

<b>COMPLAINT NUMBER</b>	18/388
<b>COMPLAINANT</b>	A Wiegerinck
<b>ADVERTISER</b>	New Zealand Racing Board
<b>ADVERTISEMENT</b>	New Zealand Racing Board, Television
<b>DATE OF MEETING</b>	7 December 2018
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The television advertisement for the TAB says in part: “The racing action continues with the NZ Trotting Cup...Join the TAB, deposit \$10 and get a \$20 bonus....TAB, now you’re in the game!”

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

**Complainant, A Wiegerinck, said:** We are well aware that gambling is addictive and can become a disease, but to give \$20 free if you sign up is only adding to the problem. Even more so at the time when many youngsters are watching. This advert should be banned.

**The relevant provisions were Code for Advertising Gaming and Gambling - Guideline 2 (a), Guideline 2 (b), Principle 2;**

**The Chair** noted the Complainant’s concern the advertisement was contributing to problem gambling by offering a free \$20 incentive.

In considering the issue raised by the Complainant, the Chair referred to precedent Decision 18/031 for a similar advertisement, which was ruled no grounds to proceed and said in part:

...

“As a self-regulatory organisation, the Advertising Standards Authority’s jurisdiction is limited to the content and placement of advertisements and compliance with the Advertising Codes of Practice. The Chair said the Advertising Standards Authority could only operate within the parameters of the Advertising Codes and the Advertiser was promoting a legal product at an age appropriate time.”

The Chair noted this precedent directly applied to the complaint before her. While acknowledging the genuine concern the Complainant had regarding gambling, the Chair confirmed the TAB was entitled to promote its product within the constraints of the advertisement’s afforded rating of GXC (General Except Children) viewing times.

The Chair then considered the timing of the advertisement and the composition of the audience. She noted the advertisement played during Country Calendar. TVNZ confirmed children between the ages of 5-14 were only 2% of the viewing audience, while a further 1% were aged between 15-17 years.

The Chair said the advertisement did not target children, playing during a programme with a mainly adult audience.

The Chair said the advertisement was not in breach of the Code for Advertising Gaming and Gambling and had been prepared with the required standard of social responsibility.

Therefore, the Chair ruled the complaint had no grounds 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](http://www.asa.co.nz). Appeals must be made in writing via email or letter within 14 days of receipt of this decision.