

<b>COMPLAINT NUMBER</b>	20/394
<b>ADVERTISER</b>	MVF Global
<b>ADVERTISEMENT</b>	Digital Marketing
<b>DATE OF MEETING</b>	27 October 2020
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The MVF Global digital marketing advertisement had the promo "No Medical Needed: Kiwis Are Applying For This Life Insurance". The promo provided a link to an advertorial article with the title "Thousands of Kiwis are Finally Waking Up to the Benefits of Life Insurance". The text of the article included the following "... An easy application over the phone, usually there are no medicals or paperwork..."

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

**Complaint (abridged):** On 12 Oct 2020 while reading a news article online I spotted an advert saying "No Medicals Needed: Kiwis Are Applying for this Life Insurance" I then clicked on the advert which took me to the following page "Thousands of kiwis are finally waking up to the benefits of Life Insurance" I then made an application [...] as the advert clearly stated No Medicals Needed. [...] On making the application we were then later phoned at 12.20 by a representative of the company who then proceeded to ask [...] And as result the application was deferred until they received medical records. [...] they admitted that they do require the medical history to proceed which is not mentioned at all in their advertising. I have registered a complaint with the company itself and now also with you. As I feel their advert was stating No Medicals Required, my understanding was your medical history wasnt relevant. Had we known that medical history would be required we wouldnt have made an application [...] Please investigate this complaint as nowhere in their advertising does the company state subject to your medical history and as such is extremely 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 concerns the advertisement was misleading.

The Chair said the term "medical" usually refers to a medical examination. The Chair said the Complainant's wife had been asked to provide medical information, which is not the

same as undergoing a medical examination. The Chair said it is standard practice for insurance companies to ask potential customers certain questions about their medical history before deciding on the appropriate policy for their circumstances.

The Chair said the advertisement was not misleading and ruled it 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](http://www.asa.co.nz). Appeals must be made in writing via email or letter within 14 calendar days of receipt of this decision.