

COMPLAINT NUMBER	21/013
ADVERTISER	Tourism New Zealand
ADVERTISEMENT	Tourism New Zealand, Television
DATE OF MEETING	18 January 2021
OUTCOME	No Grounds to Proceed

Advertisement: The Tourism New Zealand television advertisement promotes their 100% Pure NZ campaign by showcasing a number of adventure tourism activities including zip-lining, mountain biking, jet boating and surfing. The advertisement asks viewers if they have ever jumped off a waterfall before showing a woman jumping off a waterfall. The advertisement ends with the tag-line “Do something NEW New Zealand”

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

Complaint 1: One activity in this advertisement really bothers me every time I see it. It appears to encourage “jumping off waterfalls” as a safe activity. Not a safe activity to encourage in my humble opinion. How many lives have been lost from jumping off the Hunua Falls?

Complaint 2: At the end of this advertisement, it says something along the lines of 'Have you ever jumped off a waterfall?'. We deem this to be very irresponsible. A few years back there was ad on pushing about the importance of not jumping into rivers. We don't feel from a safety point of view there should be encouragement to be jumping off waterfalls. Many people have lost their lives in and around waterfalls and think asking the question is ill-advised. We really think this needs to be removed from the advertisement ASAP especially considering it is summertime. Have seen this advertisement a few times but today was the first time could capture the channel to lay a complaint. In recent days a man lost his life at Omanawa Falls in Tauranga and it sadly isn't the first time although these falls are closed we don't feel waterfall jumping needs to be encouraged.

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

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

Rule 1(e) Safety: Advertisements must not, unless justifiable on educational or social grounds, encourage or condone dangerous, illegal or unsafe practices, or portray situations which encourage or condone a disregard for safety.

The Chair noted the Complainants’ concerns the advertisement promoted the unsafe activity of waterfall jumping.

The Chair carefully reviewed the advertisement and said the likely consumer outtake of the advertisement was that waterfall jumping was one of the many activities offered by the adventure tourism industry within New Zealand. The Chair said the tourism business will have undertaken the necessary business health and safety assessments before offering the

organised activity to consumers. The Chair said the advertisement included imagery of people wearing life jackets branded with the adventure operator Canyonz's logo as well as helmets which demonstrated the appropriate safety measures were being adhered to.

In considering the issue of condoning unsafe practices, the Chair referred to precedent decision 12/221 concerning a Kiwibank advertisement in which a boy jumped off a rock into the river. The Chair noted the Complaints Board had upheld this section of the advertisement due to the lack of adequate supervision for the boy. The Chair said there was a clear distinction between the precedent decision and the advertisement before her.

While the Chair acknowledged the Complainants' genuine concerns about accidents relating to waterfall jumping, she said the advertisement before her did not encourage or condone a disregard for safety and had been prepared with a due sense of social responsibility.

The Chair said the advertisement did not reach the threshold to breach Principle 1 or Rule 1(e) of the Advertising Standards Code.

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

Chair's Ruling: Complaints **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.