

COMPLAINT NUMBER	19/403
COMPLAINANT	J Scott
ADVERTISER	Loyalty New Zealand, Fly Buys
ADVERTISEMENT	Fly Buys New Zealand, Television
DATE OF MEETING	21 October 2019
OUTCOME	No Grounds to Proceed

Advertisement: The television advertisement for Fly Buys shows a boy in his room surrounded by Fly Buys merchandise. He explains his family loves rugby, but he doesn't, instead he dreams of earning Fly Buys. As he says this, he drops a framed photo of his family to the ground and the sound of glass smashing is heard.

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

Complainant, J Scott, said: Channel 3 Sunday 5 October Fly Buys ad. Young boy throws framed family photo on his bedroom floor. He should just put it back on his drawers as it's a bad example.

The relevant provisions were Advertising Standards Code - Principle 1, Rule 1(f);

Principle 1: Social Responsibility: Advertisements must be prepared and placed with a due sense of social responsibility to consumers and to society.

Rule 1 (f) Violence and anti-social behaviour: Advertisements must not, unless justifiable on educational or social grounds, contain anything that condones, or is likely to show, violent or anti-social behaviour or damage to property.

The Chair noted the Complainant's concerns the boy's behaviour was a bad example to others.

The Chair referred to a precedent decision, 16/053, which was considered by the Complaints Board and ruled Not Upheld. This decision concerned a complaint about a television advertisement for Canon printers. In the advertisement a girl knocks over vases, and possibly a fish tank, because her mother only has photos of her brother Daniel on the wall, and none of her.

The Complaints Board said that advertisement clearly targeted adults and was unlikely to cause serious or widespread offence to most people. It said the advertisement employed comedic hyperbole and the actions of the daughter did not reach the threshold to be considered to lend support to unacceptable violent behaviour. Therefore, it said the advertisement was not in breach of Rules 5 or 7 of the Code of Ethics. The majority ruled the advertisement had been prepared with a due sense of social responsibility to consumers and society and was not in breach of Basic Principle 4 of the Code of Ethics.

Turning to the complaint before her the Chair said the precedent decision applied. The advertisement employed comedic hyperbole and the fleeting actions of the boy did not reach

the threshold to be considered condoning or showing, violent or anti-social behaviour or damage to property.

The Chair said taking into account generally prevailing community standards the advertisement had been prepared and placed with a due sense of social responsibility.

The Chair said the advertisement did not breach Principle 1 or Rule 1 (f) 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.