

COMPLAINT NUMBER	22/151
ADVERTISER	Waka Kotahi/NZ Transport Agency
ADVERTISEMENT	Road to Zero, Television
DATE OF MEETING	23 May 2022
OUTCOME	No Grounds to Proceed

Advertisement: The 60-second Waka Kotahi/NZ Transport Agency Road to Zero television advertisement promotes safer speed. It shows a group of work colleagues joking around. They tell the new guy Jimmy that he is to drive to the site with Rodney. As Jimmy gets in the car, Rodney tells Jimmy not to worry about "these bumholes". Rodney and Jimmy make conversation in the car and it becomes clear that the other colleagues do not ride with Rodney as he drives too fast. The end of the advertisement shows the Waka Kotahi and New Zealand Government logos, the Road to Zero campaign logo and the text "Slow down" in the centre of the screen.

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

Complaint: Using the abusive term " bumhole" at teatime when children are watching whilst trying to set road safety standards.

The relevant provisions were Advertising Standards Code - Principle 1, Principle 2, Rule 1(c), Rule 2(e);

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.

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

Rule 2(e) Advocacy advertising: Advocacy advertising must clearly state the identity and position of the advertiser. Opinion in support of the advertiser's position must be clearly distinguishable from factual information. Factual information must be able to be substantiated.

The Chair noted the Complainant was concerned the advertisement used the word bumholes which was inappropriate for children to hear.

The Chair carefully reviewed the advertisement which was an advocacy road safety message from Waka Kotahi. She noted the main character 'Rodney' called his colleagues "bumholes" in a jovial manner and then followed it up by saying they were "good guys."

The Chair noted the advertisement had been given a G (General) rating by the Commercial Approvals Bureau, meaning the advertisement could be broadcast at any time. The Chair said the advertisement had played during *The Chase*, which was aimed at an adult audience and was unlikely to have much appeal for children.

Rule 1(c) of the Advertising Standards Code required the Chair to consider whether the use of the word “bumholes”, a slang term meaning a stupid or annoying person, was likely to cause serious or widespread offence in light of generally prevailing community standards. The Chair said that despite the Complainant’s objections to the advertisement, it did not reach the threshold to cause serious or widespread offence for most consumers. This is because the context is an important road safety message to a broad audience of mostly adults in an industrial workplace setting.

The Chair said the advertisement was not in breach of Principle 1 or Rule 1(c) 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.