

COMPLAINT NUMBER	22/158
ADVERTISER	Z Energy Limited
ADVERTISEMENT	Z Energy, Digital Marketing
DATE OF MEETING	30 May 2022
OUTCOME	No Grounds to Proceed

Advertisement: The Z Energy advertisement on YouTube shows scenes on the side of the road from the perspective of vehicle driving past. It begins in the morning, showing someone walking on the footpath with a bottle of milk, a family packing a car for a holiday, a woman leaving her house for work and a courier dropping off a package. The advertisement continues throughout the course of a day, ending with a shot of a Z petrol station at nighttime. The Z logo is shown at the bottom, positioned to read "Z is for moving with the times" and "Z is for New Zealand".

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

Complaint: The Complainant was concerned the claim, "Z is for New Zealand" is misleading as it is now owned by an Australian company.

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 acknowledged the Complainant's concern that the slogan, "Z is for New Zealand", is misleading as the company is now Australian-owned.

The Chair reviewed the advertisement. She said the advertisement had a distinctly New Zealand feel, showing scenes from the side of the road which would be familiar to a New Zealand audience and using the soundtrack of a Kiwi musician.

The Chair noted Z Energy was recently taken over by Australian petroleum company, Ampol. While noting that Ampol was an overseas company, she said the slogan "Z is for New Zealand" was not misleading. She said the slogan did not specifically make a claim about the company's ownership, rather, it communicated that Z Energy understands and caters to the changing needs of New Zealand consumers. For example it showed people using electric bikes and cars, as well as people eating food purchased from a Z Energy business,

The Chair confirmed the advertisement was unlikely to mislead viewers and did not meet the threshold for a breach of Principle 2 or Rule 2(b) of the Advertising Standards 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.