

COMPLAINT NUMBER	19/220
COMPLAINANT	R Priestley
ADVERTISER	Benny's Barber Shop
ADVERTISEMENT	Benny's Barber Shop, Digital Marketing
DATE OF MEETING	1 July 2009
OUTCOME	No Grounds to Proceed

Advertisement: The website advertisement for Benny's Barber Shop, www.bennysbarbershop.co.nz, said in part: "2 for 1 Lad and Dad deal. 1 hour, 2 for 1 deal back for the month of May and June. Doesn't have to be your actual dad."

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

Complainant, R Priestley, said: I booked online for a deal for 2 for 1 haircuts (lads and dads) with a comment that you didn't have to be a dad. I have submitted a screen shot of the booking form with the wording. I understood that to mean it was open to two a man and a boy. I booked my 6 year old son, and husband and then my eldest adult son and his brother (still child) and was told that I had to pay \$30 each for the for the two sons because neither of them were a dad and I couldn't actually apply this deal.

I believe that their advertising of the deal was misleading if you need need to be a father then why state you didn't have to be your actual dad.

I questioned the staff member why it mattered all hair cuts were \$30 so its a 2 for 1 deal or not? not discriminated by a relationship or non relationship. I believe that they have made a false representation of their deal and people are being tricked then to pay for 2 hair cuts and not take advantage of the 2:1 deal

I... believe that you have to apply fair and equitable rules to anyone not discriminate someone from by a relationship

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

The Chair noted the Complainant's concern the advertisement was misleading and discriminated against certain relationships when applying the discounted offer.

The Chair said the likely consumer takeout of the advertisement was that the 'Lad and Dad' offer implied a generational gap would exist between the two customers taking up the offer and the intention of the line "doesn't have to be your actual Dad" was to ensure those without a biological father were not disadvantaged.

The Chair said the Advertiser could avoid any ambiguity by defining the parameters of the offer in more detail for future advertising. However, the Chair said the spirit of the advertisement was clear and did not reach the threshold to be misleading. The Chair

confirmed the advertisement did not 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 via email or letter within 14 days of receipt of this decision.