

COMPLAINT NUMBER	20/149
ADVERTISER	NZ National Party
ADVERTISEMENT	NZ National Party Facebook
DATE OF MEETING	16 April 2020
OUTCOME	No Grounds to Proceed

Advertisement: The advertisement on the New Zealand National Party Facebook page is headed “The Epidemic Response Committee will be sitting today at 10am, tune in here on Facebook and watch LIVE.” The post includes an infographic with images and names for the five National Party members of the committee and a schedule of individuals and companies from the media sector giving evidence during the meeting. Along with the date and time, it says “Going LIVE on National Party and Simon Bridges’ Facebook.”

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

Complaint: Since the inception of the Epidemic Response Committee as a parliamentary body, the National Party has been releasing regular promotional advertisements on social media with the label "Epidemic Response Committee" and displaying the photos of the five National Party committee members. No mention is made of the other six, nor is the fact of the cross-party constitution of the committee apparent. The obvious intent is for the public to infer that this is a National Party legislative vehicle, which is demonstrably false. The advertisement is misleading in its portrayal of the committee and the Party's role in it.

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 was created a misleading impression regarding the portrayal of the Epidemic Response Committee and the National Party's role in the committee.

The Chair confirmed the Facebook post on the National Party Facebook page was an advocacy advertisement and the advocacy principles applied in this case. Further information

about this topic can be found here: <https://www.asa.co.nz/codes/code-guidance-notes/guidance-note-advocacy-advertising/>.

The advertisement appears on the National Party Facebook Page and includes the party logo and an authorisation statement. The Chair said the context, placement and content made the identity of the Advertiser and their position clear. The Chair noted the advertisement was not a sponsored post, meaning the target audience were people connected with the NZ National Party Facebook page.

In the Chair's view, the purpose of the advertisement was to promote the National Party's involvement in the Epidemic Response Committee and alert followers of the Facebook page to the schedule for the meeting that day along with a link to access a live stream.

The Chair noted that as Parliament was not currently sitting, the Epidemic Response Committee provided a forum for political parties to scrutinise Government actions and their impact on New Zealand. As the major Opposition party, the National Party is promoting its significant representation on the committee, which is chaired by Hon Simon Bridges, Leader of the Opposition. The Chair took into account the work of the committee has been widely covered in the media since it was established on March 25.

The Chair said the National Party was entitled to alert people to its involvement with the committee and was not required to draw attention to the contribution of other political parties. For those interested in the live stream of the meetings or further information about the committee, it would be immediately clear that all political parties in Parliament are represented.

The Chair said taking into account the context, medium and likely audience, the advocacy advertisement was not in breach of Principle 2 or Rules 2(b) and 2(e) 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.