

<b>COMPLAINT NUMBER</b>	21/308
<b>ADVERTISER</b>	Energy Online
<b>ADVERTISEMENT</b>	Energy Online, Television
<b>DATE OF MEETING</b>	8 June 2021
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** This television advertisement for Energy Online shows a couple exchanging gifts. The man takes off his shirt to reveal a back tattoo to his partner. The tattoo is a very large image of her face with the words "No Regerts". The woman rolls her eyes, and mutters "idiot" under her breath. The voiceover at the end with the slogan shown across the screen is "Energy Online, no contracts, no regerts".

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

**Complaint:** Hello, I find the Energy Online~ No Regerts" advertising not in good taste and demoralizing to men. In a prime time slot the women in the ad mutters under her breath that the man in the ad is an idiot. Not good for young males growing up hearing this derogatory remark towards males and if the actors in question were reversed and the man muttered that the women was an idiot this would not be to, tolerated.. The man was was simply excited to surprise the woman with his tattoo but is made to look foolish. It's not ok to called someone an idiot on prime time advertising. Male or female.

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

**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 was concerned about the use of the word 'idiot' in a context that was derogatory towards men.

The Chair carefully reviewed the advertisement and said while it was not ideal for one character to call another an 'idiot', the advertisement was using humour and hyperbole to promote an energy retailer. The Chair said the woman is commenting on the fact that the tattoo has a spelling error and on the irony that the man is likely to have regrets once he realises the mistake. The scenario plays off other examples of tattoos, particularly with spelling mistakes.

Rule 1(c) of the Advertising Standards Code required the Chair to consider whether the use of the character's use of the word 'idiot', in this context, was likely to cause ridicule or serious or widespread offence, in light of generally prevailing community standards.

The Chair noted the advertisement had been given a GXC (General Except Children) rating which means it would not be played during children's programming.

While acknowledging the genuine concerns of the Complainant, the Chair said the advertisement did not reach the threshold to breach Principle 1 and Rule 1(c) of the Advertising Standards Code.

The Chair ruled the complaint had no grounds 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.