

Unit i will discuss
about the description
of



**ASSIGN
BUSTER**

Unit 3 Marketing Assignment 1: " The Role of Marketing"

Introduction: In this assignment I will discuss about the description of the limitations and constraints of marketing. Furthermore, in this I will describes two selected limitations: Sales of goods Act 1979. The Data Protection Act 1998 And two constraints; pressure groups and the advertising standards Authority. Limitations and Constraints on Marketing: In the marketing world there are various constraints and limitations put in place by the government to make sure that the public are not lied to as well as so that they get good products that work.

This is legal constrains that recognised by a common law by organisations which is used to protect customers and to confirm that marketing is carried out in a responsible behaviour. This instantly influences the behaviour of marketers. Consumer law: The Consumer law developed through the courts based on previous decisions. Consumer laws are rules that they comply with consumer law this means that they are legally obliged to keep up to date with them. These consumer law include- sale of goods acts, consumer protection from unfair trading regulations, consumer credit acts, consumer protection regulations and data protections. Legislation: In this Makers and suppliers owe a ' Duty of Care' to customers. Different Acts of Parliament have been passed which strengthen customer protection. Four Legislation There are four legislation that have been put through parliament and then made into Acts of government: Sale of Goods Act 1979: Under this Act, goods sold must be as described, of satisfactory quality and fit for purpose.

Fit for purpose means both their everyday purpose, also any specific purpose that is agreed with the seller. For example: specific asking for a car part that would be compatible with the car. Goods sold must also match any description in a brochure. · Customers can return the product if it does not match the description or it is damaged. · Covers people when buying and selling goods. · Under this Act product must be described accurately. Trade Descriptions Act 1986: This is to protect them from prohibits false or misleading statements about products. The trades descriptions act does not allow the mis-descriptions of products.

This means they can not sell someone a product. For example: Its an iron but in fact its steamer, it also prohibits the mis-description of services accommodation and facilities provided during trade: to prohibit the false or misleading indications as to the price of goods. Consumer Credit Act 2006: This is also to protect the rights of customer when they purchase good son credit. Customers Credit act applies to business which lends money to costumers or offer products and service with credit, but for business to provide these services and these loans, they must be licensed by the office of Fair trading.

The business that provides these loans and credits need to keep the costumers aware of their account or updated of everything that is going on the account. If possible, business can extend the pay back of the customers, so they do not struggle as much. If they have limit of time and they cannot pay, the business can voluntarily choose to change the repayment day to a favourable day. Consumer Protection from unfair trading regulations 2008: This regulation was protecting customer when they shop online or by <https://assignbuster.com/unit-i-will-discuss-about-the-description-of/>

telephone and enter into a contract at a distance from the supplier. The regulation gives customers the right to:

- Receive clear information about the supplier, the goods or service and the sale before deciding to buy.
- Confirmation of this information in writing.
- A cancellation period of 7 working days in which to withdraw from the contract
- Protection from payment card fraud.

The information set out by the seller must give information such as the price, delivery details and cancellation/refund rights information about who the seller is and description of product itself. Usually the information will be set out in the terms and conditions section but if the customer is buying through the phone, the seller should provide the information verbally. The geographical and contact details of the seller must be provide when you make a purchase. This would include an email which outlines details of how to cancel the order and the cancellation conditions. Data protection Act 1998. This concerning the use and storage of information on electronic databases.

There are also other group that force business not lie to the public. There is direct Marketing Association (DMA) who deal with all forms of direct marketing. They protect customer from inappropriate, unethical behaviour by ignorant business. they fight this by promoting the best practice through codes of conduct. This act was made to prevent business from misusing the customer's personal information. This applies for all the business who keeps the database of customer's information. This information can be carried forward, but it shouldn't be kept more than necessary.

Also, it's wrong if the business shares the information with another business or outside the business, sometimes it would be needed but only with the requirements and customer's permission. Voluntary Constraints: A voluntary constraint is when a company voluntarily says they will never do this or they will always do that, an example of this would be always recycling their used materials or just paying their employees a higher than minimum wage. These things do not have to be done but, yet they do them anyway to give them a better reputation with the public. Another form of limitation and constraint comes through the voluntary constraints and the complaints that people make about adverts. The advertising standards Authority can have removed of something is wrong with them or factually incorrect.

These ASA deal with adverts across all media platforms, also the business can put in working regulations that the employees in the marketing department must follow. Pressure Group: The last forms of Limitation and constraints are pressure group such as Greenpeace and Amnesty International. These types of group will try and change the business behaviour and the way they act. These types of groups are formed by customer with a common interest. Pressure groups are organisations that are initially put together to attempt to influence what members of the public think about the business and its environment. Pressure groups are organisations which campaign for changes in the law, pressure groups are often known for having a strong influence on public opinion and who they choose to vote for.

Acceptable Language: Acceptable language in advertising needs to be appropriate and not racist or rude. Although certain slang and language can

<https://assignbuster.com/unit-i-will-discuss-about-the-description-of/>

be used if it is accompanied by appropriate imagery weather that be on a poster or TV advert. The ASA are most likely to examine these kinds of adverts more closely. When making an advert they must consider that their advertisement does not refer to sex, use strong language, for example swear words, mock any religion or people beliefs, show people in a demeaning way and offend on the grounds of gender, race age and disability. For Example Coca-Cola: When Coca-Cola advertising new product whether that be drinks, or any offers the advertising need to be perfect.

