

<b>COMPLAINT NUMBER</b>	21/469
<b>ADVERTISER</b>	MediaWorks Radio
<b>ADVERTISEMENT</b>	The Edge, Facebook, Website
<b>DATE OF MEETING</b>	21 September 2021
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The Facebook post by The Edge promotes their "Raro Vaxcation" competition. The graphic shows the image of a syringe needle with the text "RARO VAXCATION" against a background of flowers and palm trees. Underneath is the text "get vaxed, get waxed and get ready to relax", as well as the Flight Centre and The Edge logos. The accompanying caption states, "Get vaxed against COVID-19 for your chance to win the ultimate Raro Vaxcation thanks to Flight Centre New Zealand [tagged]!". The caption includes the URL to register.

The Edge web page promoting the competition contains the same graphic. The text begins, "Got the jab? Or plan on getting it soon? We've got something that's just for you". The text includes more details about the competition, how to enter, and terms and conditions.

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

**Complaint:** Please find attached images to show an advert on Facebook by the edge in partnership with flights into New Zealand. This Advert asked people to show they are vaccinated or getting faxed to win a trip to Rarotonga. I believe this is a breach of the advertising standards in New Zealand After having worked for over a decade in natural health and pharmaceutical companies is the marketing manager.

I'm not sure what other information you were after because the online form has not worked.. However I believe this is a very serious matter that needs to be resolved very quickly and

I am concerned greatly about the Communication in the media, the control of it by the government and breaches such as this increasing substantially now and in the near future.

**Complaint 2:** Encouraging people to get a vaccine so that they can go into the draw to win a holiday is coercion. People should not do something just so they can win a holiday.

**Complaint 3:** This has been advertised on the radio station as well as on facebook. I believe this should be investigated for going against laws.

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

**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.

**Rule 1(h) Health and well-being:** Advertisements must not undermine the health and well-being of individuals.

*Application of Advertising Codes*

The Chair said in her view the advertisement is not promoting a medicine. It does not include any information about what the vaccine is made of, how it works or what the benefits or side effects are. Therefore, the Chair said the advertisement would not be considered under the Therapeutic and Health Advertising Code and would be assessed under the Advertising Standards Codes.

**The Chair** noted the Complainants were concerned the advertisement had breached advertising codes by requesting proof of a COVID-19 vaccination before being able to enter a competition. The Complainants also said the advertisement was coercive and that a competition was an inappropriate incentive to obtain the vaccination.

The Chair said the likely consumer takeout of the advertisement would be the competition was offering a trip to Rarotonga and the conditions of entry were that participants will need to show they have received the COVID-19 vaccine or are booked to receive it.

The Chair said is common practice for competitions to include conditions of entry and the rules are clearly stated. The Chair said consumers have the option to engage or not with the offer and the advertisement was not coercive in asking the question “Got the jab? Or planning on getting it soon?”

The Chair said the condition placed on entry to the competition was relevant given the likelihood that vaccination will be a requirement of travel to Rarotonga once the travel bubble opens up again.

The Chair noted the latest travel advisory issued from the Cook Islands, <https://cookislands.travel/news/> states, “All future visitors to the Cook Islands, aged 12 years and above, will need to be fully vaccinated (except those with a medical certificate).”

The Chair said the advertisement was not likely to undermine the health and well-being of consumers or cause harm or serious or widespread offence.

The Chair ruled the advertisement had been prepared and placed with a due sense of social responsibility and was not in breach of Principle 1 or Rules 1(c) and 1(h) 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](http://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.