

COMPLAINT NUMBER	19/258
COMPLAINANT	J Mackie
ADVERTISER	Lotto NZ
ADVERTISEMENT	Lotto NZ, Television
DATE OF MEETING	22 July 2018
OUTCOME	No Grounds to Proceed

Advertisement: The television advertisement for Lotto Instant Kiwi shows a woman describing how she likes the ritual of scratching her ticket. The advertisement ends with the text "Play it your way."

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

Complainant, J Mackie, said: I'm am not happy about the ad for scratchey cards. At 7.36pm this is still a time that children are awake. This woman doing the ad was making it look like scratch cards was fun but it is gambling and either no gambling ads or put it on after 10pm

The relevant provisions were Code for Advertising Gaming and Gambling - Guideline 2 (a), Principle 2

The Chair noted the Complainant's concern the advertisement portrayed gambling as being fun and screened when children would be part of the viewing audience.

The Chair acknowledged the Complainant's genuine concerns about advertising gambling, but said that as a self-regulatory organisation, the Authority's jurisdiction is limited to the content and placement of advertisements and compliance with the Advertising Codes of Practice. The Chair said the Advertising Standards Authority could only operate within the parameters of the Advertising Codes and the Advertiser was promoting a legal product at an age appropriate time.

The Chair said Lotto NZ is legally entitled to promote Instant Kiwi scratch cards within the constraints of the advertisement's afforded rating. The Commercial Approvals Bureau has assessed the advertisement as a GXC (General Except Children) rating. This means the advertisement may be broadcast at any time except during programmes which are intended specifically for children under the age of 13. The Chair noted the advertisement subject to complaint played at 7:36pm on TVNZ during *Shortland Street*, which has a PG (Parental Guidance Recommended) rating.

The Chair said the advertisement did not feature children and there was nothing in the advertisement of appeal to minors. She also noted that the sale of Instant Kiwi tickets is restricted to those over the age of 18.

The Chair ruled the advertisement was not in breach of Principle 2 and Guideline 2(a) of the Code for Advertising Gaming and Gambling and had been prepared with a high standard of social responsibility.

The Chair said 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.