

COMPLAINT NUMBER	19/043
COMPLAINANT	P Curtis
ADVERTISER	New Zealand Racing Board
ADVERTISEMENT	TAB, Television
DATE OF MEETING	4 February 2019
OUTCOME	No Grounds to Proceed

Advertisement: The TAB television advertisement shows two men on inflatables in a swimming pool racing to reach the last sausage, only for a dog to steal it. The voiceover and text say “Love racing this summer. Join the TAB, deposit \$10 and get a \$20 bonus bet. TAB – Now you’re in the game.”

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

Complainant, P Curtis, said: Enticing of gambles offering a 20 dollars promo code, no warnings provided of the dangers towards people with gambling addictions also making it easy to gamble from your home computer and smart phone.... there should be warning signs written all over this

The relevant provisions were Code for Advertising Gaming and Gambling - Guideline 2 (a), Principle 1, Principle 2;

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

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 Complainant’s genuine concern regarding gambling, the Chair confirmed the TAB was entitled to promote its product within the constraints of the advertisement’s afforded rating of (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 *Ten 7 Summer* which was rated PGR. TVNZ confirmed children between the ages of 5-14 were 9.53% of the viewing audience, while a further 3.2% 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. Appeals must be made in writing via email or letter within 14 days of receipt of this decision.