 17 certified Malaysians.

THE 4AS EMPLOYEE/LECTURER SCHOLARSHIP

Since 2017, a total of 126 scholarships have been awarded across all the IPA certifications including 40 to Advertising Lecturers to qualify for the IPA Foundation Certificate.

IPA's London HQ is coincidently next to the High Commission of Malaysia.

STRENGTHENING THE 4AS/IPA ALLIANCE

The CEO briefed the Council on his face to face dialogue sessions with IPA's Director General, Mr Paul Bainsfair and Indre Dragunaite, Associate Director, Global e-learning. The dialogue was held at IPA's London headquarters in May 2023. A number of advances were made which included:

1. **IPA Foundation Certificate for Malaysian Universities**
   IPA confirmed they will support the 4As plan to encourage Malaysian universities to make the IPA Foundation Certificate qualification part of the criteria to obtain a Bachelors degree in Advertising. Registrations will be through the 4As.

2. **Best Practice Guides**
   IPA confirmed 4As will now have access to their industry best practice guides developed for their UK Agency Members. This will begin with "Guide on Use of AI for Creative Content "and "The Best Way for A Client to Brief an Agency".

IPA ENDORSED TRAINER

4As Creative Director's Leadership Bootcamp

The 2-day creative leadership course was held on 14 and 15 June 2023. The session helps our creative collegues get moved up into senior leadership. The skills to dream up amazing ideas are very different from the skills of managing and leading a team. It can cause these creative leader's great stress. This then impacts the morale, productivity and creativity of the team all because no one helped train them in the skills of being a leader. This course helps rectify and sets creative leaders up for greater success.

LEARNING OUTCOMES

- Have a better understanding of what is involved in being a creative leader, what makes your colleagues tick and how best to handle the many different personalities within your department and Agency.
- Understand more about the psychology of better dealing with and developing people.
- Have strategies to help improve ability to lead, manage workloads, priorities and stakeholders resulting in increased motivation of the team and enhanced productivity/ creativity.
- Recognize own strengths and growth edges. Also acquire knowledge and understanding of the basic brand strategy models and how to translate this thinking into persuasive presentations.

The boot camp was conducted by Paul Arnold an IPA UK endorsed trainer with a wide range of veteran industry experience including leadership positions at Saatchi& Saatchi and Grey.

Delegates gave the bootcamp a very high rating of 4.6/5 (0= Poor, 5= Excellent).

PAUL ARNOLD
IPA UK Endorsed Trailer

The 4As Consumer Insights Workshop

The one day workshop was held on 16 June 2023. As the objective of marketing is about meeting customer needs profitably, Insight is the key tool that drives marketing. Products deliver functional needs. Brands also deliver emotional needs. The very best marketers and marketing companies over invest in trying to understand their customers better than their competition. If you can uncover and tap into an enduring Insight, you have created a sustainable brand. Thus, Insight is the backbone of all marketing.

This course helps delegates to not only understand Insights to a deeper level but also teaches how to uncover, hone and write more compelling Insights that will catapult the relevancy of a brand.

Learning Outcome

- Understand more about the psychology of Insights.
- Be equipped with skills and Insights into finding, honing and writing deeper, more impactful Insights.
- Understand what is and is not an Insight (and why data is not insight).

The workshop was conducted by Paul Arnold an IPA UK endorsed trainer with a wide range of industry experience including leadership positions at Saatchi & Saatchi and Grey.

Delegates gave the bootcamp a very high rating of 4.7/5 (0= Poor, 5= Excellent).

The delegate fee for both training events was subsidized courtesy of Astro's annual Education Aid.

4As University Outreach

REFINERY BY 4AS

Mr Clarence Koh of Naga DDB Tribal formulated and led the launch of 'The Refinery', a student talent development programme with the goal of shaping the next generation of ad-makers who will one day be the trailblazers of our industry.

We want students to increase their passion and motivation, and invite them to see first-hand the work that we do, how we alter perceptions and behaviour, how we create more impactful and effective work that delivers better business results.

