

<b>COMPLAINT NUMBER</b>	20/240
<b>ADVERTISER</b>	Logan Dodds
<b>ADVERTISEMENT</b>	Gem Visa, Instagram
<b>DATE OF MEETING</b>	7 July 2020
<b>OUTCOME</b>	Settled – advertisements removed

**Advertisements:** The Gem Visa digital marketing advertisements promoted by Logan Dodds in an Instagram post talks about the benefits of having a Gem Finance card. In the first post, Logan talks about how the Gem Finance card helped him to be able to afford a chest freezer. This post is accompanied by a Gem Finance Instagram tag. The second post shows the Gem Finance card where Logan talks about further benefits of having a Gem Finance card. The post includes a Gem Finance tag and a #GemVisa.

**The Chair ruled the complaint was Settled.**

**Complaint:** I am writing a complain as I believe the Instagram account is advertising for Gem finance without clearly stating it is a paid advertisement. In addition, I believe the advert is selling credit cards without showing adequate disclaimers about the risk of using personal finance. I believe this is irresponsible advertising.

**The Advertiser, Latitude Financial Services on behalf of Logan Dodds, said:** We advise that Latitude Financial Services takes its responsible lending and marketing obligations seriously, and we appreciate the feedback provided by the complainant in respect of the Instagram social media posts by Logan Dodds (“media posts”) and the references to our Gem Visa product. As a result, we have taken immediate steps to ensure that any reference to Gem Visa has been removed from the media posts.

We do wish however, to make the following observations in regard to this matter:

- The media posts did provide references that the influencer “had collaborated” with Gem. This appeared prominently in the very first frame of his Instagram story (see attachment). The influencer also stated #sp on the post that is housed within his feed. This is understood by the reader as a standard and accepted way to communicate that this is a sponsored post. Other ways to convey this would be by using #ad.
- The media post also featured a link through to the Gem Visa social account with the handle @gem\_finance. This provides a link through to the Gem Visa website, containing the full terms and conditions in relation to the product. Again we would suggest that this is a broadly understood and accepted way to convey additional information. This may not have been apparent to the complainant.
- We will undertake a review of our use of influencers going forward, and the manner in which information is conveyed, and ensure that influencers are properly informed with regard to their promotion of our products.

**The relevant provisions were Advertising Standards Code - Principle 2, Rule 2(a); Code for Financial Advertising - Principle 1;**

## ADVERTISING STANDARDS CODE

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

**Rule 2(a) Identification:** Advertisements must be identified as such.

## CODE FOR FINANCIAL ADVERTISING

**Principle 1:** Financial advertisements should observe a high standard of social responsibility particularly as consumers often rely on such products and services for their financial security.

**The Chair** noted the Complainant's concerns the advertisements did not contain sufficient identification to indicate it was advertising or adequate disclaimers about the risks of personal finance.

The Chair acknowledged the Advertiser had removed the advertisements and agreed to undertake a review of influencer content going forward.

Given the Advertiser's co-operative engagement with the process and the self-regulatory action taken in removing the advertisements, the Chair said it would serve no further purpose to place the matter before the Complaints Board.

The Chair ruled the complaint was settled.

**Chair's Ruling:** Complaint **Settled**

### 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 calendar days of receipt of this decision.