

COMPLAINT NUMBER	21/149
ADVERTISER	McDonald's Restaurants (NZ) Ltd
ADVERTISEMENT	McDonalds Monopoly, Digital Marketing
DATE OF MEETING	18 October 2021
OUTCOME	No Grounds to Proceed

Advertisement: The @McDonaldsNZ Facebook page contains several advertisements for the Monopoly promotion. The profile cover photo shows the Monopoly Man with his arms raised, text stating "IT'S BACK!" against the silhouette of a skyline and fireworks, and the logos of both Monopoly and McDonalds above. The most recent three posts on the @McDonaldsNZ timeline promote the Monopoly campaign. The first advertises McDelivery using an image of a person pushing a bike, wearing a "McDelivery" backpack and top hat. The second post promotes winning a free sundae through McDonalds Monopoly, and the third post is a status update inviting users to "Complete the sentence: a Macca's monopoly win is as satisfying as... 😊".

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

Complaint: McDonald's New Zealand is currently advertising the Maccas Monopoly promotion.

This promotion is a gambling system where participants trade money for the chance to win a prize. As the outcome is uncertain, this trade constitutes gambling.

Gambling is being advertised to New Zealanders under the legal required age to participate in gambling.

This is a very intentionally designed system which is harming our children.

The relevant provision was the Gambling Advertising Code – Principle 1, Rule 1 (a)

Principle 1: Social Responsibility: Gambling advertisements must be prepared and placed with a high standard of social responsibility to consumers and to society.

Rule 1(a) Children and Young People: Gambling advertisements must not target children or young people.

The Chair acknowledged the Complainant's concern that the advertisement was promoting gambling to children and young people under the legal gambling age.

The Chair noted that the McDonald's Monopoly game was a sales promotion scheme which could only be entered by purchasing specific food products at McDonald's. She referred to a precedent decision 20/432, which raised very similar concerns about the Monopoly game in 2020, and which was ruled no grounds to proceed.

This decision said in part:

“... the terms and conditions of the promotion clearly stated the game could only be played by those over 16 years of age, with a requirement for those under 18 to obtain the consent of a parent or legal guardian to enter.”

The Chair noted that the conditions of entry remained unchanged for the current McDonald's Monopoly promotion.

While acknowledging the genuine concerns of the Complainant, the Chair said that safeguards were in place to restrict participation to adults, or those over 16 years old with the consent of a parent or guardian. As such, she did not consider that the advertisement caused harm to children and it was not in breach of Principle 1 or Rule 1 (a) of the Gambling Advertising 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.