



2023 Annual Report

Supporting responsible advertising

From the Chair and Chief Executive

Future-proofing advertising self-regulation

Kerrie-Lee Magill

Governance Board Chair

The last five decades have seen enormous change in the advertising industry and the ASA has shown its ability to evolve and thrive in a rapidly changing media landscape. As we mark 50 years of the ASA, it is timely both to celebrate this landmark achievement and to reflect on how to prepare the ASA to continue to promote responsible advertising over the next 50 years.

The ASA is industry funded self-regulation at its best. It is effective, efficient, and low-cost. The level of voluntary compliance with decisions is high – 99% in 2023.

The ASA's work spans small community newspapers and micro-influencers to the largest global media platforms. The advertising codes apply to all ads

in New Zealand whether from local retailers, small advocacy groups, major government advertising or international brand campaigns.

The Governance Board is focused on ensuring that the ASA remains fit-for-purpose and future-proofed so that it can continue to maintain ad standards and pursue its purpose of ensuring every ad is a responsible ad in an ever-changing advertising environment.

On behalf of the Governance Board, I acknowledge and thank the members of the Complaints and Appeal Boards, the Codes Committee, the staff, and the ASA member organisations, without whom we would not be celebrating this milestone.



Reflections on 50 years of the ASA

Hilary Souter

Chief Executive

This year has been a celebration of half a century of advertising self-regulation, and in 2023 we looked back over the decades to identify key milestones.

Early codes provided detailed guidance for specific types of advertising – including the Code for Farm Safety, the Code for the Reproduction of Bank Note Images, and the Code of Practice for Youth Organisations in Advertising before shifting towards the comprehensive Codes we have today.

The ASA is at the apex of the advertising industry, setting standards for responsible advertising.

Advertising is a creative, vibrant, and dynamic sector and there will always be a broad spectrum of opinions regarding its place in society – with an ongoing public debate on the balance between advertising regulation and creativity and freedom.

Some believe we go too far, some not far enough. Our commitment is to reflect community standards, not set them, and code compliance suggests the advertising industry is committed to the balance between creative, and socially responsible, advertising.

Community standards over the last 50 years have shifted considerably – from acceptable language to society's tolerance of stereotypes, as consumers expect to see more people that look like them in ads targeting them.

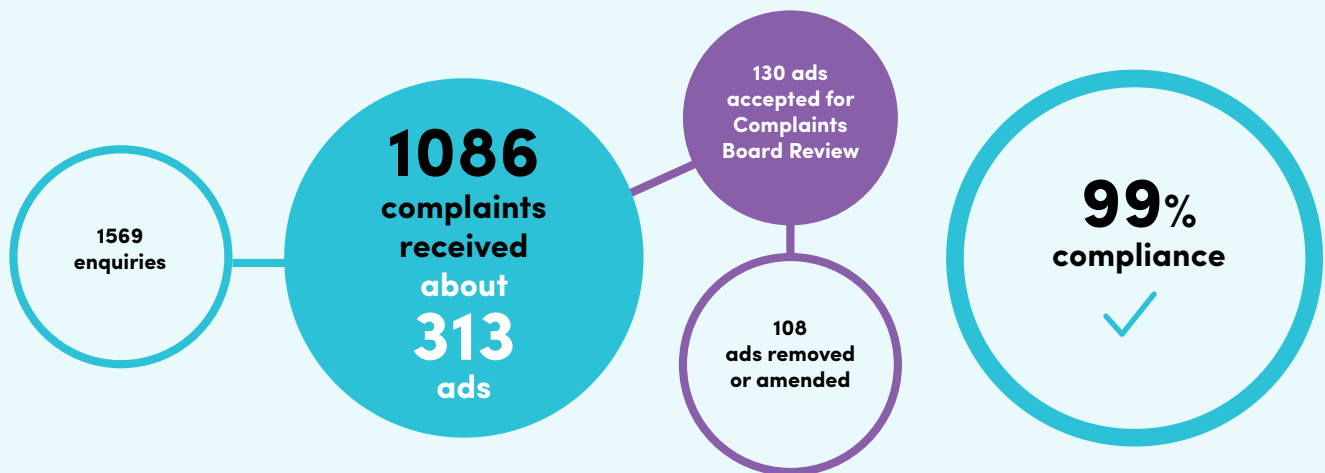
What hasn't changed is the consumer's expectation of truthfulness in ads, this issue generates about half of our complaints workload. In 1973 when we were established, it was with the goal of ensuring advertising was socially responsible, truthful, and not misleading – this purpose still stands half a century later.