The Refinery is comprised of a raft of programmes including:

- **Agency Open Days**
  – an office visit at a 4As Agency for students and lecturers.
- **Guest Lectures**
  – a guest lecture on campus by a prominent 4As practitioner.
- **The Refinery Masterclass**
  – a hybrid of in person activities and online video vault over an extended timeframe.
- **The Refinery Bootcamp**
  – a half or full day hands on activity for students to work on an actual client brief.
- **Internships**
  – working with local leading universities to provide placements for up to 200 students.

In previous years, internships for students, agency visits, or guest lectures at the universities have been conducted on a mostly ad-hoc basis. The Refinery by the 4As puts a framework on these activities, which allows Agency leaders to allocate their time accordingly, while giving students access to internships at leading Agencies in Malaysia.

A total of 11 universities and 12 Member Agencies participated in this pilot initiative. These were:

Member Agencies

1. Naga DDB Tribal
2. Spin Communications
3. Havas Malaysia
4. M&C Saatchi
5. GrowthOps Asia
6. FOREFRONT
7. Lion & Lion
8. DNA Creative Communications
9. DIA BRAND CONSULTANTS
10. TBWA Kuala Lumpur
11. Leo Burnett Kuala Lumpur
12. GREY Malaysia

Universities/ Colleges

1. Universiti Tunku Abdul Rahman
2. Sunway University
3. INTI International University
4. Taylor's University
5. IACT College
6. Universiti Sains Malaysia @ KL
7. Universiti Sains Malaysia @ Penang
8. Multimedia University (MMU)
9. INTI International College Subang
10. Raffles College Kuala Lumpur
11. The One Academy

ALLOWANCE FOR INTERNS

Human Resource Development Corporation (HRDC) announced that they allow employers to claim RM500 per intern/per month from each employer's available HRD levy balance. This is under their "Industrial Training Scheme"(ITS) classification.

It applies for Malaysian students from Colleges and Universities that the employer hosts for practical training for a minimum of 2 up to a maximum of 8 months. This enables Agency management to now pay interns higher once the Agency's fixed trainee allowance/budget is added to the RM500 claim amount.

The 4As encourages this increase as it will help interns cope better with the rising cost of meals, transport and accommodation and have better peace of mind during their term at Member Agencies.

PUBLICITY COMMITTEE REPORT

OBJECTIVES

01 Increase visibility of all Association activities and efforts under a single umbrella

02 Create consistent publicity through consolidation

03 Create an effective strategy to position the Association to attract young talent

COMMITTEE

Led by Puan Nizwani Shahar

Public Relations

> **Our focused PR efforts continue to gain traction. Always premised on attention getting statements with sound reasoning that supports our 5 objectives. The 4As will also speak out in public when we see bad practice and value destroying behavior.**

THE STAR
Unhealthy trend in the ad space
15 May 2023

By DALJIT DHESI
daljit@thestar.com.my

Unhealthy trend in the ad space

Some advertisers impose extended payment terms

PETALING JAYA: There is an unhealthy trend in the ad space where some advertisers are abusing their dominant position to impose extended payment terms on agencies, resulting in the latter increasing their borrowings and incurring higher costs.

Borrowing under high-interest rates is expensive and harmful to the long-term sustainability of agency businesses as it drives higher costs and risk profiles of yhe agencies, said the Association of Accredited Advertising Agents Malaysia (4As) chief executive officer Khairudin Rahim.

The impact would result in agencies not being able to pay their employees, build or acquire new capabilities, invest in research, as well as to retain and attract the best talents.

"Weaker agencies will be detrimental to their clients' best interests. Agencies playing along with these sorts of demands will hurt all other agencies and will likely driving their own business into the ground.

"Advertisers need to understand the commercial consequences of the practices and agencies need to push back on clients' insistence on longer payment terms, which has led to legislative action in some countries.

"We encourage agencies to start tracking the day's work and when that work is paid for. This usually starts before an invoice is sent and the payment-term clock starts," he said.

Khairudin said advertisers seeking to implement harsh financial conditions on agencies should also be aware of the European Union directive stipulating that businesses must pay their invoices within 60 days unless they expressedly agree otherwise and provided that it is not grossly unfair.

