

COMPLAINT NUMBER	21/100
ADVERTISER	Clique
ADVERTISEMENT	Clique, Facebook, Instagram
DATE OF MEETING	16 March 2021
OUTCOME	Settled -advertisement amended

Advertisement: The Clique activewear advertisement on Facebook and Instagram states, “Enter to win Clique for life. +Plus hundreds of instant Clique prizes.” The advertisement has an entry form and links through to the Advertiser’s website which includes the terms and conditions.

The Chair ruled the complaint was Settled.

Complaint: Hi there. I saw this on Facebook and Instagram today. It is advertising to win Free Clique Clothing for life, specifically saying every year forever. The terms and conditions that I've attached clearly state that this will be for a five year period. I do not think this is truthful advertising

The relevant provisions were Advertising Standards Code - Principle 2, Rule 2(b);

The Chair noted the Complainant was concerned the advertisement was misleading to offer a prize for life when the terms and conditions state it is only for a duration of 5 years.

The Chair accepted the complaint to go before the Complaints Board to consider whether the Advertising Standards Code had been breached. As part of the self-regulatory process, Advertisers have the option of amending or removing their advertising to comply with the Advertising Codes.

Upon receipt of the complaint, the Advertiser acknowledged there had been an error in the terms and conditions which has been corrected.

The Advertiser confirmed the terms and conditions now state:

“12. The main prize draw of Win Clique will entitle the winner to two items from each upcoming Clique Collection as long as CLIQUE is active as a business and run by Clique Fitness Limited. The Promoter has the right to choose which items from each Collection is redeemed.”

Given the Advertiser’s co-operative engagement with the process and the self-regulatory action taken to amend the advertisement, the Chair said that it would serve no further purpose to place the matter before the Complaints Board.

The Chair ruled that the matter was Settled.

Chair’s Ruling: Complaint **Settled – advertisement amended**

12. The main prize draw of Win Clique For Life will entitle the winner to two items from each upcoming Clique Collection as long as CLIQUE is active as a business and run by Clique Fitness Limited. The Promotor has the right to choose which items from each Collection is redeemed.

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. Appeals must be made in writing via email or letter within 14 calendar days of receipt of this decision.