

COMPLAINT NUMBER	17/220
COMPLAINANT	E Fisher
ADVERTISER	Spark NZ Ltd
ADVERTISEMENT	Spark NZ Ltd, Television
DATE OF MEETING	10 July 2017
OUTCOME	No Grounds to Proceed

Advertisement: The Spark television advertisement for iPhone 7 low light camera shows a user taking various photographs with his phone in dark conditions. The tagline shows “Low-light camera on iPhone 7 – Practically Magic.”

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

Complainant, E Fisher, said: Apple advertising iPhone 7s low light camera, I bought said iPhone 7 and it does not have a low light camera. It turns out only and iPhone 7 plus as the low light camera. I was annoyed and misled by this ad.

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

The Chair noted the Complainant’s concern that the iPhone 7 does not have a low light camera and that feature is only available with an iPhone 7plus. Therefore, the advertisement was misleading.

The Chair referred to information on the Apple website, <https://www.apple.com/nz/iphone-7/> which states in part:

“f/1.8 aperture

A larger aperture allows up to 50 per cent more light onto the camera sensor than iPhone 6s, further enhancing the camera’s ability to take superb low-light photos. Teamed with the new six-element lens, the camera will deliver brighter, more detailed shots.”

Taking into account the information promoting the new camera function on the iPhone 7, the Chair said this included a low light capability. The Chair said in light of the supporting information from the manufacturer, the advertisement was not likely to mislead or deceive consumers.

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**