

<b>COMPLAINT NUMBER</b>	21/398
<b>ADVERTISER</b>	Kennards Hire
<b>ADVERTISEMENT</b>	Kennards Hire, Radio
<b>DATE OF MEETING</b>	27 July 2021
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The radio advertisement for Kennards Hire is promoting the service to tradesmen. The voiceover in the advertisement asks a series of questions, such as "Does Kennards make trade easy?", and answers each affirmatively by stating "'Ken-oath". Uplifting orchestral music plays in the background.

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

**Complaint:** There is a commercial on Newstalk ZB for Kennard Hire. It uses the words 'Kn Oath' which I take is an abbreviation for 'F...king Oath'. A term used over recent years. I think this is a poor choice of jargon and many listeners would know what is meant by this abbreviated statement.

I see it in bad taste and does not belong on any radio station's advertising programme. Newstalk ZB says as it is an advertisement it is beyond their control and lies with the ASA/

**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 uses the abbreviation "Ken Oath" as substitute for the swear word 'Fucking Oath' which is unacceptable.

The Chair carefully reviewed the advertisement and noted it used part of the company's name and the word "oath" to communicate an emphatic 'yes'. The Chair said while the phrase used did not go as far as to actually use inappropriate language, it was suggestive of an expletive.

The Chair noted the advertisement had played on Newstalk ZB, a station whose core audience ranges between 30-60 years old. The Chair noted that the reference to an expletive would not be obvious to all listeners. The Chair acknowledged that some listeners would not like the play on words, however, she said the advertisement had been placed in an appropriate medium with an audience which would be unlikely to include children.

Rule 1(c) of the Advertising Standards Code required the Chair to consider whether the use of a suggestive play on words in this context was likely to cause serious or widespread offence in light of generally prevailing community standards. The Chair said that despite the

Complainant's particular takeout and objection to the advertisement, it did not reach the threshold to cause serious or widespread offence for most consumers.

The Chair said the advertisement 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.