

1  
7  
0  
2

## **Statement from Hon. Heather Roy, Chair**

The ASA has a great story to tell and the commitment from advertisers, agencies and media organisations is an important part of that, supporting our vision of every ad a responsible ad.

The International Council of Advertising Self-Regulation (ICAS) has confirmed that the strongest models for self-regulation have a tripartite focus.

In New Zealand, advertisers, creative and media agencies and media organisations are members of the ASA and provide philosophical and financial support for responsible advertising – meeting the test of a tripartite approach.

There is also a tripartite approach to responsible advertising, with

the industry, consumers and the Government forming the three sectors engaged in making this process work. The ASA works alongside the legislative framework for misleading and deceptive conduct to support responsible advertising in all ads in all media.

I am confident we have the right model to ensure consumer confidence in advertising and appreciate the support of all sectors. The dedication of the Complaints and Appeal Boards in addressing code compliance adds real value to our work and I am sincerely grateful to those Board members for their time and expertise

---

# **The ASA works alongside the legislative framework for misleading and deceptive conduct to support responsible advertising in all ads in all media.**

---

## **Statement from Hilary Souter, Chief Executive**

I am privileged to have led the ASA for over 12 years and have seen unprecedented change in the media world and ad content and placement.

The ASA Codes of Practice cover all ads in all media – and the increase in platforms that carry advertising has meant an increase in demand for advice and training on ad standards. We regularly provide industry training and speak to students on the role of the ASA.

Over \$2.5 billion was spent on media placement last year and we dealt with 603 formal complaints. In my view, most advertisers are keen to do the right thing – there is no long-term value in misleading or offending potential customers. However, advertising is a creative business and boundaries – or standards – are pushed from time to time.

In the last two years we have invested significant resource in setting the standards.

Our major review of the children's codes resulted in the new Children and Young People's Advertising Code in place for all advertising targeting children and young people from October 2017.

Two new guidance notes were developed to help consumers and advertisers apply the codes. Guidance notes on advertising health services and identification of advertisements will be in place from early 2018.

The ASA is also consolidating the codes of practice and a new advertising standards code will be released in mid-2018. This will make it easier for consumers and the advertising industry to access the key requirements for responsible advertising.

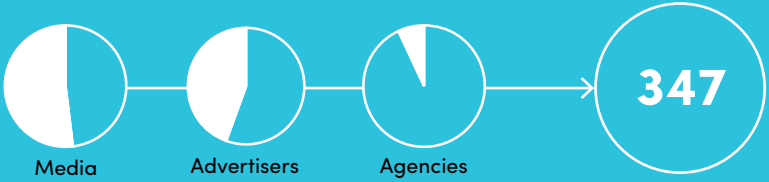
We appreciate the willingness of consumers to use the complaints process if they have concerns about advertising and industry support for compliance when a code breach is identified.

## Workload

▲ | +27%

# Advice

INCREASE FROM 2016



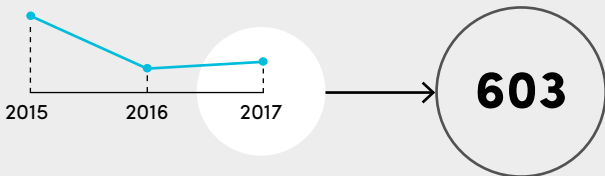
TOTAL ENQUIRIES

2017: 1168 | 2016 : 1100

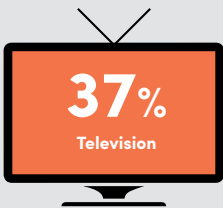
▲ | +3%

# Complaints

INCREASE FROM 2016



## MOST COMPLAINTS BY MEDIUM



13%

Digital  
Includes Social Media



10%

Out of home



7%

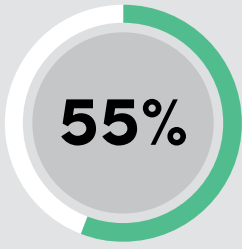
Radio



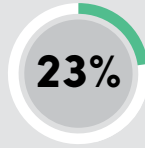
6%

Print

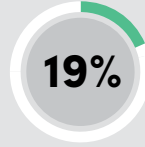
## KEY ISSUES



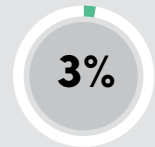
**Misleading**



Social responsibility



Taste and decency



Children's issues

## MOST COMPLAINTS BY CATEGORY



**25%**

Therapeutics & Health



**15%**

Food & Beverage



**12%**

Entertainment



**11%**

Advocacy



**9%**

Household goods



**8%**

Services



**4%**

Vehicles/  
Transportation



**4%**

Finance



**3%**

Telecommunication



**3%**

Alcohol

## KEY OUTCOMES

**43%**  
No grounds  
to proceed

**37%**  
Ads removed  
or changed

**18%**  
Not  
upheld

**2%**  
No  
jurisdiction

# MOST COMPLAINED ABOUT ADS OF 2017

1.