Our Impact

2023 overview

Complaints and compliance



Complaints not accepted for review include No Jurisdiction, Withdrawn, and No Further Action complaints where the concerns do not reach the threshold to breach the Codes.

Industry education



Our Impact

Complaints

Top 5 by category



19%

Advocacy



15%

Therapeutic
& Health



10%

Food &
Beverage



10%

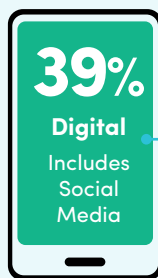
Vehicles and
Transportation



9%

Household
goods

Top 5 by medium



Social media
accounts for

59%
of digital
complaints



32%

Television



12%

Out of Home

49%

Facebook

40%

Instagram

8%

YouTube

1.4%

X (formerly
Twitter)

1.4%

LinkedIn



8%

Radio



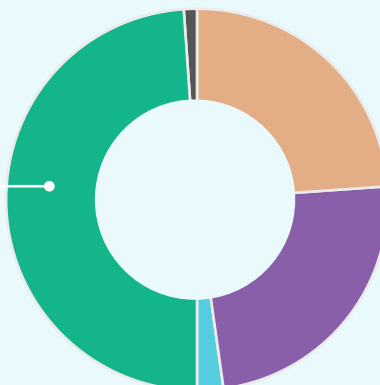
3%

Print

Top 5 by issue

Misleading Advertising

Misleading advertising remained the most complained about issue in advertising, raised in just under half (49%) of complaints.

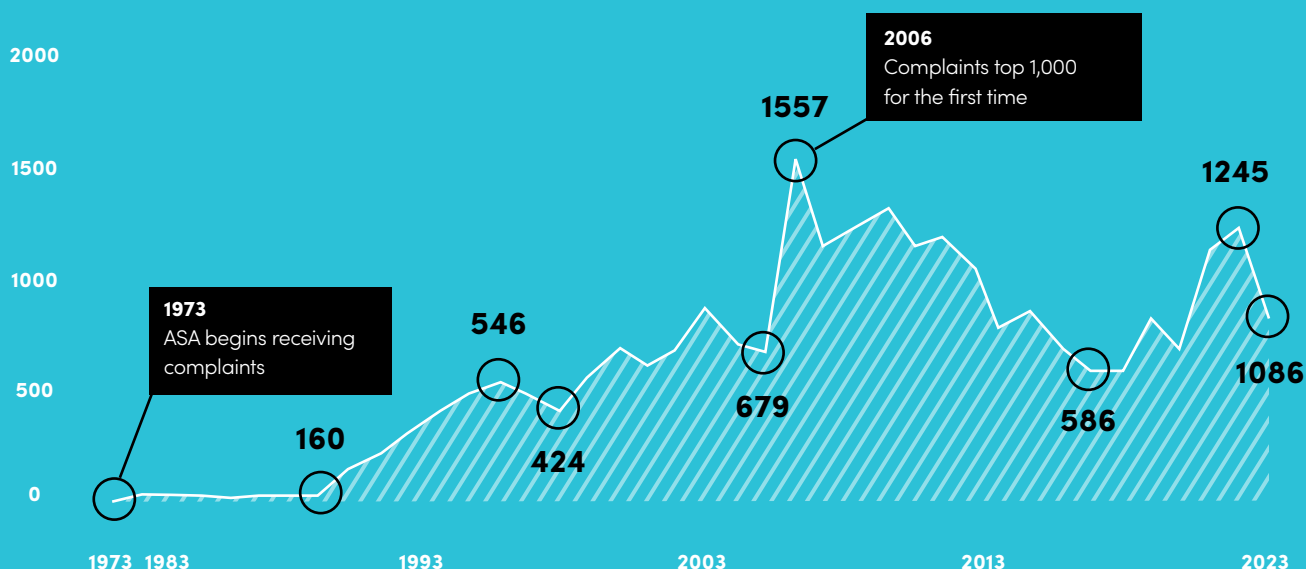


- Misleading 49%
- Children's Issues 1%
- Social Responsibility 24%
- Taste and Decency 24%
- Placement 2%

ASA through the decades

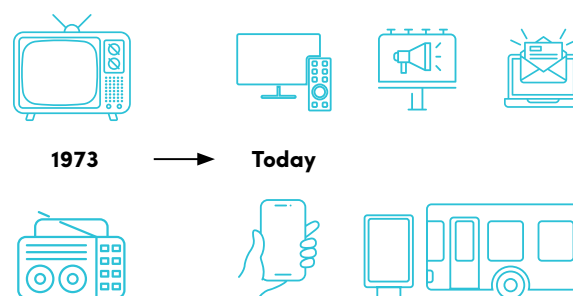
1973 – 2023

Number of complaints



Advertising Mediums

When the ASA was established (as the Committee of Advertising Practice) in 1973, advertising was primarily through the three traditional mediums: print, tv, and radio. As technology and media consumption has evolved, the number of mediums has grown - now including out of home, website, social media, direct mail, as well as more traditional media. What has not changed is the platform neutrality of the ASA, as we continue to regulate ads in all media.



