

COMPLAINT NUMBER	21/109
INFLUENCER	@olivia_moana
ITEM	@olivia_moana Instagram
DATE OF MEETING	7 April 2021
OUTCOME	No Jurisdiction

Item: Influencer @olivia_moana included the tag @alyaskinaus to her personal Instagram page which showed her using a face mask product.

The Chair ruled the Complaints Board did not have jurisdiction to consider the complaint.

Complaint: Advertising a gifted item without AD like your guidelines state

The Chair noted the Influencer's comment that she does not have an on-going commercial relationship with @alyaskinaus. She had not received any payment or free products in relation to the Instagram post. The Chair also noted the Influencer had removed the tag, after receiving this complaint.

The Chair said the Instagram post did not fit the definition of an advertisement and therefore the matter was not covered by the Advertising Standards Code.

The Chair ruled the Complaints Board has no jurisdiction to consider the complaint.

Chair's Ruling: Complaint **No Jurisdiction**

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.