The best-practice payment terms are 30 days.

However, some advertisers may request for 90 days and, in a few cases, 120 days, Khairudin pointed out.

> "This behaviour will harm the agency-client relationship and negatively impact a brand's reputation."
> Khairudin Rahim

In one extreme example, Keurig Dr Pepper had asked for 360-day payment terms to participate in a US PR agency pitch, following which VoxComm intervened.

Keurig Dr Pepper is a leading global producer and distributor of hot and cold beverages.

Its brands include *7up*, *Canada Dry*, *Sunkist*, *Schweppes*, *Snapple* and *Dr Pepper*.

It also manages coffee products for *Cinnabon*, *Krispy Kreme*, *McDonalds*, and *Newman's Own Organics*.

VoxComm, in which 4As is a member, is the new global voice for communications agencies, championing the value agencies bring to their clients.

With more than 35 national trade associations from around the globe, VoxComm stands for the power of commercial creativity across strategy, ideas, content, and media.

According to Khairudin, the industry is in danger of the damaging payment terms rapidly becoming the norm, noting that it is vital that advertisers understand the potentially harmful consequences.

Advertisers requesting longer payment terms are forcing agencies to cover several months of costs since they cannot pass on the delays to their employees, who usually represent 80% of an agency's cost base.

In light of the increasing incidents of irresponsible behaviours by the advertisers, VoxComm is warning them of the harmful consequences to their agency partners and the relationship that they had built.

"Not only is this approach damaging to

UNETHICAL PITCH BEHAVIOUR

The 4As spoke out against the practice of Advertisers who abuse their dominant position by imposing extended payment terms on Agencies. The ad industry is in danger of damaging payment terms becoming the norm. Advertisers requesting longer payment terms beyond the norm of 30 or 60 days are forcing Agencies to cover several months of costs since they cannot pass on the delays to their employees. 80% of an Agency's cost are usually employee costs.

This behavior will harm the Agency-Client relationship and negatively impact a brands reputation. In Australia, Agencies can look at Government regulations for support to push back against unfair payment terms. The 4As advocated Malaysia should adopt similar regulations for the benefits of all involved.

CONSUMER INSIGHTS WORKSHOP

The 4As Consumer Insights Workshop conducted live on June 16 by IPA's endorsed trainer, Mr Paul Arnold generated wide media coverage. This was an exclusive Member's only training workshop. Delegates gave the workshop a high score of 4.7/5 (0=Poor, 5= Excellent)

Cost per delegate was made affordable thanks to Astro's annual Education Aid of RM 50,000.

Campaign Brief Asia

4AS EXTENDS PROFESSIONAL DEVELOPMENT OFFERINGS WITH NEW '4AS CONSUMER INSIGHTS WORKSHOP'

MAY 24 2023, 8:00 AM | BY KIM SHAW | No Comments

The Association of Accredited Advertising Agents Malaysia (4As) has announced '4As Consumer Insights Workshop', a one-day masterclass about insight training to be held on Friday 16 June, conducted by Paul Arnold - an IPA UK endorsed trainer.

CAMPAIGN BRIEF ASIA
4As extends professional development offerings with new '4As Consumer Insights Workshop'
24 May 2023

Campaign Brief Asia

MALAYSIAN 4AS PROMOTES TALENT DEVELOPMENT FOR MEDIA & COMMUNICATIONS STUDENTS AT TERTIARY INSTITUTIONS WITH THE LAUNCH OF THE REFINERY

AUGUST 8 2023, 8:40 AM | BY KIM SHAW | No Comments

The Association of Accredited Advertising Agents Malaysia (4As) has launched of 'The Refinery', a student talent development programme designed with the goal of shaping the next generation of ad-makers who will one day be the trailblazers of the industry.

