

COMPLAINT NUMBER	21/127
ADVERTISER	Spark NZ Ltd
ADVERTISEMENT	Spark NZ Ltd Television
DATE OF MEETING	15 March 2021
OUTCOME	No Grounds to Proceed

Advertisement: The Spark television advertisement features a story about a girl who enjoys skimming stones across the water. The girl collects stones, and is shown in her bedroom with a stone stored in a glass jar. The girl is driven to a dairy, where there is a stone on top of a pile of paper serviettes. As the girl's car pulls away the stone is no longer on the serviettes, and in its place is a bottle of tomato sauce. Later in the story, the girl skims a stone across the water. The text at the end of the advertisement says "Detail is everything. Backing our team with Spark 5G. Emirates Team New Zealand."

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

Complaint: In this advertisement, a young girl steals a rock from a cafe, and swaps it for a tomato sauce bottle.

encouraging to take something what isn't yours, stealing, is not a good example, especially not towards younger viewers in the same age group as the girl featured in the advertisement

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

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

Rule 1(f) Violence and anti-social behaviour: Advertisements must not, unless justifiable on educational or social grounds, contain anything that condones, or is likely to show, violent or anti-social behaviour or damage to property.

The Chair noted the Complainant's concern the advertisement encourages stealing.

The Chair reviewed the advertisement and said the likely consumer takeout would be: Support Emirates Team New Zealand in the America's Cup yacht race. They are successful because they pay great attention to detail, in all their race preparations. That takeout was supported by the morphing of the image of the stone skimming along on the water and the wake created by the foiling yacht on the water.

The Chair said the advertisement was a playful attempt to draw a parallel between the efforts made by the girl who is passionate about skimming stones and the professional sports team, Emirates Team New Zealand.

The Chair said while it appears that the stone at the dairy has come into the girl's possession, it is not clear that this is because the girl has "stolen" it. There is no dialogue in the advertisement, and it is possible the girl had permission to remove the stone.

The Chair said while she acknowledged the genuine concerns of the Complainant, this advertisement did not contain anything that condones, or is likely to show anti-social behaviour, in light of generally prevailing community standards.

The Chair said the advertisement had been prepared with the due sense of social responsibility required and it was not in breach of Principle 1 or 1(f) 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.