

COMPLAINT NUMBER	21/156
ADVERTISER	NZ Travel Adventure Media Limited
ADVERTISEMENT	NZ Travel Adventure Media, Digital Marketing
DATE OF MEETING	16 December 2021
OUTCOME	No Grounds to Proceed

Advertisement: The website www.nztraveladventure.com home page promotes the Advertiser's photography mentorship and workshops. The page gives more information about Rachel Gillespie's professional background, perspective and inspiration to mentor budding photographers. The mentoring programme is by invitation only over 12 months, "in the field, online and documented workbooks." The mentoring information includes the following statement from Rachel Gillespie: "I have a holistic approach to business and photography, for me it's about the adventure, the challenge and the ability to push my limits to keep educating myself that has been my personal inspiration. I love helping people which took me into guiding in the tourism industry for many years also, now I would love to spend my time working one on one in private mentoring with just a few people a year helping you to master your gear, find your area of skill and grow that to become one of New Zealand's top photographers"

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

Complaint: The Complainant said the website claimed that by signing up to Rachel Gillespie's mentoring programme, she will enable you to become "one of New Zealand's top photographers", but there is no substantiation for this claim.

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

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.

The Chair noted the Complainant's concern the advertisement was misleading as they did not consider the statement "one of New Zealand's top photographers" to be substantiated.

The Chair said the likely consumer takeout of the promotion for the mentoring programme was the 12-month programme aims to provide you with experience and training and the tools to be an excellent photographer. The Chair reviewed the website and said the statement of concern to the Complainant needed to be viewed in the context of the other

information provided. This included many images from Rachel Gillespie Photography that could contribute to a decision-making process for any students.

The Chair noted the advertising required people to get in touch with the photographer to enquire about an interview process.

The Chair said the advertisement was not likely to mislead or confuse consumers and did not meet the threshold to breach Principle 2 or Rule 2(b) 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.