Shifting Community Standards

It is no secret that advertising has changed a lot in the last 50 years! As opinions have shifted, so too have community standards and the expectations of advertising content. Early ASA complaints featured concerns regarding smoking, safety, and even the depiction of bank notes in advertising, where in present day, issues such as stereotyping and advocacy issues are of increasing concern.

Our most complained about ads (ever)

#1 Hell Pizza Direct Mail Advertisement 2006

685 complaints, Upheld

This promotion for Hell's Lust pizza went to over 170,000 homes surrounding Hell Pizza stores and consisted of a cardboard wallet containing a condom, instructions for use, the Hell Pizza logo and phrase, "Our pizza for meat lovers!". Concerns ranged from offensiveness, poor taste and decency, undermining family values, and the risk of the condom being damaged in this form of packaging. The Complaints Board found the advertisement had not been placed with a due sense of social responsibility, noting the use of a condom to promote a food product through a method of unsolicited, unaddressed delivery would be likely to cause serious and widespread offence in a number of communities.

#2 Open Polytech Radio Advertisement 1997

550 complaints, Resolved

A petition from 550 people complained about a radio advertisement for tertiary education which they said slighted country line dancers. The advertiser defended it for the targeted youth market and its humour but expressed regret at any offence caused and withdrew the advertisement. The Board considered self-regulation principles had been fulfilled and the matter was Resolved.

#3 Hell Pizza Billboard Advertisement 2011

178 complaints, Not Upheld

The billboard advertising Hell Pizza's limited edition Hot Cross Buns included the text "For a limited time. A bit like Jesus." Complainants were concerned the ad constituted spiritual abuse, was grossly offensive and made a mockery of the Christian faith. In its decision, the Complaints Board said the ad, while provocative, was saved by the degree of black humour and in light of prevailing community standards was not likely to cause serious or widespread offence.

#4 Waves Billboard Advertisement 2018

146 complaints, Upheld

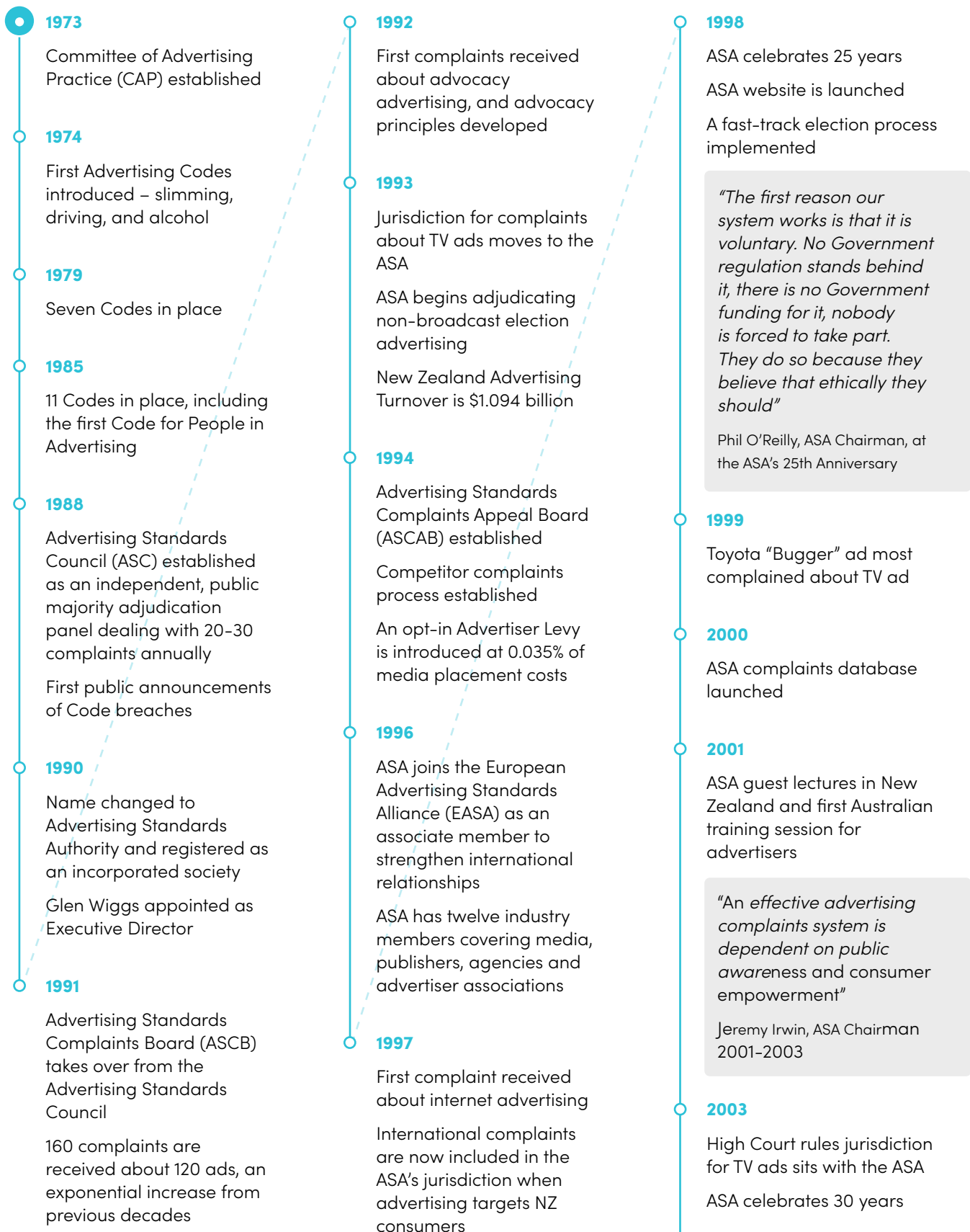
The billboard ad for Waves NZ depicted a man holding a baby, with the statement "If you knew the ingredients in a vaccine, would you RISK it?". The complainants listed concerns the ad was not socially responsible, implied vaccines are not safe, and exploited fear in vulnerable audiences. The Complaints Board Upheld the complaint, noting a lack of advertiser identification, and insufficient substantiation of the likely consumer takeover.

