

COMPLAINT NUMBER	18/367
COMPLAINANT	A Savin
ADVERTISER	Snapfish
ADVERTISEMENT	Snapfish, Addressed Mail
DATE OF MEETING	5 November 2018
OUTCOME	No Grounds to Proceed

Advertisement: The email advertisement from Snapfish said “Let’s reconnect! Please place an order so that we can continue storing your photos. Hello! You have photos in your Snapfish account that we are hosting free of charge. Because it costs us to store your photos, we ask that customers place an order at least once a year. In order for you to meet these requirements, we need you to place an order.”

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

Complainant, A Savin, said: Do not believe it is appropriate for snapfish to insist people with accounts make a purchase with them once a year. Comments in email such as ‘you must place an order soon’, ‘we need you to place an order’, ‘Our terms & conditions require an order’ even if it’s small at least once every 365 days.’

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

The Chair noted the Complainant’s concern the Advertiser was pressuring customers into making a purchase at least once a year.

The Chair reviewed the Advertiser’s terms and conditions which consumers agree to when opening a Snapfish account. She confirmed that under the ‘Your Account’ section the terms say in part:

“We require you to maintain “Active Participation” in the Services. Active Participation is defined as purchasing or ordering photo or video merchandise, including reprints and enlargements, through the Services at least once every 365 days ... If you cease Active Participation for any reason, Snapfish may terminate your account (or any part thereof) ...”

The Chair said the Advertiser provides a free photo storage service to those consumers who maintain the status of “Active Participation”, that is, they remain active customers of Snapfish. As this is clearly stated in the company’s terms and conditions, the Chair said the advertisement had been prepared with a due sense of social responsibility to consumers.

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

Chair’s Ruling: Complaint **No Grounds to Proceed**

<p>APPEAL INFORMATION</p> <p>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.</p>
