

COMPLAINT NUMBER	17/130
COMPLAINANT	M Dalton
ADVERTISER	Vodafone NZL
ADVERTISEMENT	Vodafone NZL Digital Marketing
DATE OF MEETING	26 April 2017
OUTCOME	No Grounds to Proceed

Advertisement: The Vodafone website, <https://www.vodafone.co.nz>, promoted a range of packages including Ultra fast Broadband – FibreX

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

Complainant, M Dalton, said: Hi there, I am looking at getting fibre installed at my house, and on the vodaphone website today (13/04/2017) they have a great offer under their fibrex plan - \$79.99 per month. That's amazing (as per attachment 'without address.jpg') <https://www.vodafone.co.nz/broadband/high-speed-cable/?data=unlimited&speed=ufbv200&phone=no&tv=no> However, when I click on buy now, it asks for my address and then the price changes to \$119.99 - an increase of 50%. (as per attachment 'with address.jpg') Surely that is some sort of false advertising or bait & switch - stating one price and then changing the price after the customer has decided to buy.

The relevant provisions were Code of Ethics - Basic Principle 4, Rule 2.

The Chair noted the Complainant's concern that the Advertiser was misleading customers with one price for its products, only to change it when details were entered.

The Chair reviewed the information on the Advertiser's website. She noted a number of references were made to the fact that "not all services are available everywhere" and to "Enter your address to see if you're eligible." In particular, the Chair noted the qualifier on FibreX services which the advertisement stated were "only available in parts of Wellington, Christchurch and Kapiti." In the Chair's view, the advertisement was clear about the fact that the pricing and services available were dependent on the customer's address.

The Chair ruled the advertisement was not misleading and had been prepared with a due sense of social responsibility to consumers and there was no apparent breach of the Code of Ethics.

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

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