

|                         |  |
|-------------------------|--|
| <b>COMPLAINT NUMBER</b> | 21/033                                     |
| <b>ADVERTISER</b>       | Waka Kotahi/NZ Transport Agency            |
| <b>ADVERTISEMENT</b>    | Waka Kotahi/NZ Transport Agency Television |
| <b>DATE OF MEETING</b>  | 1 February 2021                            |
| <b>OUTCOME</b>          | No Grounds to Proceed                      |

**Advertisement:** The Waka Kotahi/NZ Transport Agency television advertisement titled "Apprentice" shows Jimmy, an apprentice, catching a ride with "Big Rod". "Hop in mate" says Rod, "don't worry about those bumholes, they're good guys". Rod drives fast and overtakes several vehicles. The apprentice is clearly uncomfortable, but Rod doesn't notice. The advertisement ends with the text "Slow down".

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

**Complaint:** <https://www.nzta.govt.nz/safety/driving-safely/speed/speed-ads/apprentice/>  
This advert uses coarse language in a hidden manner. The first and worst of it, being the use of the word "bumhole", which is an alternative to "asshole".  
The second is not quite as bad, being the use of phrase "big Rod" to address the main character. The co-workers in this instance are having a quiet laugh that he's a "big dick".

**The relevant provisions were Advertising Standards Code - Principle 1, Principle 2, Rule 1(c), Rule 2(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(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.

**Principle 2: Truthful Presentation:** Advertisements must be truthful, balanced and not 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 acknowledged the Complainant's concern that some of the language used in the advertisement was offensive.

The Chair said the advertisement was part of a Waka Kotahi/NZ Transport Agency campaign called "Apprentice". This campaign targets drivers who like to be thought of as good drivers but tend to drive faster than they should.

The Chair said the intention of this advocacy advertisement is to show audiences that others may perceive their driving very differently to them, with the hope they'll start to rethink their behaviour. The Chair noted Waka Kotahi/NZ Transport Agency has responsibility to educate the public about speeding, on behalf of the Government.

Rod's workmates calling him "Big Rod" and Rod calling his workmates "bumholes" conveys an impression of Rod's character, and how his workmates see him. This language is in keeping with the type of language that might be used by this group of people, thereby making the advertisement more believable.

The Chair noted that neither expression used appeared on the Broadcasting Standards Authority's most recent list of language that may offend in broadcasting.

Rule 1(c) of the Advertising Standards Code required the Chair to consider whether the use of language in this context was likely to cause serious or widespread offence in light of generally prevailing community standards. The Chair said that despite the Complainant's objection to the advertisement, it did not reach the threshold to cause serious or widespread offence for most consumers.

The Chair said in the context of advocacy, the advertisement had been prepared with the due sense of social responsibility required and was not in breach of 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](http://www.asa.co.nz). Appeals must be made in writing via email or letter within 14 calendar days of receipt of this decision.