

COMPLAINT NUMBER	22/092
ADVERTISER	TAB
ADVERTISEMENT	TAB, Television
DATE OF MEETING	28 March 2022
OUTCOME	No Grounds to Proceed

Advertisement: The TAB television advertisement shows a noise control officer investigating a noisy house party. When the occupants say New Zealand has just won the cricket, the officer shouts with excitement and enters the house. He is shown amongst the party celebrating. The voiceover states, "for excitement you can't contain, bet with TAB". The advertisement ends with the voice of the officer's colleague: "Officer, do you copy? Are you there yet? Over".

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

Complaint: Man investigates noise complaint but then joins in noisy party?????? This implies it is OK to be a twat to your neighbours and any complaint to the authorities is pointless. Many people suffer from noise from inconsiderate neighbours and to make out this is OK is offensive to them. What we should see is the man shutting down the party.

The relevant provisions were:

Advertising Standards Code - Principle 1, Rule 1(c), Rule 1(f)

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.

Rule 1(f) Violence and anti-social behaviour: Advertisements must not, unless justifiable on educational or social grounds, contain anything that condones, or is likely to show, violent or anti-social behaviour or damage to property.

Gambling Advertising Code - Principle 1

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

The Chair acknowledged the Complainant was concerned that the advertisement is offensive to people with inconsiderate neighbours and it normalises noisy parties.

The Chair noted the advertisement was from the TAB and promoted its sports betting service which offers betting opportunities on many sports. These include high-profile events that feature New Zealand's national sports teams which can have a large audience wanting to celebrate success.

The Chair reviewed the advertisement and said the likely consumer takeout was that betting with TAB can contribute to the “uncontainable” excitement of winning a sports game.

The Chair said the situation depicted in the advertisement, of a noise control officer joining in on the party he was investigating, was unlikely. She noted the enthusiastic way he embraced the two party hosts and the exaggerated manner of his celebration inside the party. The Chair said the portrayal was hyperbolic and illustrative of the idea of “excitement you can’t contain”, which was referenced in the advertisement. She did not consider this was an endorsement of anti-social behaviour, so the advertisement did not breach Rule 1(f) of the Advertising Standards Code.

The Chair said the unrealistic and exaggerated representation added to the irreverent humour of the advertisement. While she acknowledged the Complainant’s genuine concern for people with noisy neighbours, she said the advertisement did not reach the threshold to cause serious or widespread offence. She said the tone of the advertisement was light and humorous and did not meet the threshold for a breach of Rule 1(c) of the Advertising Standards Code.

The Chair confirmed the advertisement had been prepared with the required sense of social responsibility and was not in breach of Principle 1 or Rule 1(c), Rule 1(f) of the Advertising Standards Code or Principle 1 of the Gambling Advertising Code.

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

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.