

COMPLAINT NUMBER	20/072
ADVERTISER	RNZ
ADVERTISEMENT	RNZ Instagram
DATE OF MEETING	9 March 2020
OUTCOME	No Grounds to Proceed

Advertisement: The sponsored Instagram advertisement for Radio New Zealand (RNZ) included the text “If you think you have to pay for premium content – we’ve got news for you.” The website “rnz.co.nz” and the text “Learn more” with an arrow directing the reader to a link to further information was at the bottom right of the advertisement.

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

Complaint:

Radio NZ imply in this ad that unlike other media readers "do not pay" for Radio NZ content. This is patently false and misleading.

Unlike most other media organisations, everyone (to use the advertisement’s wording) "have to pay" for Radio NZ - it received more than \$43million in FY2019 taxpayer funding.

We ask you to please consider this advert, and rule it misleading.

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 the advertisement was misleading because it implies readers do not pay for RNZ content and yet RNZ receives taxpayer funding.

The Chair considered the relevant context, medium, audience and product for the advertisement.

The Chair said the likely consumer takeout of the advertisement was: There is no individual charge or “pay wall” for reading news items, including “premium content”, on the RNZ website. The Chair considered the phrase “charging for premium content” would be understood to mean a direct cost to the consumer, which did not apply to RNZ content.

The Chair noted that some Government organisations (for example Land Information New Zealand or the National Library), while funded by the tax-payer, may still charge fees to the individual consumer, for certain services. The Chair said that while the average consumer may be aware Government organisations are funded by the tax-payer, they understand they can also sometimes charge fees.

The Chair said the advertisement was not likely to mislead or deceive consumers and was not in breach of 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 calendar days of receipt of this decision.