

COMPLAINT NUMBER	19/323
COMPLAINANT	T. Morra
ADVERTISER	Compass Communications
ADVERTISEMENT	Digital Marketing
DATE OF MEETING	11 September 2019
OUTCOME	Settled- advertisement removed

Advertisement: The sponsored Facebook advertisement for Compass Communications used the description “Best little Telco”

The Chair ruled there were no grounds for the complaint was Settled

Complainant, T. Morra, said: Under the Advertising Standards Rule 2 (b), it is stated that:- Advertisements must not mislead or be likely to mislead, deceive or confuse consumers, abuse their trust or exploit their lack of knowledge. This includes by implication, inaccuracy, ambiguity, exaggeration, unrealistic claim, omission, false representation or otherwise.

Compass Communications has no proof to back up their claim that they are "NZ's Best little Telco", and I believe this advert is in violation of the Standards, as this ad misleads consumers into believing Compass Communications is the "Best little Telco".

The relevant provisions were Advertising Standards Code - Principle 2, Rule 2(b);

Principle 2: Truthful Presentation: Advertisements must be truthful, balanced and not misleading.

Rule 2(b): Truthful Presentation: Advertisements must not mislead or be likely to mislead, deceive or confuse consumers, abuse their trust or exploit their lack of knowledge. This includes by implication, inaccuracy, ambiguity, exaggeration, unrealistic claim, omission false representation or otherwise. Obvious hyperbole identifiable as such is not considered to be misleading.

The Chair noted the Complainant’s concern was the advertisement is misleading consumers about the use of the description “Best little Telco” as the advertiser had no proof or substantiation for that claim.

The Chair said the advertiser Compass Communications had confirmed the advertisement had been removed and would not be used again in future.

Given the Advertiser co-operative engagement with the process and the self-regulatory action taken in removing the advertisement, the Chair said that it would serve no further purpose to place the matter before the Complaints Board. The Chair ruled that the matter was settled.

Chair’s Ruling: Complaint **Settled– advertisement removed**

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.