## Frucor Suntory NZ Ltd

**V ENERGY, TELEVISION**

18 COMPLAINTS: UPHELD IN PART, SETTLED IN PART

The 'V Energy' ad showed a construction worker on a building site. At 3pm two small human characters appear and distract the worker, with one jumping into the wet concrete. The worker drinks a 'V' before picking up a nail gun and firing it at the small humans.

Eighteen complaints raised two issues about safety. Complainants were worried aiming the nail gun could be easily emulated. Others raised concerns about jumping into wet concrete. The Advertiser agreed to remove the nail gun scene and that part of the complaints was settled. The complaints relating to the concrete scene were Upheld as the advertisement depicted a dangerous practice with the potential to encourage a disregard for safety, in breach of the Code of Ethics. The Complaints Board agreed the level of exaggeration or fantasy in the ad was not sufficient to save it.

2.

## Village Roadshow Ltd

**ANNABELLE 2 MOVIE TRAILER, TELEVISION**

7 COMPLAINTS: SETTLED

The television advertisement trailer for the movie Annabelle 2 showed various clips from the movie, including dark scenes of scary dolls, children levitating and being thrown across the room and dragged away. Complainants were concerned the advertisement contained images which were not suitable for the screening times. The Chair confirmed the advertisement's rating had been changed. The movie trailer now has an AO (Adult Only) rating. The Chair ruled the complaints were settled.

3.

## Reckitt Benkiser (NZ) Ltd

**V.I POO, TELEVISION**

7 COMPLAINTS: NO GROUNDS TO PROCEED

The television advertisement for V.I. Poo toilet spray features a Hollywood-style star attending a film premiere. She says to camera "to avoid embarrassment I give every toilet the V. I. Poo treatment. V.I. Poo forms a protective layer trapping the icky smell of your devil's doughnuts."

Complainants said the advertisement was inappropriate, offensive and disgusting. The Chair said the advertisement used humour to deal with a socially uncomfortable subject, toilet odour. The Chair said while some viewers may find the advertisement unpleasant and distasteful, the level of offensiveness did not reach the threshold required to breach the Code of Ethics. The Chair ruled there were no grounds for the complaints to proceed.

4.

## Spark Ltd

**SPARK FATHER'S DAY, TELEVISION**

6 COMPLAINTS: NOT UPHELD

The television advertisement for Spark featured a young boy in various situations without his father around Father's Day. The next morning the young boy takes breakfast to his mother with a card that said "Happy Father's Day Mum" on the front. Complainants said the advertisement discriminated against fathers and perpetuated derogatory stereotypes about absent fathers. The Complaints Board said the advertisement depicted a loving relationship between a mother and son and included positive representations of other fathers. It said the advertisement made no suggestion of why the young boy's father was not present on Father's Day and did not present a derogatory stereotype of a 'deadbeat' father and was unlikely to cause serious or widespread offence. The complaints were Not Upheld.

5.

## ANZ Bank New Zealand Ltd

**ANZ HOME LOANS, TELEVISION**

6 COMPLAINTS: NO GROUNDS TO PROCEED

The ANZ television advertisement shows two children crawling into a shed and watching sunlight filter through the roof. While the children are looking up one asks "How many stars do you think there are?" The other replies "Heaps". While they are looking at the roof, one child punches the other on the arm. Complainants were concerned the advertisement condoned violence with one child punching the other. The Chair said the advertisement was promoting a bank and a home loan interest rate and was not targeted at children. The Chair ruled there were no grounds for the complaints to proceed.

## DID YOU KNOW...?

### The ASA Complaints Board has nine members.

Five members including the Chair have no connection with the media or advertising industry. The other four members represent advertisers, agencies, broadcast and non-broadcast media.

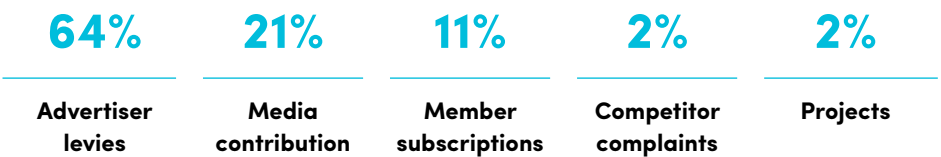
The Appeal Board has three members, two members including the Chair have no connection with the media or advertising industry and the other member is an industry representative.

RULE 12 OF THE CODE OF ETHICS STATES:

**“Advertisements should not, unless justifiable on educational or social grounds, contain any visual presentation or any description of dangerous or illegal practices or situations which encourage a disregard for safety.”**

This is an important rule to consider if you want to include stunts or imagery in your ads that may be unsafe. One way of managing this risk is to use extreme exaggeration that is hard to replicate and the level of ridicule is clear.

### ASA 2017 revenue



People are often surprised to hear the ASA receives no government funding. We have a small staff of 4.5 FTEs supporting the complaints process, codes development, advice on code and legal risk and training and education to ensure industry is informed of their obligations under the self-regulatory process.

