

# Annual Report **2022**



# From the Chair and Chief Executive

## Statement from Kerrie-Lee Magill, Governance Board Chair

The priority for the Governance Board in 2022 was overseeing the implementation of a significant change to the ASA Funding Model. As new advertising platforms are established and advertising is increasingly placed directly with media companies, it was timely for the way the ASA levies are collected to reflect that shift.

We are grateful for the time and expertise of the cross-industry committee who developed the model in consultation with the wider industry; and the support from businesses who have engaged positively with the new financing model.

The ASA is a small organisation with a large workload, and we are lucky to have significant voluntary support and engagement from industry – at

both Board and Committee levels. We would not be able to do the work we do without the time and expertise that representatives across advertiser, agency and media sectors provide to support responsible advertising.

All those who have engaged with the ASA will be aware that the Staff are integral to our ability to deliver the value we do, given our size. The Board thanks Hilary and the team, and the Chairs and Members of the Complaints and Appeal Boards for their important work and contribution.

The ASA will celebrate 50 years in 2023 and we look forward to sharing more about our history and achievements as we mark this significant milestone.

## Statement from Hilary Souter, Chief Executive

Successful advertising self-regulation requires engagement across the industry. We appreciate the financial and compliance support we receive, including from large publicly listed entities, Government agencies, small sole traders and community publications.

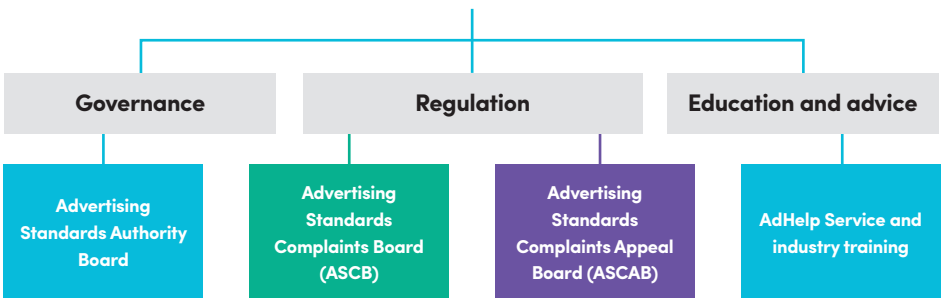
Some are aware of our role through code reviews and education. Others are alerted when we contact them for a response to a complaint. Most answer the issues raised and appreciate guidance on code compliance.

In 2022 the ASA moved towards more pro-active ad regulation and will continue to develop more resources and guidance.

Thanks to all those who take time to consider the codes as they develop their ads, the complainants who challenge claims and content that doesn't meet their expectations of responsible advertising and those who respond to the complaints and change or remove the ads if they breach the Codes.

## Who we are

### Advertising Standards Authority



Sets the strategic direction of the ASA and monitors the delivery of objectives. The Board has five members including the independent Chair.

The ASCB determines whether advertisements have breached the Advertising Standards Codes. It has five public members, including the Chair, and four industry members.

The ASCAB reviews appeals of ASCB decisions. It has two public members, including the Chair, and one industry member.

AdHelp is a user-pays service to support code compliance. Briefings and tailored in-house training are provided to industry.

# Our Impact

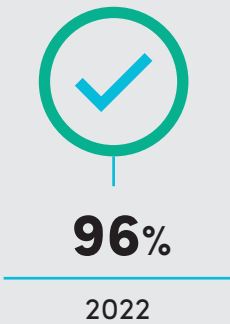
## 2022 overview

In 2022 we received 843 complaints about 345 ads, a return to more normal complaint levels following the increases in 2020 and 2021 related to COVID-19 and the General Election. The Chair of

the Complaints Board reviewed all the ads, 143 were deemed to have a case to answer, and 102 of these were to be either changed or removed. There were 23 meetings of the Complaints Board.

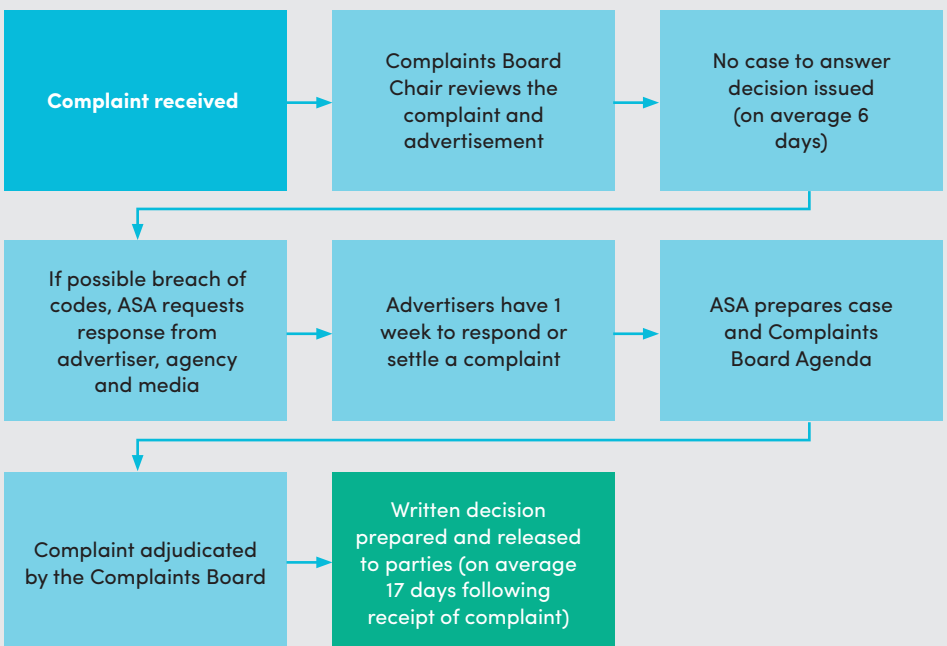


### COMPLIANCE WITH DECISIONS



The ASA has an exceptional voluntary compliance rate when decisions are upheld, and the advertiser and media need to remove or amend the advertisement. In the small number of cases of non-compliance, this is generally via advertiser-controlled distribution, like volunteer letter box delivery.