CAMPAIGN BRIEF ASIA
Malaysian 4As promotes talent development for media & communications students at tertiary institutions with the launch of the Refinery
8 August 2023

STARBIZ, MONDAY 11 DECEMBER 2023 Billings 7

By DALJIT DHESI
daljit@thestar.com.my

4As: Agencies should own their ideas and products

PIAM and MTA asked to remove contentious clause

PETALING JAYA: Following a recent request for proposals (RFPs) from the General Insurance Association of Malaysia (PIAM) and the Malaysian Takaful Association (MTA), the Association of Accredited Advertising Agents Malaysia (4As) has expressed its dissatisfaction with the demand by the associations for the ownership and retention of agencies' intellectual property.

PIAM and MTA recently issued an RFP for advertising agencies to submit their proposals for a consumer education campaign on the "Phased Liberalisation of Motor and Fire Tariffs".

What upsetted 4As and in which it found disturbing was the contentious Clause 2.14 within the RFP documentation which reads: "All supporting materials and other documentation submitted with the response will become the property of the associations unless otherwise requested by the proposers at the time of submission."

Unless otherwise requested in writing and objected to by the agency before the proposals are submitted, PIAM and the MTA through this clause are unethically demanding for ownership and retention of intellectual property described in an agency's pitch proposals regardless of whether the agency is selected or not, according to 4As CEO Khairudin Rahim.

"All ideas, concepts, strategies, trademarks, and materials that an advertising agency presents or provides to an advertiser in an RFP are provided for the sole purpose of allowing the advertiser to determine whether to engage the agency's ongoing services," he said, adding that no agencies under 4As responded to the invitation made by PIAM and MTA.

> "It is tantamount to a demand for free ideas, contradicting core business principles and global norms of business dealings with the creative industry."
> Khairudin Rahim

"4As member agencies have and will continue to decline pitch invitations which contain conditions and clauses similar to the above," he noted.

As at press time, PIAM and MTA could not be reached for comments.

On Aug 9 and Aug 29, and again on Oct 26, the 4As appealed via correspondence that PIAM and MTA remove Clause 2.14 from their future RFP and pitch documents directed at advertising agencies. However, there has been no response from PIAM and MTA.

Khairudin added: "Clause 2.14 is oppressive and highly prejudicial to agencies who are unsuccessful as they would not in any future bid or project rely on their intellectual property rights.

"The inclusion of this clause by the PIAM and MTA is especially disappointing given the 4As repeated calls for advertisers to remove unfair and unethical intellectual property retention clauses from procurement documents.

"It is tantamount to a demand for free ideas, contradicting core business principles and global norms of business dealings with the creative industry."

He pointed out that the 4As advice to agencies is not to participate in tenders and pitches which contain similar unethical clauses. The 4As recommends that agencies retain ownership of all ideas, plans, and work products unless the advertiser is prepared to pay the agency fairly for the rights.

Furthermore, he said 4As is always ready to provide assistance, and has developed a best practice guide relating to ownership of agency developed intellectual property which is readily available on the association's website.

The 4As Malaysia, formed in 1971, is the Malaysian industry's foremost body that represents and promotes the value of advertising agencies in the marketing communications industry to advertisers, media, suppliers, government and the public.

The organisation encompasses more than 50 homegrown and multinational member agencies and agency brands, involved in brand strategy and marketing communications.

THE STAR
4As: Agencies should own their ideas and products
11 December 2023

> **"A pitch exercise should not be used as an opportunity to mine agencies for 'free ideas'."**

'Emerging practice hurts advertising agencies'

Industry body laments denial of payment for pitches

> "Be very clear that changing your agency would be in the best interest of the brand and will enhance shareholder value."
> Khairudin Rahim

PETALING JAYA: The Association of Accredited Advertising Agents Malaysia (4As) has expressed concerns over the emerging practice of advertisers, including some multi-national companies and government-linked companies, declining to provide pitch disbursements to its member agencies, says association chief executive officer Khairudin Rahim.

He said there are some advertisers having even gone to the extent of compelling 4As member agencies to secure a written exemption from the long-standing 4As pitch disbursement by-laws.

The association believes these decisions are primarily due to the companies and their management being unfamiliar with the rationale for pitch disbursements introduced since 2006.

"The pitch disbursement requirement is intended to allow 4As members participating in a pitch to recover some of the costs associated with preparing customised strategy, ideas and creative submissions for the pitch.

