

<b>COMPLAINT NUMBER</b>	21/520
<b>ADVERTISER</b>	Taxpayers' Union
<b>ADVERTISEMENT</b>	Taxpayers' Union, Twitter
<b>DATE OF MEETING</b>	22 November 2021
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The tweet posted by the New Zealand Taxpayers' Union includes an image of a banknote for one trillion dollars showing Jacinda Arden's face. The accompanying caption states, "We've just uncovered the Reserve Bank's proposed new bill for circulation in 2026". The tweet contains the New Zealand Taxpayers' Union name and logo.

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

**Complaint:** At 16:13 on the 9th of November 2021 the New Zealand Taxpayers' Union Twitter account posted a misleading advertisement depicting a New Zealand 1 Trillion dollar bill adorned with the New Zealand Prime Minister's face along with the following caption:

"We've just uncovered the Reserve Bank's proposed new bill for circulation in 2026."

I believe this to be misleading, wrong, inaccurate and maliciously so.

At the time of making this complaint the "advertisement" had 177 likes and 29 retweets.

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

**Principle 2: Truthful Presentation:** Advertisements must be truthful, balanced and not misleading.

**Rule 2(b) Truthful Presentation:** Advertisements must not mislead or be likely to mislead, deceive or confuse consumers, abuse their trust or exploit their lack of knowledge. This includes by implication, inaccuracy, ambiguity, exaggeration, unrealistic claim, omission, false representation or otherwise. Obvious hyperbole identifiable as such is not considered to be 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.

### **About Advocacy Advertising**

Complaints about advocacy advertising are considered differently to complaints about advertising for products and services.

In assessing whether an advocacy advertisement complies with the Advertising Standards Code, the freedom of expression provisions under the Bill of Rights Act 1990 must also be considered.

Section 14 of the Act says: “Everyone has the right to freedom of expression, including the freedom to seek, receive, and impart information and opinions of any kind in any form.” This freedom of expression supports robust debate on current issues in a democracy.

Under Rule 2(e) Advocacy advertising of the Advertising Standards Code:

- The identity of the advertiser must be clear
- Opinion must be clearly distinguishable from factual information, and
- Factual information must be able to be substantiated.

If the identity and position of the Advertiser is clear, a more liberal interpretation of the Advertising Standards Code is allowed including robust expression of opinion. The Chair noted the requirements of the Advocacy Principles set out in the [ASA Guidance Note on Advocacy Advertising](#).

### **About this complaint**

The Chair acknowledged the Complainant was concerned the advertisement was misleading and malicious.

The Chair noted Taxpayers’ Union’s mission statement is “Our vision is a prosperous low tax New Zealand with efficient, transparent, and accountable Government.”

The Chair said the Advertiser’s identity and position was clear and the advertisement complied with the identity requirements of Rule 2(e) of the Advertising Standards Code. The Twitter advertisement includes the Taxpayers’ Union name and logo.

The Chair observed that in a free and democratic society, differences of opinion should be openly debated without undue hindrance or interference from authorities, and in no way should political parties, politicians, lobby groups or advocates be unnecessarily fettered by a technical or unduly strict interpretation of the rules and regulations.

The Chair said the Advertiser is critical of the Government’s printing, borrowing and spending economic strategy, which it believes will lead to rampant inflation by 2026. The advertisement illustrates it’s position with the hyperbolic image of a 1 trillion-dollar banknote.

The Chair said the advocacy nature of the advertisement meant the Advertiser could present information with a bias in its favour in order to make a political point. The Chair also noted the placement of the advertisement on the Advertiser’s own Twitter platform meant the audience would be those with an interest in, and awareness of, the Taxpayer’s Union political stance.

The Chair said the advertisement was unlikely to mislead or deceive consumers and was not in breach of Principle 2 or Rules 2(b) or 2(e) 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 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.