

<b>COMPLAINT NUMBER</b>	21/173
<b>ADVERTISER</b>	Ola New Zealand
<b>ADVERTISEMENT</b>	Ola New Zealand Television
<b>DATE OF MEETING</b>	14 June 2021
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The television advertisement for Ola shows a man washing his dog. On the table next to his phone is a flyer about a Dog Show. The man's phone beeps to advise him that his Ola car has arrived. He rushes to the car, taking his wet dog with him. The man gets in and says to the dog "Look at the upside, it's 5k's for \$5.00". The dog proceeds to shake water over him as the car departs.

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

**Complaint:** The ad depicts a tiny wet dog shivering from the cold. It is abuse. Small dogs can not regulate their body temperature and I hate to think how long it took to film with the poor dog soaking wet. You wouldn't do that to a baby. So why a defenceless animal. It's not funny.

**The relevant provisions were Advertising Standards Code - Principle 1, Rule 1(c)**

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

**Rule 1(c) Decency and Offensiveness:** Advertisements must not contain anything that is indecent, or exploitative, or degrading, or likely to cause harm, or serious or widespread offence, or give rise to hostility, contempt, abuse or ridicule.

**The Chair** noted the Complainant's concern the advertisement showed an animal being mistreated.

Rule 1(c) of the Advertising Standards Code required the Chair to consider whether the use of the wet dog, in this context, was likely to cause serious or widespread offence, in light of generally prevailing community standards.

The Chair referred to a precedent decision, 20/456, regarding a television advertisement for FMG Insurance, which was also ruled No Grounds to Proceed. In the advertisement a child tries to shoo a chicken outdoors and instead it flies up onto a shelf, causing the shelf to tip over, upsetting the items on the shelf. The Chair said the incident with the chicken was a mishap and although the contents of the shelf tipped over, the chicken was not shown suffering any harm.

The Chair said this precedent applied to the case before her. The Chair said the advertisement uses humour to convey its message about the speed with which Ola cars arrive. The Chair said while the dog was carried into the car while still wet, it appeared to be generally well-cared for by his owner.

The Chair said that despite the Complainant's objection to the advertisement, it did not reach the threshold to cause serious or widespread offence for most consumers.

The Chair said the advertisement had been prepared with the due sense of social responsibility required and said it was not in breach of Principle 1 or Rule 1(c) 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](http://www.asa.co.nz). Appeals must be made in writing via email or letter within 14 calendar days of receipt of this decision.