### COMPLAINT PROCESSING



# Our Priorities

## Proactive regulation

### CODE REVIEW

Each year we undertake a regular Code review. In 2022, we began the review of the Children and Young People's Advertising Code.

We invited comments on the current code, ahead of drafting changes for further consultation.



### Children and Young People's Advertising Code

Initial comments of current code received in August 2022. Second round of consultation underway in April 2023.

### INDUSTRY EDUCATION



**883**

industry representatives trained



**12**

industry guidance publications



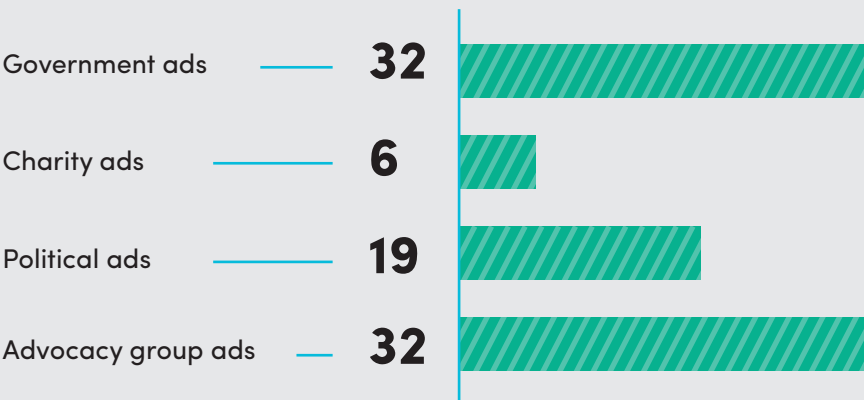
**189**

code compliance support requests

## Advocacy advertisements

Advocacy advertisements were again the most complained about in 2022, at 29%.

From a total of 89 advocacy advertisements complained about, 36% were COVID-19 related.



# Most complained about ads

## Top three most complained about commercial ads of 2022

### 1. Tradie workwear

#### Television

8 Complaints: no grounds to proceed

Complainants said the ad was offensive, objectified women and not appropriate for children to view. The Chair ruled scenes of a woman dancing and a man using a leaf blower while dressed in their underwear, did not reach the threshold to cause serious or widespread offence.

### 2. Universal Pictures: The Black Phone

#### Television live and on demand

7 Complaints: upheld

Complainants said the placement of the ad promoting a horror movie was inappropriate. The Complaints Board disagreed with the M rating it was given and said the content and theme of the R16 rated film required a higher level of protection for viewers.

### 3. Meridian Energy

#### Television

6 Complaints: not upheld

Complainants raised issues around safety and bullying. The Complaints Board said the fantastical, hyperbolic nature of the advertisement provided sufficient context to prevent scenarios in the advertisement being viewed as unsafe or socially irresponsible by most consumers.

## Top three most complained about non-commercial ads of 2022

### 1. Te Whatu Ora / Health New Zealand

#### Print

29 Complaints: upheld

Complainants said the statement "Protect them for life. Immunise" in the context of advertising for the COVID-19 vaccine, was misleading. The Complaints Board agreed and said the advertisement implied if you vaccinate your child against COVID-19, this could protect them for life, meaning for the rest of their life, which was not true.

### 2. Voices for Freedom

#### Unaddressed mail

20 Complaints: upheld

The Complaints Board upheld complaints about a Voices for Freedom pamphlet which discouraged mask use. The Board ruled the ad was not socially responsible and was likely to mislead consumers in the context of a global pandemic.

### 3. Te Whatu Ora / Health New Zealand

#### Television

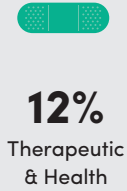
18 Complaints: not upheld (on appeal)

Complainants were offended by the middle finger gesture used to promote the "Stick it to Hep C" campaign. The Complaints Board upheld the complaints. The Advertiser appealed the decision and provided research to show its target audience was not likely to be offended. The Appeal Board allowed the Appeal, and the complaints were Not Upheld.

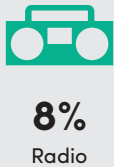
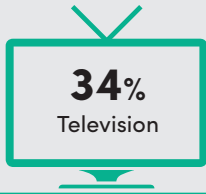
# Our Impact

## Complaints

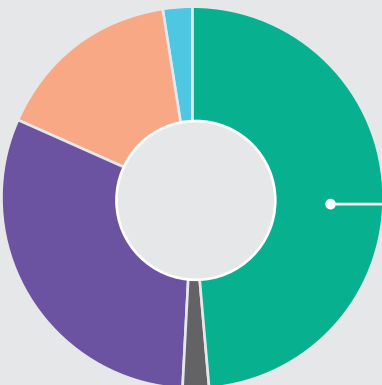
### TOP 5 BY CATEGORY



### TOP 5 BY MEDIUM



### BY ISSUE



#### Misleading Advertising

Just under half of the complaints - 49% - were about misleading advertisements in 2022. Concerns around social responsibility were 31% of complaints.

- Misleading
- Social Responsibility
- Placement
- Children's issues
- Taste and Decency