

**You
should
be able
to trust
the ads
you see.**

**If an ad is wrong,
the ASA is here to
help put it right.**

Statement from Hon. Heather Roy, Chair

“You should be able to trust the ads you see. If an ad is wrong, the ASA is here to help put it right”.

Our awareness campaign continued to run in 2019, with generous support from ASA media members and it demonstrates our commitment to making every ad a responsible ad – all ads, all media.

Our focus in 2019 was a sustainable funding model. The ASA is funded by industry through advertiser and media levies and subscriptions. The funding framework update reflects changes in media placement. About 60% of media placement revenue is direct to media companies and I would like to acknowledge the sector and its agreement to support a funding model to reflect this.

Community standards are important in making decisions about complaints about ads and are reflected in the ASA Codes. The Governance Board approved a project to research into community standards in late 2019. The findings will be part of the ASA’s education programme in 2020.

I would like to acknowledge and thank the public member Chairs of the Complaints Board and the Appeals Board and all the board members for their significant contribution to a robust complaints process.

I also acknowledge and thank the professional and dedicated ASA staff who manage the enquiries and complaints processes in a timely and effective manner and work hard to ensure industry understands the code requirements and the importance of code compliance.

The ASA works alongside the legislative framework for misleading and deceptive conduct to support responsible advertising for all ads in all media

Statement from Hilary Souter, Chief Executive

The value and effectiveness of self-regulation was a priority in 2019.

The ASA’s commitment to educating the industry on the ASA Codes and compliance saw 40 seminars presented in 2019. Topics included the new Gambling Advertising Code, workshops for Social Media, ASA 101, and a review of decisions under the Children and Young People’s Advertising Code.

As part of our suite of six advertising codes, the new Gambling Advertising Code was released in 2019. The Code recognises that gambling advertisements must not undermine the need to minimise gambling-related harm.

The annual report includes a breakdown of the formal complaints dealt with by the ASA. In 2019, the most complained about category of advertising was advocacy,

with a 21% share, up from 11% in 2018. The 2019 local elections, the legalisation of cannabis, water fluoridation and proposed changes to abortion legislation, along with political party social media advertising drove the increase.

The ASA first dealt with complaints about advocacy advertising in 1992. Our guidance note on advocacy advertising and our guide to election and referenda advertising are available on the ASA website, www.asa.co.nz.

We could not do our work without the support of the industry both through funding and code compliance and we acknowledge their commitment to making “every ad a responsible ad”.

Workload

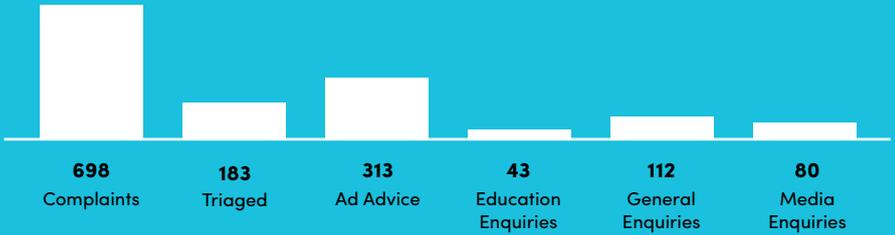


+6.8%

Enquiries

INCREASE FROM 2018

Made up of



TOTAL ENQUIRIES

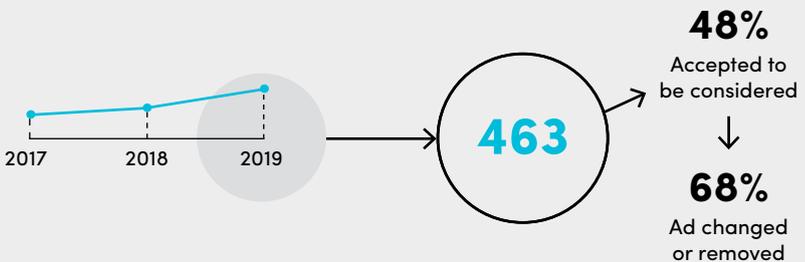
2019: 1429 | 2018: 1338



+9%

Complaints

INCREASE FROM 2018



MOST COMPLAINTS BY MEDIUM



14%
Advertiser Websites



10%
Out of home



10%
Print

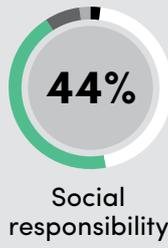
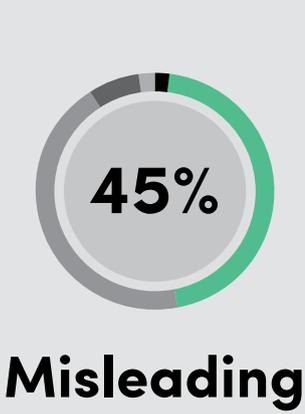


6%
Radio



2%
Mail
(Unaddressed)

