

COMPLAINT NUMBER	21/499
ADVERTISER	ANZ NZ Ltd
ADVERTISEMENT	ANZ, Television
DATE OF MEETING	11 October 2021
OUTCOME	No Grounds to Proceed

Advertisement: The ANZ television advertisement features Mark Sainsbury and promotes "banking made easier". The advertisement begins by showing Mark Sainsbury sitting with his laptop on the front porch of a house. A passer-by calls out, "Hey, moustache guy!". Mark Sainsbury shakes his head and, to the camera, comments, "some things never change, but other things change for the better". He says "back in the day cash and cheques ruled. Nowadays you can pay people and bills electronically". The advertisement flicks between Sainsbury and his computer screen as he explains you can make payments through internet banking, the ANZ goMoney app and phone banking. The advertisement ends with another passer-by calling out to Sainsbury. The final screen shows the ANZ logo and slogan "WE DO HOW".

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

Complaint: The advertisement shows Mark Sainsbury sitting at a computer on his front deck. He says "Some things never change - other things change for the better. Back in the day cash and cheques ruled. Nowadays you can pay people and bills electronically." My complaint is the statement "Back in the day CASH AND CHEQUES RULED"

A statement made by a respected member of the media (which is why he was chosen for the ad) inferring that cash has gone the way of cheques. Now I know that the phasing out of cheques has caused a lot of stress for a lot of people, especially older members of society and to flippantly add the word cash implies that cash will be phased out next. THIS IS NOT A FACT and I feel that it is entirely misleading. Cash is still a legal tender in New Zealand. How many older people would have thought "oh goodness Mark Sainsbury said that cash is going the way of cheques - it must be true".

I think this advertisement is unnecessarily scaring a lot of people. Imagine if you had spent all your working life working for cash, and paying your bills by cheque - having to deal with computers and scams because cheques were phased out - then hearing that cash may be going the same way.

The relevant provisions were Advertising Standards Code - Principle 1, Principle 2, Rule 1(g), Rule 2(b); Code for Financial Advertising - Guideline 2 (a), Principle 1, Principle 2;

CODE FOR FINANCIAL ADVERTISING

Principle 1: Financial advertisements should observe a high standard of social responsibility particularly as consumers often rely on such products and services for their financial security.

Principle 2: Advertisements should strictly observe the basic tenets of truth and clarity. Advertisements should not or should not be likely to mislead, deceive or confuse consumers, abuse their trust, exploit their lack of knowledge or without

justifiable reason, play on fear. This includes by implication, omission, ambiguity, exaggerated claim or hyperbole.

Guideline 2(a) Truthful presentation: Advertisements shall be accurate and statements and claims able to be substantiated.

ADVERTISING STANDARDS CODE

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

Rule 1(g) Fear and distress: Advertisements must not cause fear or distress without justification.

The Chair noted the Complainant was concerned the advertisement is misleading to imply cash is being phased out like cheques and this could instill fear and distress in those consumers who still use cash.

The Chair carefully reviewed the advertisement and said likely consumer takeout was that banking has evolved over time and there are now other payment options.

The Chair said the wording in the advertisement “Back in the day, cash and cheques ruled. Nowadays, you can pay people and bills electronically”, was a fact given the number of consumers now using internet banking and other electronic payment options. The Chair said this statement was unlikely to mislead or confuse consumers.

The Chair noted that the advertisement did not make any mention of cash being phased out, and in her view the focus of the advertisement was to promote the payment and banking options available to ANZ customers.

The Chair ruled the advertisement was not in breach of Principle 1, Principle 2 or Rule 2(a) of the Code for Financial Advertising.

Rule 1(g) of the Advertising Standards Code required the Chair to consider whether the message in the advertisement was likely to cause fear or distress without justification. The Chair said most consumers would agree cash is used less than it was in the past, and she did not consider the advertisement gave the impression cash would be phased out. The Chair said the advertisement would not cause fear or distress for most viewers.

The Chair said the advertisement had been prepared and placed with a high standard of social responsibility and was not in breach of Principle 1, Principle 2 or Rule 2(a) of the Code for Financial Advertising or Principle 1 and Rule 1(g) 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 with notification of the intent to appeal lodged within 14 calendar days of receipt of the written decision. The substantive appeal application must be lodged with the ASA within 21 calendar days of receipt of the written decision.