"However, 100% of the successful member agency's pitch disbursement allocation would be returned to the advertiser upon the results of the pitch being announced.

"Enlightened advertisers understand and recognise that speculative pitches are expensive and resource draining, resulting in a financial burden to agencies already operating with sliding margins.

"Furthermore, advertiser pitch briefs are increasingly more demanding, with multiple assignments and complexity in their requirements," Khairudin said.

Since its implementation, over 200 companies have supported the 4As pitch disbursement requirement, including Celcom Axiata Bhd, Etiqa, Malaysia Airlines, Malaysia Rail Link Sdn Bhd, Malayan Banking Bhd, Petroliam Nasional Bhd, Proctor & Gamble Malaysia Sdn Bhd, Telekom Malaysia Bhd, and Watsons Malaysia.

He said the pitch disbursement is paid by the advertiser to defray some of the agency's expenses incurred to develop a customised response to the pitch brief.

It is not a pitch fee, he said, adding that a fee implies there is cost plus profit margin included.

This disbursement is merely a means for partial cost recovery, he said.

The 4As offers best-practice options for advertisers who are unwilling to commit to pitch disbursements.

Firstly, is to work within their existing advertiser-agency relationship and try to make the agency relationship work rather than thinking that a move to a new agency is necessarily the best answer.

"Be very clear that changing your agency would be in the best interest of the brand and will enhance shareholder value. Before embarking on a search, be sure that best efforts have been made to restore the existing relationship to health," he said.

Long-term advertiser-agency relationships often benefit the health of the advertisers brand, with 65% of advertisers surveyed in 2019 by the World Federation of Advertisers (WFA) and marketing consultancy Observatory International stating a long-term relationship with their agency is either important, very important or essential in producing great work.

Khairudin said the second option would be using an agency's credentials or past case studies as the sole selection criteria before engaging a new agency. Many successful agency appointments are based on reputation, referrals, team chemistry and testimonials from other advertisers opposed to a speculative pitch, he noted.

The 4As points out that there are a few advertisers who call for sham pitches with the agency selection already made, prior to the presentation, while others have exploited agencies by using speculative pitches to garner free brand positioning, strategy and creative ideas.

He said some advertisers have even tried to legitimise the practice by introducing clauses into their pitch requirements that demand the right to utilise or release an agency's proposals, documents, concepts, ideas and intellectual property regardless of whether the agency is chosen in the competitive pitch.

Khairudin said: "A pitch exercise should not be used as an opportunity to mine agencies for 'free' ideas. Unfortunately, part of the ongoing work that the 4As undertakes is having to highlight unfair and unethical practices by advertisers including the requirement for exorbitant tender document fees, tender deposits and demand for retention of pitch ideas.

"The 4As believes that with clear understanding of the rationale, advertisers will support the need for pitch disbursements and support 4As agencies in their drive to provide the best possible solutions to their prospective clients."

THE STAR
Emerging practice hurts advertising agencies
28 August 2023

> **"It is tantamount to a demand for free ideas, contradicting core business principles and global norms of business dealings with the creative industry."**

6 **Billings** — STARBIZ, MONDAY 19 FEBRUARY 2024

Ad agencies call for changes to rules

Industry body: Pitch clause jeopardises intellectual property

By DALJIT DHESI
daljit@thestar.com.my

PETALING JAYA: After unsuccessful appeals by the Association of Accredited Advertising Agents Malaysia (4As) to the General Insurance Association of Malaysia (PIAM) and the Malaysian Takaful Association (MTA) for the removal of Clause 2.14 in their pitch terms and conditions, 4As is now taking the matter to a higher level.

This time, the association is appealing to both the chairpersons of PIAM and MTA to consider the removal of the contentious clause which is deemed unethical.

Clause 2.14 within the request for proposal (RFP) documentation from these associations reads: "All supporting materials and other documentation submitted with the response will become the property of the PIAM and MTA unless otherwise requested by the proposers at the time of submission."

An RFP is a briefing document from an advertiser that is interested in procuring from advertising agencies a customised communications solution for a given assignment.

