

COMPLAINT NUMBER	22/254
ADVERTISER	Department of the Prime Minister and Cabinet
ADVERTISEMENT	Unite against COVID-19, Website
DATE OF MEETING	29 August 2022
OUTCOME	No Grounds to Proceed

Advertisement: The Covid19 website advertisement for the New Zealand Government appears on the Unite Against COVID-19 website, www.covid19.govt.nz. The webpage states, "Travel to New Zealand by air. New Zealand's borders are now fully open to visitors from anywhere in the world" The webpage contains links to click for more information, including vaccination requirements.

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

Complaint:

On the Covid19 website, the website states NZ is "New Zealand's borders are now fully open to visitors from anywhere in the world."

Following through the website to the "Vaccine Requirements" tab, <https://covid19.govt.nz/international-travel/travel-to-new-zealand-by-air/vaccination-requirements-for-travel-to-new-zealand/>, the website then indicates that most visitors to NZ who are not citizens or residents will require proof of a covid19 vaccination. This would seem to indicate that there is a condition on entry to NZ and thus NZ is not fully open to travelers from around the world. As far as I can see, the advertising on the top of the international page saying NZ is now "Fully" open is misleading and an incorrect statement.

The relevant provisions were Advertising Standards Code - Principle 1, Principle 2, 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.

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's concern the advertisement was misleading to say New Zealand's borders were open when there are still restrictions on travel.

The Chair said the page was part of the COVID-19 website providing information on behalf of the New Zealand Government. The Chair said it met the definition of an advocacy advertisement.

The Chair said the Unite Against COVID-19 and New Zealand Government logos were clearly displayed and were sufficient to meet the identity requirements of an advocacy advertisement.

The Chair said the likely consumer takeout of the information page on the Unite Against COVID-19 website was to clarify that New Zealand's international borders are now open to visitors from anywhere in the world. This is a change from the closed borders at the height of the global pandemic and partial restrictions which were implemented for certain countries that were considered high risk due to the number of COVID-19 cases.

In the context of on-going management of risks for the pandemic, the Chair did not consider most consumers would interpret this announcement to mean there are no requirements visitors may need to adhere to, such as visas or information on vaccination status.

The Chair said the statement about the borders being fully open was immediately followed by the message, "Find out what requirements you need to enter New Zealand by air", which makes New Zealand's entry requirements clear.

The Chair said the advertisement was not likely to mislead or confuse consumers and was not in breach of Principle 1 or Principle 2 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.