

COMPLAINT NUMBER	22/122
ADVERTISER	Harvey Norman NZ
ADVERTISEMENT	Harvey Norman Digital Marketing
DATE OF MEETING	26 April 2022
OUTCOME	No Grounds to Proceed

Advertisement: The Harvey Norman New Zealand Facebook advertisement promotes Nextbase dash cams. The advertisement is captioned "Hit the road with NEXTBASE Whether you're staying local or heading away for the long weekend, Nextbase Dash Cams will keep you and your car safe."

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

Complaint: The advertisement claims that a vehicle can be kept safe by installing a camera within the vehicle.

My concerns are that:

1. There are vulnerable people who believe such a claim
2. The camera offers absolutely no protection in the event of a crash

The relevant provisions were Advertising Standards Code - Principle 2, Rule 2(b);

Principle 2: Truthful Presentation: Advertisements must be truthful, balanced and not misleading.

Rule 2 (b) Truthful Presentation: Advertisements must not mislead or be likely to mislead, deceive or confuse consumers, abuse their trust or exploit their lack of knowledge. This includes by implication, inaccuracy, ambiguity, exaggeration, unrealistic claim, omission, false representation or otherwise. Obvious hyperbole identifiable as such is not considered to be misleading.

The Chair noted the Complainant was concerned the advertisement was misleading because it suggested a dash cam (dashboard camera) will "keep you and your car safe".

The Chair noted that a dash cam is a small camera mounted on the dashboard, windscreen or rear window of a car, facing the road.

The Chair acknowledged the Complainant's concerns but said the advertisement did not reach the threshold to mislead or confuse consumers. The Chair said most consumers would not think that a dash cam would stop them from causing an accident or be able to minimise potential injury.

The Chair said the increasing presence of dash cams is likely to mean some drivers will take more care to avoid being responsible for accidents. Dash cams can also act as a GPS tracker in the case of a vehicle break down, to assist emergency services to identify the location of a vehicle.

The Chair said the advertisement was not in breach of Principle 2 or Rule 2(b) 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.