

<b>COMPLAINT NUMBER</b>	19/289
<b>COMPLAINANT</b>	L Johansson
<b>ADVERTISER</b>	Suzuki NZ
<b>ADVERTISEMENT</b>	Suzuki, Digital Marketing
<b>DATE OF MEETING</b>	9 December 2019
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The Suzuki NZ Facebook advertisement for its scooter shows a scooter parked in the foreground, apparently on the footpath. A couple is shown walking across a pedestrian crossing behind it. The woman is looking over her shoulder back at the scooter. The text says “Suzuki NZ Beat the traffic and make everyday commuting a breeze with SuzukiFest deal!”

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

**Complainant, L Johansson, said:** Suzuki cannot, in their adverts encourage illegal activities and this is unsafe. Parking a scooter on the footpath is illegal. Parking by a pedestrian crossing is just ignorant.

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

**Principle 1: Social Responsibility:** Advertisements must be prepared and placed with a due sense of social responsibility to consumers and to society.

**Rule 1 (e) Safety:** Advertisements must not, unless justifiable on educational or social grounds, encourage or condone dangerous, illegal or unsafe practices, or portray situations which encourage or condone a disregard for safety.

**The Chair** noted the Complainant’s concern the advertisement was portraying an illegal activity given the location of the parked scooter.

The Chair said that due to the angle of the photo, it was difficult to say exactly how far the scooter was parked from the crossing. She noted the Advertiser appeared to have visually framed the image with the scooter in the foreground of the crossing for aesthetic purposes.

The Chair said that while the placement of the bike was not ideal, it was unlikely the consumer takeout of the advertisement would be this was the correct way to park. The Chair did not consider the image condoned or encouraged a disregard for safety. Therefore, the Chair said the advertisement had not reached the threshold to breach Principle 1 or Rule 1(e) of the Advertising Standards Code.

The Chair said there was 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.