

COMPLAINT NUMBER	19/370
COMPLAINANT	D Flanagan
ADVERTISER	Energy Efficiency Conservation Authority (EECA)
ADVERTISEMENT	Gen Less, Digital Marketing
DATE OF MEETING	30 September 2019
OUTCOME	No Grounds to Proceed

Advertisement: The Gen Less digital marketing advertisement shows clips of iconic leaders through history giving inspirational speeches. The voiceover says “They all had their defining moments; climate change is ours. Join Gen Less, the generation using less energy.”

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

Complainant, D Flanagan, said: I believe this advert breaks the code of PRINCIPLE 2: TRUTHFUL PRESENTATION

In the advert they have edited various speeches into a message that the original speakers never intended.

This is what you call fake news

To the untrained person, maybe young and impressionable

you would be lead to think that people such as Winston Churchill, JFK were actually referring to climate change when they were speaking

The advert has also been shown on TV

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

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.

Rule 2(e): Advocacy Advertising: Advocacy advertising must clearly state the identity and position of the advertiser. Opinion in support of the advertiser’s position must be clearly distinguishable from factual information. Factual information must be able to be substantiated.

The Chair noted the Complainant’s concern the advertisement used the speeches out of context for a meaning that was never imagined or intended.

The Chair said the advertisement is an advocacy advertisement from the Energy Efficiency Conservation Authority (EECA). The government-led campaign is attempting to mobilise New Zealanders to be world leaders in clean and clever energy use.

The Chair said in her view, the advertisement was not suggesting the quotes from famous figures throughout history were referencing climate change. The Chair said the point of the advertisement was that these figures all had important things to say about the issues of their day and climate change could be this generation's defining challenge.

The Chair said that in the context of advocacy, the advertisement had not breached Principle 2 or Rule 2(b) of the Advertising Standards Code.

The Chair ruled there were no grounds for the complaint 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.