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| <b>COMPLAINT NUMBER</b> | 21/043             |
| <b>ADVERTISER</b>       | Bendon NZ          |
| <b>ADVERTISEMENT</b>    | Bendon NZ, Website |
| <b>DATE OF MEETING</b>  | 17 March 2021      |
| <b>OUTCOME</b>          | Settled            |

**Advertisement:** The Bendon Lingerie website advertisement features a 50% off storewide sale. The banner advertisement has the text "gone in a flash sale" followed by "50% off\* Storewide". In smaller print below the text "\*off RRP. conditions apply. excludes outlet".

**The Chair ruled the complaint was Settled.**

**Complaint:** On the Bendon website, there was a "Sale" banner stating "50% off storewide" Any person reading this would think "everything is 50% off/half price" Unfortunately, this was not the case

I believe it is conflicting messaging to states "Sale Storewide" while excluding the majority of items. The banner states 'Off RRP. Conditions apply" but there was no where to view these condition or what brands were included/excluded (from what I could see)  
When clicked onto individual styles not included in the "storewide" sale to see the digital sale banner for "50% off" was on the page BUT none of the items were 50% I believe this breaches the Advertising Code as it does not provide Truthful Representation

**The relevant provisions were Advertising Standards Code - Principle 2, Rule 2(b);**

**The Chair** noted the Complaint was concerned the website's sale was misleading as not all items were reduced by 50%

The Chair accepted the complaint to go before the Complaints Board to consider whether the Advertising Standards Code had been breached. As part of the self-regulatory process, Advertisers have the option of amending or removing their advertising to comply with the Advertising Codes.

Upon receipt of the complaint, the Advertiser acknowledged an investigation had revealed that a promotional banner had been incorrectly left up on the website. The Advertiser gave assurances that internal processes have been changed to ensure this does not happen again.

Given the Advertiser's co-operative engagement with the process and the self-regulatory action taken to implement processes to ensure the error does not happen again, the Chair said that it would serve no further purpose to place the matter before the Complaints Board.

The Chair ruled that the matter was Settled.

**Chair's Ruling:** Complaint **Settled**

**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.