

COMPLAINT NUMBER	18/116
COMPLAINANT	R Thorogood
ADVERTISER	Michael Hill Jeweller
ADVERTISEMENT	Michael Hill Jeweller, Television
DATE OF MEETING	20 April 2018
OUTCOME	Settled – advertisement removed

Advertisement: The Michael Jeweller television advertisement shows a woman with her hand on her shoulder and a diamond ring on her finger. Two further rings are displayed without models and the voiceover says “Sweep her off her feet forever with a breath taking 1 carat diamond solitaire and 14 carat yellow or white gold for only \$4,999.”

The Chair ruled the complaint was Settled.

Complainant, R Thorogood, said: Michael Hill Jewellers recently had a 30 second TV advertisement that advertised a 1ct Diamond Ring for the price of \$4999.

The language in the ad implied that the person wearing the ring in the TV advertisement, was in fact wearing a 1ct diamond ring. There is no way that this is the case - the ring is clearly larger than a 1ct solitaire diamond - that is shown in the next frame of the ad.

I believe that this ad breaches the Advertising Code of Ethics, Rule 2 'Truthful Presentation'. Whilst the still photos of the rings may in fact be 1ct in diamond weight, the images of the person wearing the ring I believe are not 1ct diamonds, and they are therefore not truthfully presenting the size of the diamond or what the ring would be like for \$4999.

The Advertiser, Michael Hill Jeweller, said: “We have reviewed the TV advertisement and understand why this could be considered misleading by some viewers. It was not our intention to mislead but due to the matter being raised we have pulled the ad and it will not be replayed in its current form.

On behalf of Michael Hill Jewellery please be assured this was an oversight in what is a usually a robust review and approval process.”

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

The Chair noted the Complainant’s concern the advertisement was misleading as it implied the ring shown being worn by the model in the advertisement was the 1 carat diamond ring on offer for \$4,999, when this was not the case.

The Chair acknowledged the Advertiser had removed the advertisement and it would not be broadcast again.

Given the Advertiser’s co-operative engagement with the process and the self-regulatory action taken in removing 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**

APPEAL INFORMATION

According to the procedures of the Advertising Standards Complaints Board, all decisions are able to be appealed by any party to the complaint. Information on our Appeal process is on our website www.asa.co.nz. Appeals must be made in writing via email or letter within 14 days of receipt of this decision.