

COMPLAINT NUMBER	18/231
COMPLAINANT	B Hanson
ADVERTISER	Scandinavian Vehicle Distributors Ltd
ADVERTISEMENT	Volvo Television
DATE OF MEETING	7 August 2018
OUTCOME	No Grounds to Proceed

Advertisement: The Volvo television advertisement shows a Volvo XC60 being driven on the right-hand side of the road, in various settings. The text shown on the screen includes the following: “The new Volvo XC60 - UK Car of the year - Korea SUV of the year... North American Utility of the year ... No wonder it was voted World Car of the Year”. In each shot where the car is shown driving on the right-hand side of the road the words “Overseas model and footage shown” appear across the bottom of the screen.

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

Complainant, B Hanson, said: Car advertised clearly shown through winding rural hilly landscape on the Right Hand side. A big no-no one would think?

The relevant provisions were Code for Advertising Vehicles - Guideline 1 (a), Principle 1, Principle 2.

The Chair noted the Complainant’s concern about the advertisement showing a vehicle being driven on the right side of the road.

The Chair observed the text in the advertisement which said: “Overseas model and footage shown”, “Korea SUV of the year” and “North American Utility of the year”. The Chair said this text made it clear to the viewer that the advertisement was for an overseas model, which had been filmed overseas.

The Chair referred to the NZ Transport Agency Guidelines on the use of overseas motor vehicle advertising in New Zealand which state: “The Transport Agency encourages motor vehicle advertisers to where possible avoid using footage of driving that would be illegal on NZ roads. If this is unavoidable, a clear disclaimer should appear on-screen stating that the advertisement was “Filmed overseas”. Disclaimers should be on-screen for the duration of the illegal driving practice on NZ roads, and in a font size and colour that can easily be read by a typical viewer.”

The Chair said the television advertisement which is subject to this complaint contained the requisite onscreen graphic required to inform viewers the advertisement was filmed overseas.

The Chair then referred to a previous decision made about the same issue. The Chair's Ruling for Complaint 15/078 stated, in part:

“the accompanying graphic which said: “overseas model and footage shown” and made it clear to the viewer that the advertisement was for an “overseas model.” The Chairman was of the view and common sense would indicate that it had been filmed overseas, not on New Zealand roads which many of the Complainants indicated they were aware of.”

The Chair said that the above precedent was directly applicable to the complaint before her.

On consideration of the above, and taking into account the precedent decision, 15/078, the Chair was of the view the majority of consumers would understand the advertisement contained overseas footage and did not encourage unsafe driving practices or a disregard for safety.

Therefore, while she acknowledged the concerns of the Complainant, the Chair said there was no apparent breach of the Code for Advertising Vehicles.

Accordingly, 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.