

COMPLAINT NUMBER	18/389
COMPLAINANT	C. Henderson and 2 Others
ADVERTISER	Vodafone NZL
ADVERTISEMENT	Vodafone Television
DATE OF MEETING	19 November 2018
OUTCOME	No Grounds to Proceed

Advertisement: The Vodafone television advertisement referred to “The future according to Andy”. It showed ‘Andy’ in his dressing gown coughing and feigning illness as family members left to go to a number of activities with Andy too unwell to accompany them. When the family have left, Andy’s friends arrive, he takes off the dressing gown to reveal an All Blacks jersey and they leave to attend the game. The voiceover says “With Vodafone everyone gets the rewards they want.”

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

Complainant, C. Henderson, said: Yet another deceiving advert from vodafone where the son implies he is ill to family members, then goes out to watch a rugby game

Duplicate complainants shared similar views. N. Hung was also concerned that the advertisement would teach children that this type of deceit is normal and funny.

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

The Chair acknowledged the Complaints’ concerns that the advertisement endorsed lying to family members and providing a negative example to children who are less likely to understand the comedic element.

The Chair referred to a precedent Ruling 18/322 for a Vodafone advertisement with a similar theme. That Ruling said in part:

“The Chair referred to Rule 4 of the Code of Ethics which requires that Advertisements not contain anything which clearly offends against generally prevailing community standards taking into account the context, medium, audience and product.

The Chair said “The future according to Nicole” scenario in the Vodafone My Flex advertisement showed a woman making the most of her journey home from work to take time out for herself, in the same way that she used the flexible prepay plan in a way that best worked for her. In her view, the scenario in the advertisement was intended to be light-hearted and did not meet the threshold to breach Rule 4 or the required standard of social responsibility under Basic Principle 4.”

The Chair said this Ruling applied to the advertisement before her.

The advertisement, "The future according to Andy" highlighted the range of entertainment options available through Vodafone Rewards and the differing interests in families that resulted when multiple events were on at the same time.

The Chair noted the concern from Complainant N. Hung about the likely takeout for children and that children would not recognise the comedic element. The Chair said it was not unusual in households for there to be different levels of enthusiasm for family activities and while the deception was not ideal, she did not consider the advertisement was likely to endorse that behaviour to children.

While 'Andy's' behaviour deceived his family, in the context of the lighthearted scenario the advertisement illustrated, the Chair said it did not meet the threshold to breach Rule 4 taking into account generally prevailing community standards or the required standard of social responsibility under Basic Principle 4.

The Chair ruled there were no grounds for the complaints 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.