It is issued to advertising agencies for them to submit their detailed plans, strategies, creative ideas, designs and pricing proposals based on the specifications outlined in the document.

Khairudin Rahim, 4As chief executive officer, said the advertising industry deems the clause unfair as it would lead to what is effectively the take over of an agency's ideas and work in an unethical, oppressive and highly prejudicial manner.

It would be tantamount to a demand for free ideas, Khairudin told *StarBiz*.

"Unless otherwise requested in writing and objected to by the advertising agency before the proposals are submitted, both associations through this clause are unethically demanding ownership and retention of intellectual property," he added.

> "It is tantamount to a demand for free ideas, contradicting core business principles and global norms of business dealings with the creative industry."
> Khairudin Rahim

Khairudin said, earlier three written appeals for the removal of the clause from future RFP and pitch documents directed at advertising agencies were made to the heads of MTA and PIAM, but fell on deaf ears.

The appeals were made on Aug 9, Aug 29, and again on Oct 26 last year. With no forthcoming official response, the 4As is therefore left with the conclusion that Malaysia's foremost takaful and general insurance trade bodies, despite knowing their demand is unethical, feel entitled and wish to continue making this their standard when dealing with advertising agencies, he added.

The stance contradicts their association's stated goals of wanting to build trust, positively promote the image of, foster confidence in and raise professionalism within the takaful and general insurance industry.

Khairudin said he hopes the chairmen of both the associations will address the situation and do what is right in a bid to remedy the trust deficit.

As of press time, PIAM and MTA could not be reached for comment.

PIAM and MTA last year issued an RFP for advertising agencies to submit proposals for a consumer education campaigns on the phased liberalisation of motor and fire insurance tariffs.

Khairudin reiterated that Clause 2.14 is oppressive and highly prejudicial to advertising agencies who are unsuccessful as they would not in any future bid or project rely on their intellectual property rights. Member agencies of the 4As have and will continue to decline pitch invitations which contains conditions and clauses similar to this.

"The inclusion of this clause by the PIAM and MTA is especially disappointing given the 4As repeated calls for advertisers to remove unfair and unethical intellectual property retention clauses from procurement documents.

"It is tantamount to a demand for free ideas, contradicting core business principles and global norms of business dealings with the creative industry," he added.

The 4As Malaysia, formed in 1971, is the Malaysian industry's foremost body representing and promoting the value of advertising agencies in the marketing communications industry to advertisers, media, suppliers, government and the public.

The organisation encompasses more than 50 homegrown and multinational member agencies and agency brands, involved in brand strategy and marketing communications.

THE STAR
Ad agencies call for changes to rules
19 February 2023

DENYING PAYMENT FOR PITCHES

There are some Advertisers who compel Agency members to secure a written exemption from the long standing 4As pitch disbursement by laws.

A detailed press statement was made to express the 4As concern over this emerging practice by some Advertisers. We clarified this is probably due to companies being unfamiliar with the rationale for payment of pitch disbursements, introduced since 2006. The article then explained the pitch disbursement requirement is to allow the pitching Agencies to recover some of the high costs associated with preparing strategy, ideas and creative submissions for the pitch. However, 100% of the successful Member's Agency pitch disbursement allocation would be returned to the Advertiser once the results are announced. The article further informed that to date, over 200 companies have supported the 4As requirements.

We believe with clear understanding of the rationale these companies will support the payment and join the other 200+ Advertiser companies.

THE REFINERY – STUDENT TALENT DEVELOPMENT

The Launch of "The Refinery By the 4As"also generated wide media coverage. This is a structured 4As programme to better prepare university students for careers in advertising. These include Guest Lectures by a 4As practitioner, Agency Open Days, The Refinery Masterclass, work on actual client brief and internships for up to 200 students. 11 universities and 12 4As Agencies signed up for this pilot programme that started in September 2023.

Benefits for advertisers working with same agency

Long-term relationships crucial in producing quality work

By DALJIT DHESI

THE STAR

Benefits for advertisers working with the same agency

11 September 2023

> "On balance, the 4As is of the belief that the benefits of a long term working relationship with an agency for outweigh the potential downsides, none of which are insurmountable."

