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| COMPLAINT NUMBER | 19/108 |
| COMPLAINANT | G Henderson |
| ADVERTISER | Spark NZ Ltd and OUTLine |
| ADVERTISEMENT | OUTLine Television |
| DATE OF MEETING | 18 March 2019 |
| OUTCOME | No Grounds to Proceed |

Advertisement: The Spark sponsored television advertisement for the OUTLine charity, shows a woman talking about the journey of her son, Hunter, transitioning from female to male. The text graphic says: “Let’s talk. Even if you don’t know what to say. OUTLine offers confidential support to LGBTQI+ people, their friends and whānau.” The advertisement ends with the Spark and OUTLine logos.

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

Complainant, G Henderson, said: Sparks add at 8.00pm was lengthy & mainly about sex change at 8pm at night--I find the culturally unacceptable.

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

The Chair noted the Complainant’s concern with the content and timing of the advertisement.

The Chair said the advertisement had been given a G (General) rating by the Commercial Approvals Bureau, which meant it may be broadcast at any time. The Chair noted the programme in which the advertisement screened, *Love Your Garden*, had a General Audience rating and was not a programme targeting children. The advertisement had played in accordance with its rating.

The Chair said the Spark sponsored advertisement used a personal experience in order to raise awareness about the OUTLine counselling charity that had been established to help LGBTQI+ people, their friends and whanau. She said the only call to action made in the advertisement was encouraging people to talk and the Advertiser had clearly identified the charity with details about the organisation and with logos featured at the end of the advertisement. The Chair acknowledged the Complainant found the subject matter of the advertisement culturally unacceptable. In her view, the content was not graphic or salacious and the subject matter was not something that was unacceptable to talk about in New Zealand. Therefore, the advertisement was unlikely to cause serious or widespread offence to most people.

The Chair ruled the advertisement had been prepared and placed with a due sense of social responsibility to consumers and there was no apparent 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. Appeals must be made in writing via email or letter within 14 days of receipt of this decision.