

REFER-A-FRIEND PROMOTIONS

Refer-a-friend (or friend-get-friend) promotions are where consumers are encouraged to refer their friends to enter a promotion, or to find out about a promotion

Example

Buy a coffee... enter for your chance to win a car...



the entry form encourages you to share details of the promotion with your friends



Often, if you share with your friends, you will get bonus entries



What issues are raised by refer-a-friend promotions?



Refer-a-friend promotions must comply with the *Spam Act 2003* as the messages sent to friends will likely be "commercial electronic messages".

You need the consent of each friend in relation to them receiving a message about the promotion. You cannot send, or cause to be sent, a commercial electronic message without consent. The Australian Communications and Media Authority urges marketers to err on the side of caution.

Further, if the sharing relates to social media "friends", e.g. on Facebook or Instagram, the promotion must comply with the terms of the social media platform.



So how should we run refer-a-friend promotions?



For email or SMS based refer-a-friend promotions, you should ensure:

- ✓ you only encourage entrants to refer friends who are eligible to enter in accordance with the Ts&Cs, e.g. 18+, AU residents, etc
- ✓ the original entrant (the referrer) is the person whom the message is coming from, including that they can see the entire message and they press the "SEND" button
- ✓ the referrer has the consent of friends regarding receiving the message, e.g. tell the referrer only to send the message to friends who will be happy to receive it
- ✓ the wording of the message is in the voice of the referrer, e.g. "I thought you may be interested in this promotion..." or, even better, prompt them to write their own message



On Facebook, do not use personal timelines or friend connections to administer promotions, e.g. you cannot encourage entrants to "share to get bonus entries" or "tag your friends in this post to enter".

On Instagram, do not encourage entrants to tag people in photos if they aren't in the photo.



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