KEY ISSUES



MOST COMPLAINTS BY CATEGORY



21%

Advocacy



16%

Therapeutics & Health



11%

Food & Beverage



11%

Household goods



8%

Services



7%

Entertainment



6%

Vehicles/ Transportation



6%

Finance



5%

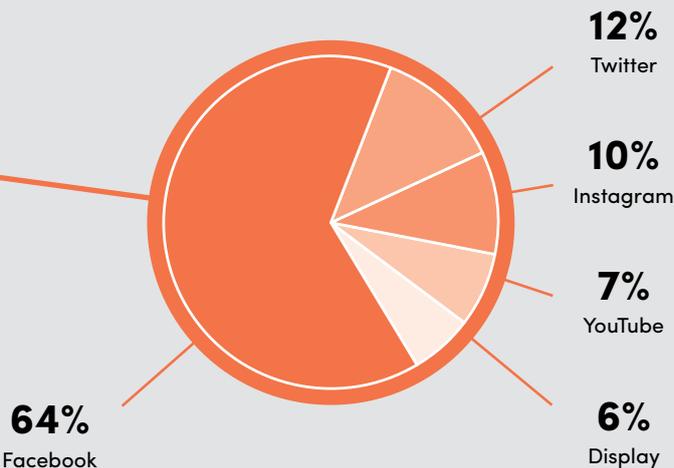
Telecommunication



4%

Alcohol

DIGITAL MARKETING BREAKDOWN



MOST COMPLAINED ABOUT ADS OF 2019

1. Coca-Cola Amatil

TELEVISION

40 COMPLAINTS: NOT UPHELD

The advertisement for L&P shows two zombies exploring a post-apocalyptic cityscape. Scenes include a zombie finding and drinking the remains of a used can of L&P with “Refreshingly Different” on screen. Complainants said the advertisement was in poor taste and harmful to the mental health of children and other vulnerable people. The advertiser said it was a light-hearted and humorous parody of ‘zomedy’ movies and was broadcast in accordance with its classification. The Complaints Board said while the advertisement may be distasteful to some, it was not offensive.

2. Hyundai New Zealand

TELEVISION

34 COMPLAINTS: UPHELD
(ADVERTISEMENT REMOVED)

The advertisement showed an athlete running on a treadmill while breathing air coming directly out of the exhaust pipes of a Hyundai NEXO vehicle. A disclaimer said “Filmed under strict controlled conditions. Do not attempt this at home.” Complainants concerns included a lack of sensitivity about suicide, the danger of copy-cat behaviour and the message it was safe to breathe car exhaust. The Complaints Board said the advertisement was likely to offend and it showed a situation which could encourage a disregard for safety.

3. New Zealand National Party

FACEBOOK AND TWITTER

9 COMPLAINTS: NOT UPHELD

The advertisement showed a bar graph labelled “Rents up Under Labour” with a blue bar representing National and a red bar representing Labour. Complainants said the graph was misleading as it was not to scale and the data was wrong. The Advertiser said the data figures were prominent on the graphic which meant that any hyperbole would not be misleading. The source data was displayed as a footnote. The Complaints Board said the advertisement was unlikely to mislead most consumers, when viewed within a political advocacy landscape on the party’s social media platforms. The appeal application was declined as disagreement with a decision was not a ground on which an appeal could be accepted.

4= Royal Forest And Bird Protection Society of New Zealand Inc

TELEVISION

7 COMPLAINTS: NO GROUNDS TO PROCEED

The advertisement shows a family visiting a river and images of cattle grazing in muddy paddocks. The voiceover included: “What happened to rivers you could swim in? When did the Government put profits before clean water?” The advertiser’s logo appeared at the end of the advertisement. Complainants said the advertisement was misleading by implying that dairying is the sole reason NZ water ways are polluted. The Chair said the advocacy advertisement was not misleading as the identity and position of the advertiser was clear and robust opinion is allowed under the advocacy rule.

4= Family First New Zealand

BILLBOARD

7 COMPLAINTS: NOT UPHELD

The advertisement for Family First NZ says “Marijuana has a ‘kids menu’” and “Don’t legalise” with a photo of cannabis products, some of which appear to be sweets. It includes a website address www.SayNoToDope.org.nz and an authorisation statement. Complainants said the ad was misleading and played on fear. The Complaints Board said the advertisement draws the public’s attention to some of the cannabis products that might be available for sale in New Zealand if recreational cannabis is made legal. The advocacy advertisement promoted the advertiser’s view and was not in breach of the Advertising Standards Code.

5. Imperial Brands

TELEVISION

6 COMPLAINTS: UPHELD IN PART
(ADVERTISEMENT TO BE REMOVED)

The advertisement for myblu Vape Device introduced three people who used it for the reasons of savings, appearance and fitness. The advertisement ended with: “My Freedom – myblu. Vape with confidence”. Complainants said the advertisement was misleading by implying that vaping doesn’t have negative health impacts. The Complaints Board said the advertisement implied that vaping was a safe activity and that while the studies referred to by the Advertiser support the view that vaping is less harmful than smoking, they do not support the view that there are no risks.

DID YOU KNOW...?

151 ads were changed or removed in 2019 following complaints

53% of complainants search the internet to access the ASA complaints process

The ASA received 16 appeals to decisions in 2019. Nine appeal applications were accepted and of these, five were allowed

What we do

5%
Advocate for self-regulation

25%
Codes and compliance training

45%
Adjudicate complaints

25%
Set standards