'Transforming' the key to staying relevant

THE STAR

'Transforming' the key to staying relevant

4 September 2023

Campaign Brief Asia

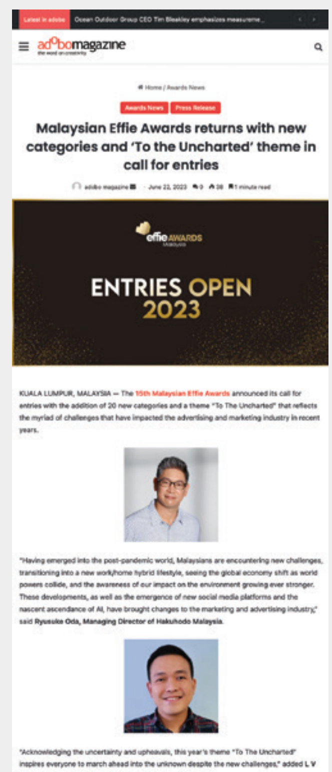
THE MALAYSIAN KANCIL AWARDS IS BACK ON NOVEMBER 24TH TO 'MAKE IT FOR MALAYSIA'

The Association of Accredited Advertising Agents of Malaysia (4As) has announced the 2023 edition of the Kancil Awards, Malaysia's longest running advertising awards competition.

CAMPAIGN BRIEF ASIA

The Malaysian Kancil Awards is back on November 24th to 'Make it for Malaysia'

1 November 2023



Malaysian Effie Awards returns with new categories and 'To the Uncharted' theme in call for entries

ADOBO MAGAZINE

Malaysian Effie Awards returns with new categories and 'To the Uncharted' theme in call for entries

22 June 2023

Ordinary Members

180 DEGREES BRANDCOM SDN BHD

APD DIGITAL SERVICES SDN BHD

- GrowthOps

BARON ADVERTISING SDN BHD

BEANS MEDIA SDN BHD

BRONCOS WORLDWIDE SDN BHD

CHEIL MALAYSIA SDN BHD

DENTSU (MALAYSIA) SDN BHD

- Dentsu LHS

DIA BRAND CONSULTANTS SDN BHD

- Dia Brand

ELLIPSIS ASIA SDN BHD

FISHERMEN INTEGRATED SDN BHD

FOREFRONT STUDIO SDN BHD

GEOMETRY GLOBAL SDN BHD

- VMLY&R Commerce Malaysia

GREY WORLDWIDE SDN BHD

HAKUHODO (M) SDN BHD

HAVAS MALAYSIA SDN BHD

- Havas Malaysia

K-GIC ADVERTISING SDN BHD

LINS ADVERTISING & MARKETING SDN BHD

M&C SAATCHI (M) SDN BHD

- MC Saatchi

MANTRA COMMUNICATION SDN BHD

McCANN-ERICKSON (M) SDN BHD

MEDIACLIQ SDN BHD

MEGA ADVERTISING SDN BHD

MONSTER INTERACTIVE SDN BHD

NAGA DDB SDN BHD

- Naga DDB Tribal

OXYGEN ADVERTISING SDN BHD

SHINAJII SDN BHD

SPIN COMMUNICATIONS SDN BHD

STAR REACHER ADVERTISING SDN BHD

- Leo Burnett
- Digitas
- Arc Worldwide
- Alpha245
- Prodigious

TBWA KUALA LUMPUR SDN BHD

- Creative Juice

TWO POINTS SDN BHD

VIVAKI (M) SDN BHD

- Saatchi & Saatchi Arachnid
- Publicis Malaysia

WPP MARKETING COMMUNICATIONS (MALAYSIA) SDN BHD

- Ogilvy

Associate Members

B&B ADVERTISING

ISC INTERNATIONAL SDN BHD

- ISC, ISCI

LION DIGITAL MALAYSIA SDN BHD

- Lion&Lion

DNA CREATIVE COMMUNICATIONS SDN BHD

- DNACC
- DNA Tribe

A PAPER CREATIVE SDN BHD

AQM CREATIVE & COMMUNICATION SDN BHD

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