It can not be misleading in anyway. If the advert or marketing campaign is not within the rules then it will be taken down and Coca-Cola may be charged, also money will be wasted on researching and crating the advert only having to re-create it or start from scratch to make a new advert. Unit

3 MarketingAssignment 1: " The Role of Marketing" Introduction: In this assignment I will discuss about the description of the limitations and constraints of marketing. Furthermore, in this I will describes two selected limitations: Sales of goods Act 1979. The Data Protection Act 1998 And two constraints; pressure groups and the advertising standards Authority.

Limitations and Constraints on Marketing: In the marketing world there are various constraints and limitations put in place by the government to make sure that the public are not lied to as well as so that they get good products that work. This is legal constrains that recognised by a common law by organisations which is used to protect customers and to confirm that marketing is carried out in a responsible behaviour. This instantly influences the behaviour of marketers. Consumer law: The Consumer law

<https://assignbuster.com/unit-i-will-discuss-about-the-description-of/>

developed through the courts based on previous decisions. Consumer laws are rules that they comply with consumer law this means that they are legally obliged to keep up to date with them. These consumer law include- sale of goods acts, consumer protection from unfair trading regulations, consumer credit acts, consumer protection regulations and data protections.

· Legislation: In this Makers and suppliers owe a 'Duty of Care' to customers.

Different Acts of Parliament have been passed which strengthen customer protection. Four Legislation There are four legislation that have been put through parliament and then made into Acts of government: Sale of Goods Act 1979: Under this Act, goods sold must be as described, of satisfactory quality and fit for purpose. Fit for purpose means both their everyday purpose, also any specific purpose that is agreed with the seller.

For example: specific asking for a car part that would be compatible with the car. Goods sold must also match any description in a brochure.

Customers can return the product if it does not match the description or it is damaged. · Covers people when buying and selling goods. · Under this Act product must be described accurately. Trade Descriptions Act 1986: This is to protect them from prohibits false or misleading statements about products. The trades descriptions act does not allow the mis-descriptions of products. This means they can not sell someone a product.

For example: Its an iron but in fact its steamer, it also prohibits the mis-description of services accommodation and facilities provided during trade: to prohibit the false or misleading indications as to the price of goods.

Consumer Credit Act 2006: This is also to protect the rights of customer when they purchase goods on credit. Consumer Credit Act applies to business which lends money to customers or offer products and service with credit, but for business to provide these services and these loans, they must be licensed by the office of Fair trading. The business that provides these loans and credits need to keep the customers aware of their account or updated of everything that is going on the account. If possible, business can extend the pay back of the customers, so they do not struggle as much.

If they have limit of time and they cannot pay, the business can voluntarily choose to change the repayment day to a favourable day. Consumer Protection from unfair trading regulations 2008: This regulation was protecting customer when they shop online or by telephone and enter into a contract at a distance from the supplier. The regulation gives customers the right to:

- Receive clear information about the supplier, the goods or service and the sale before deciding to buy.

- Confirmation of this information in writing.
- A cancellation period of 7 working days in which to withdraw from the contract
- Protection from payment card fraud. The information set out by the seller must give information such as the price, delivery details and cancellation/refund rights
- information about who the seller is and description of product itself.

Usually the information will be set out in the terms and conditions section but if the customer is buying through the phone, the seller should provide the information verbally. The geographical and contact details of the seller must be provide when you make a purchase. This would include an email

which outlines details of how to cancel the order and the cancellation conditions. Data protection Act 1998. This concerning the use and storage of information on electronic databases. There are also other group that force business not lie to the public. There is direct Marketing Association (DMA) who deal with all forms of direct marketing.

They protect customer from inappropriate, unethical behaviour by ignorant business. they fight this by promoting the best practice through codes of conduct. This act was made to prevent business from misusing the customer's personal information.

This applies for all the business who keeps the database of customer's information. This information can be carried forward, but it shouldn't be kept more than necessary. Also, it's wrong if the business shares the information with another business or outside the business, sometimes it would be needed but only with the requirements and customer's permission. Voluntary Constraints: A voluntary constraint is when a company voluntary says they will never do this or they will always do that, an example of this would be always recycling there used materials or just paying their employees a higher than minimum wage.

These things do not have to be done but, yet they do them anyway to give them a better reputation with the public. Another form of limitation and constraint comes through the voluntary constraints and the complaints that people make about adverts. The advertising standards Authority can have removed of something is wrong with them or factually incorrect. These ASA deal with adverts across all media platforms, also the business can put in

working regulations that the employees in the marketing department must follow. Pressure Group: The last forms of Limitation and constraints are pressure group such as Greenpeace and Amnesty International. These types of group will try and change the business behaviour and the way they act.

These types of groups are formed by customer with a common interest.

Pressure groups are organisations that are initially put together to attempt to influence what members of the public think about the business and its environment. Pressure groups are organisations which campaign for changes in the law, pressure groups are often known for having a strong influence on public opinion and who they choose to vote for. Acceptable Language:

Acceptable language in advertising needs to be appropriate and not racist or rude. Although certain slang and language can be used if it is accompanied by appropriate imagery whether that be on a poster or TV advert. The ASA are most likely to examine these kinds of adverts more closely. When making an advert they must consider that their advertisement does not refer to sex, use strong language, for example swear words, mock any religion or people beliefs, show people in a demeaning way and offend on the grounds of gender, race age and disability.

For Example Coca-Cola: When Coca-Cola advertising new product whether that be drinks, or any offers the advertising need to be perfect. It can not be misleading in anyway. If the advert or marketing campaign is not within the rules then it will be taken down and Coca-Cola may be charged, also money will be wasted on researching and creating the advert only having to re-create it or start from scratch to make a new advert.