

COMPLAINT NUMBER	17/136
COMPLAINANT	A Wilson
ADVERTISER	Avondale Business Association
ADVERTISEMENT	Avondale Business Association Out of Home
DATE OF MEETING	22 May 2017
OUTCOME	Settled

Advertisement: The Avondale Business Association issued a sign stated that "Begging is Banned" from outside the shops in the Avondale town centre. It instructed people to ring if they encounter beggars and they will be trespassed.

The Chair ruled the complaint was Settled.

Complainant, A Wilson, said: The attached sign has appeared in numerous shop windows in the Avondale area of Auckland. They originate from the Avondale Business Association. The content of the sign is false and misleading in that begging is not a banned activity and that they have no legal power to trespass anyone from public land in front of the shops concerned. Mr McDonald has been advised that the information is incorrect, but refuses to remove the signs. We have received the following complaint regarding the signage: This is to give you formal notification that as a councillor and as a ratepayer of Auckland - I consider the BEGGING IS BANNED sign being displayed in Avondale town centre to grossly offensive and contrary to the intent of the Public Spaces Bylaw. I wish to have it taken down immediately. Please advise me of the actions you will be taking to have this sign removed. The Avondale Business Association does not make bylaws, Auckland Council does! I am copying in the CEO, the Whau Ward Councillor and the Whau Local Board Chair. I will continue to work with the Avondale Business Association to have the signs removed. In the interim period can I ask that the ASA assess whether the sign breaches your code of conduct.

The relevant provisions were Code of Ethics - Basic Principle 4, Rule 2, Rule 5.

The Chair noted the Complainant's concern that the sign was offensive and contrary to the Public Spaces Bylaw, by making the misleading statement that begging was a banned activity.

Upon receipt of the complaint, the Advertiser had contacted the Secretariat with an alternate sign, addressing the issues of concern.

These amendments included the wording "Please no Begging" rather than Begging is Banned" and clarifying where the trespass action can occur.

Given the Advertiser's co-operative engagement with the process and the self-regulatory action taken in amending the advertisement, the Chair said that it would serve no further

purpose to place the matter before the Complaints Board. The Chair ruled that the matter was settled.

Chair's Ruling: Complaint **Settled**