

COMPLAINT NUMBER	18/236
COMPLAINANT	J Yandle
ADVERTISER	New Zealand Fire Service
ADVERTISEMENT	Digital Marketing, TVNZ OnDemand
DATE OF MEETING	1 August 2018
OUTCOME	No Grounds to Proceed

Advertisement: The OnDemand television advertisement for the New Zealand Fire Service shows a burning house to promote its 'Escape My House' website. The graphics prefix the name of the registered OnDemand viewer to personalise statements such as “What is your escape plan” and “You need a plan.”

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

Complainant, J Yandle, said: On the "watch TVNZ live" online website, I have a problem with the adverts being able to use my personal name in the advertisement. The ad says that I need to make a plan to escape my house if it catches on fire. I found it repulsive because they put my name on it. They used my name that I signed up to the website... I made my escape plan a long time ago, and I don't like them bringing up the topic of my house catching on fire.

The relevant provisions were Code of Ethics - Basic Principle 4, Rule 10, Rule 11;

The Chair noted the Complainant's concern about their personal details being used in an advertisement encouraging them to prepare for a house fire.

The Chair confirmed the marketing tool used to insert a personalised element to an advertisement uses a technology called ad personalisation. This technology inserts the name that is provided to TVNZ by a TVNZ OnDemand user when they set up a registered TVNZ OnDemand account, into the graphics of an advert that is shown to that viewer on TVNZ OnDemand. When registering for an OnDemand account, users tick terms and conditions allowing the Media to do this.

The Chair said the Secretariat had received confirmation from TVNZ that it had updated its OnDemand Privacy Policy with additional information to explain to its subscribers how ad personalisation works and had informed subscribers of this update.

While acknowledging the Complainant's distress at this approach to advertising, the Chair said the relatively new OnDemand marketing tool was similar to traditional direct marketing advertising such as addressed mail.

The Chair said 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.

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

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