

<b>COMPLAINT NUMBER</b>	18/425
<b>COMPLAINANT</b>	J Earwalker
<b>ADVERTISER</b>	Noel Leeming
<b>ADVERTISEMENT</b>	Noel Leeming, Television
<b>DATE OF MEETING</b>	17 December 2018
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The Noel Leeming television advertisement shows a woman receiving advice about a gadget she is buying as a gift and the voiceover says "With our expert service and selection at Noel Leeming - Have a Merry Techmas." The word Techmas is also spelt out using representations of gadgets, speakers and a gaming controller.

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

**Complainant, J Earwalker, said:** Noel Leeming Advertisement using "Techmas" instead of Christmas denigrates the religious status and origin of Christmas and is highly offensive

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

**The Chair** noted the Complainant's concern the word 'Techmas' denigrated the meaning of Christmas and was offensive.

The Chair said the reference to 'Techmas' in place of Christmas was a play on words, given that the Advertiser is promoting its products to be given as presents for Christmas. The Chair said the likely consumer takeout of the advertisement would be in relation to the gift-giving element of the fictional word 'Techmas', rather than any religious connotation.

While this was offensive to the Complainant, the Chair confirmed that humour and satire were permissible under the Advertising Codes. The Chair said in her view the advertisement did not reach the threshold to cause serious or widespread offence.

The Chair ruled the advertisement was not in breach of Principle 1 or Rule 1(c) of the Advertising Standards Code.

Therefore, 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 via email or letter within 14 days of receipt of this decision.