

COMPLAINT NUMBER	20/320
ADVERTISER	Spark NZ Ltd
ADVERTISEMENT	Skinny Mobile Television
DATE OF MEETING	30 November 2020
OUTCOME	No Grounds to Proceed

Advertisement: The Skinny Mobile television advertisement promoting Skinny's Endless Data Weekends shows a conversation between two women. When one of the women makes a comment about rugby player Israel Dagg announcing a new rap career the other woman says, in shock, "What the...?".

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

Complaint: They say what the... implying what the fuck. Children say this. Its bad.

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

ADVERTISING STANDARDS CODE

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

Rule 1(c) Decency and Offensiveness: Advertisements must not contain anything that is indecent, or exploitative, or degrading, or likely to cause harm, or serious or widespread offence, or give rise to hostility, contempt, abuse or ridicule.

The Chair noted the Complainant's concerns the advertisement was offensive.

The Chair referred to a precedent decision, 17/052, regarding a radio advertisement for Hell Pizza, which contains the line "If you buy one 1.5 litre Coke you'll get sweet f. all, but if you buy two 1.5 litre Cokes you'll get two limited edition glasses for free". In this decision a majority of the Complaints Board said the use of the phrase "sweet f all" was mildly offensive but the level of offensiveness didn't reach the threshold required to cause serious or widespread offence.

The Chair compared the complaint before her to this precedent decision. The Chair said the meaning of the term "What the...?" is less specific and less likely to be offensive than the term "sweet f all".

Rule 1(c) of the Advertising Standards Code required the Chair to consider whether the statement in this context, was likely to cause serious or widespread offence in light of generally prevailing community standards. While acknowledging the Complainant's view, the Chair said the advertisement did not meet the threshold to breach Principle 1 or Rule 1(c) 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.