

COMPLAINT NUMBER	21/468
ADVERTISER	SKY Television
ADVERTISEMENT	Neon, Television
DATE OF MEETING	21 September 2021
OUTCOME	No Grounds to Proceed

Advertisement: The 60-second television advertisement for NEON shows a montage of scenes from films and programmes available on their streaming service. It includes images of action such as a gun firing, a dragon breathing fire, a plane crashing across a runway, and an explosion on a street. The voiceover ends by saying, "don't worry about death, worry about your life". The final screen shows the NEON logo with the text "14 day free trial" and "Terms and Conditions Apply" underneath.

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

Complaint: The ad for the Neon online streaming service included clips showing fantasy, violence, and action scenes, which were inappropriate at such an early time. Thus ad seemed to be more appropriate for a later time slot, after the watershed as they used to call it.

My youngest daughter, 6, was disturbed by the imagery shown during this ad.

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

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

Rule 1(f) Violence and anti-social behaviour: Advertisements must not, unless justifiable on educational or social grounds, contain anything that condones, or is likely to show, violent or anti-social behaviour or damage to property.

The Chair noted the Complainant was concerned the advertisement which featured violence played at an inappropriate time.

The Chair confirmed the advertisement had been given an M (Mature) rating by the Commercial Approvals Bureau and the advertisement screened during *TVNZ One News*, which is categorised as Unclassified Programming.

The Broadcasting Standards Authority refers to Unclassified Programming as "news, current affairs, sports and live content that is not, because of its distinct nature, subject to classification. However, broadcasters must be mindful of children's interests and other broadcasting standards and include audience advisories (i.e. a warning) where appropriate."

While the Chair acknowledged the Complainant's concerns about the timing of the advertisement, she said it had been placed with the appropriate care during *One News*, a programme which covers a range of topics, and frequently contains real life subject matter

including violence, which may require viewer discretion and be unsuitable for a younger audience.

The Chair said the advertisement and its placement did not meet the threshold to be likely to condone violent or anti-social behaviour for most viewers, taking into account context, medium, audience and product. She said the advertisement had been prepared and placed with a due sense of social responsibility to consumers and society and was not in breach of Principle 1 or Rule 1(f) 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 with notification of the intent to appeal lodged within 14 calendar days of receipt of the written decision. The substantive appeal application must be lodged with the ASA within 21 calendar days of receipt of the written decision.