

COMPLAINT NUMBER	21/521
ADVERTISER	GPC Asia Pacific Limited
ADVERTISEMENT	Repco, Television
DATE OF MEETING	22 November 2021
OUTCOME	No Grounds to Proceed

Advertisement: The Repco television advertisement shows a man wearing a Repco shirt walking out of a Repco store, with the storefront opening up to reveal a race track. The man speaks directly to the camera, stating that Repco is "Bringin' the Bathurst" with "high-octane deals" on a number of different brands. As he speaks, a Repco sponsored supercar drives in tight circles around him.

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

Complaint: The Repco advert is showing burnouts being performed, albeit in a controlled environment, possibly on a private race track.

The issue I have with this advert is the general sense of hypocrisy NZ business are taking towards climate change while not considering that there will be copy-cat behaviour even though NZ law legislates against this burnouts/loosing traction on public roads.

Right now we have politicians representing NZ at COP24 and here we have Repco normalising "burnouts" as frivolous entertainment for any copy-cat to emulate. There is no legal warning about this in the ad either.

While the behaviour may seem innocuous, it is still a form of pollution, it may not push up NZ carbon emissions in any significant way, however it does inject pollution from burnt rubber and break pads into the atmosphere and people that suffer from asthma are directly affected by this type of unnecessary pollution.

Further, some tyres have up to 30% carbon black added, now this will directly impact the very goals of COP24.

The relevant provisions were Advertising Standards Code - Principle 1, Rule 1(e), Rule 1(i);

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

Rule 1(e) Safety: Advertisements must not, unless justifiable on educational or social grounds, encourage or condone dangerous, illegal or unsafe practices, or portray situations which encourage or condone a disregard for safety.

Rule 1(i) Protecting the environment: Advertisements must not depict or encourage environmental damage or degradation

The Chair noted the Complainant was concerned the advertisement normalises burnouts and encourages environmental damage.

The Chair carefully reviewed the advertisement and noted the context of the advertisement was that Repco is sponsoring the Repco Bathurst 1000 at the 2021 Bathurst championship – an annual motor-racing event. The driver shown driving in tight circles is Will Davison, a two-time winner of Bathurst.

While the Chair agreed the driving of the car was not an action to be encouraged in a normal driving situation, she noted the fine print in the advertisement states “Do not attempt to replicate any of these epic stunts. Ever! This High-octane action was performed on a closed circuit, under strict and qualified stunt supervision, using risk assessments, safety gear, precision drivers and burnt rubber.” The Chair said this disclaimer made it clear to consumers the advertisement was filmed under strict stunt racing conditions on a closed circuit.

The Chair said the driving shown in the advertisement was directly related to the promotion of the Repco Bathurst sponsorship. The Chair confirmed the ASA does not have jurisdiction over commercial sponsorship arrangements or events. The Chair acknowledged the Complainant’s concern about the environmental impact of the scene in the advertisement, but she noted the guidance for interpretation of Rule 1(i) of the Code focused on environmental damage or degradation in areas of conservation value. The Chair said the advertisement, filmed on a controlled circuit referencing a race-track environment, did not meet the threshold to breach Rule 1(i) in the Advertising Standards Code.

The Chair said the advertisement did not reach the threshold to breach Principle 1 or Rules 1(e) or 1(i) 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.