

COMPLAINT NUMBER	16/428
APPEAL NUMBER	17/002
APPLICANT	D McDonald
ADVERTISER	EECA
ADVERTISEMENT	EECA Television
DATE	31 January 2017
OUTCOME	Declined

SUMMARY

The Chair of the Complaints Board ruled on 18 January 2017 the complaint from D McDonald about EECA's television advertisement was Withdrawn. This ruling was made because insufficient information was provided by the Complainant to support their complaint. The Applicant then appealed the Ruling.

The appeal application was considered by the Chairperson of the Appeal Board. She noted the Applicant's view that the decision should be appealed. She also noted that no specific grounds for appeal were presented by the Applicant.

The Chairperson considered the appeal application and said there was nothing in it which met any of the grounds on which an appeal could be accepted.

The Chairperson ruled the appeal application was Declined.

Please note this headnote does not form part of the Decision.

CHAIRPERSON'S RULING

The Chairperson viewed the application for appeal. She noted there were five grounds upon which an appeal was able to proceed. These were listed at Clause 6(c) of the Second Schedule of the Advertising Standards Complaints Board Complaints Procedures and were as follows:

- (i) The proper procedures have not been followed.
- (ii) There is new evidence of sufficient substance to affect the decision.
- (iii) Evidence provided to the Chairman of the Complaints Board has been misinterpreted to the extent that it has affected the decision.
- (iv) The decision is against the weight of evidence.

(v) It is in the interests of natural justice that the matter be reheard.

The Chairperson noted the Applicant appealed the Ruling but no specific grounds for appeal were presented by the Applicant.

The Chairperson confirmed that disagreement with a decision was not in itself grounds upon which a Chairperson's Ruling could be appealed. She said there was nothing else in the application for appeal which met any of the grounds upon which the appeal could be accepted.

Accordingly, the Chairperson ruled there were no grounds on which the appeal should proceed and the application was declined.

Chairman's Ruling: Appeal application **Declined**

DESCRIPTION OF ADVERTISEMENT

The television advertisement for Energy Wise, by the Energy Efficiency and Conservation Authority (EECA) promotes an online calculator on the website www.energywise.govt to ascertain the cost benefits of installing a solar power system. Dr Alan Wood from the University of Canterbury takes part in the advertisement.

APPEAL APPLICATION FROM D McDONALD

DEAR ASA APPEAL.

I believe i would have presented far arguments than asa hav reported here.

Eg eece calc.u.later.
Or work sheet

Including fx82 can solve millions of problems
+ x _ ÷ : * - ! (-) ^/^\

Numbers.
And review inputs
Confirm he answer is about right.

Therefore eece calculator cannot enter 20in tv.

It is stuck 42in
He stuck
Which is v wasteful energy.

Efficiency means 2:billionths of the light emitted passes thro the eye.
D grace.

Worksheet would describe assumptions and step through kW etc.
Trash tv evy 2 years

Bad govt.

I request a proper treatment of complaints.

Eeca is not a sensible govt.
Report.
Crt ctv

Cathode ray tube
Colour tv revcr receiver.

Incandescent lite bulbs.
Continually blowing.
Philip softone 100w bayonet.

Eco classic \$5
Energy mad share 3c \$.03.

Ads misleading. Lrng maths.

Yours 28/1/17

Please disappoint.
Pardon

Email says nothing nil zil. Help.
APPEAL .. DATE ETC.

D S Newt MCDonald mcD BSc

SUMMARY OF CHAIR'S DECISION

The Chair noted that several attempts had been made by the Secretariat to ask the Complainant to clarify their complaint. However, the Chair noted the Complainant had not responded by the deadline given. Therefore, the Chair ruled to withdraw the complaint.