

<b>COMPLAINT NUMBER</b>	17/146
<b>COMPLAINANT</b>	K Andersen
<b>ADVERTISER</b>	Magic Network
<b>ADVERTISEMENT</b>	Magic Network Radio
<b>DATE OF MEETING</b>	15 May 2017
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The Magic Radio Station advertisement promoting the Animals in concert, including details of the concert, with Animal's songs playing in the background.

**The Chair ruled there were no grounds for the complaint to proceed.**

**Complainant, K Andersen, said:** I wish to complain about "MAGIC" radio station and the advertising of a upcoming concert. The band the ANIMALS are a British band that split many years ago, the iconic lead vocalist Eric Burdon has not been with the remaining original members for many years ( and is in legal conflict over naming rights). My complaint is that "MAGIC" are advertising the concert and at the same time playing songs featuring Eric Burdon. My view is that they are encouraging listeners to assume that Eric Burdon will be featuring in the concert. I have written to them complaining, they refuse to amend the advertisement.

**The relevant provisions were Code of Ethics - Basic Principle 4, Rule 2.**

**The Chair** noted the Complainant's concern that the advertisement content was misleading due to the makeup of the band performing.

The Chair's view was that it was not uncommon for the makeup of bands to change over time. The band's promoters clearly felt that the essence of the original band remained, leading the Advertiser to use the original name in the advertisement.

The Chair ruled the advertisement had been prepared with a due sense of social responsibility to consumers and there was no apparent breach of the Code of Ethics.

Accordingly, the Chair ruled there were no grounds for the complaint to proceed.

**Chair's Ruling:** Complaint **No Grounds to Proceed**