

COMPLAINT NUMBER	20/217
ADVERTISER	Waka Kotahi NZ Transport Agency
ADVERTISEMENT	Waka Kotahi NZ Transport Agency Facebook
DATE OF MEETING	8 June 2020
OUTCOME	No Grounds to Proceed

Advertisement: The Waka Kotahi NZ Transport Agency (NZTA) Facebook video shows a woman sitting on the toilet while using her cell phone. The woman is filmed from above. The words “Let driving distract you from your phone” flash across the screen, one word at a time.

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

Complaint: During a pandemic it seems inappropriate to me, to encourage people to check their phone while in the toilet!

The relevant provisions were Advertising Standards Code - Principle 1, Principle 2, Rule 1(h), Rule 2(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(h) Health and well-being: Advertisements must not undermine the health and well-being of individuals.

Principle 2: Truthful Presentation: Advertisements must be truthful, balanced and not misleading.

Rule 2(e) Advocacy advertising: Advocacy advertising must clearly state the identity and position of the advertiser. Opinion in support of the advertiser's position must be clearly distinguishable from factual information. Factual information must be able to be substantiated.

The Chair noted the Complainant’s concerns the advertisement was inappropriate during a pandemic.

The Chair said the advertisement was part of a NZTA campaign called “Let driving distract you”, which is designed to promote safer driving. Driver distraction has been identified as a significant cause of road accidents, the use of mobile phones while driving is one of the reasons for this.

The Chair said the intention of this advocacy advertisement is to discourage drivers from using their phones while driving.

The Chair noted the Complainant’s issue about the importance of hygiene during the pandemic but considered the focus of the advertisement to be the message about driving without distractions.

The Chair said the advertisement was not in breach of Principle 1, Rule 1 (h) Principle 2 or Rule 2(e) 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 calendar days of receipt of this decision.