#5 Toyota Television Advertisement 1999

120 complaints, Not Upheld

In 1999, the repeated use of the word "bugger" (including by a dog) in a humorous Toyota TV ad set on a farm led to complaints by over 120 consumers. In a precedent decision, the Board ruled the advertisement was unlikely to cause serious and widespread offence taking into account the humour and adult audience. It ruled the complaints Not Upheld.

A brief history of the Advertising Standards Authority



2004

Website advertisements make up 6.7% of all complaints

2005

Complaints Board membership increases to five public members

Inaugural Executive Director Glen Wiggs resigns and Hilary Souter is appointed

2006

ASA receives 1557 complaints, topping 1000 for the first time

Hell Pizza's Lust campaign receives 685 complaints, and remains the most complained about ad in ASA history to date

2008

ASA publishes guide: "Bugger" – It's Ok. The Case for Advertising Self-Regulation

Advertiser websites are now the second largest media category for complaints, taking over from newspapers

2009

ASA wins EASA Special Mention Award for "Bugger – It's OK" publication

2010

With industry support ASA widens jurisdiction to include alcohol promotion

2011

Barnes, Catmur and Friends and ASA win an Effie for its industry campaign, the Department of Advertising Standards and Regulations

2013

ASA celebrates 40 years of keeping advertising honest

Advertiser Levy is changed from opt-in to opt-out to simplify collection and is set at 0.06%

14 Advertising Codes in place

New Zealand Advertising Turnover is \$2.289 billion

2015

ASA Governance Board established, and first independent Chair, Hon. Heather Roy appointed

2016

ASA is a founding member of ICAS (International Council of Advertising Self-Regulation)

2018

Major Code review consolidates 14 Codes into six

AdHelp Information Service launched to support industry compliance

Multi-platform ASA awareness campaign commences

"You should be able to trust the ads you see. If an ad is wrong, the ASA is here to help put it right"

–2018 ASA Awareness Campaign

2020

Fast-track process implemented to deal with COVID-19 complaints

The Electoral Commission, the ASA, the Broadcasting Standards Authority and the Media Council create their first joint awareness resource for election content and advertising

The first complaint about influencer ad identification is received and supporting guidelines for influencer advertising are released

2021

Digital overtakes TV as the most complained about medium

ASA introduces a new reporting process for influencer ad identification breaches

Kerrie-Lee Magill appointed as second ASA Independent Chair

2023

ASA celebrates 50 years of advertising self-regulation

More than 25,000 complaints have been dealt with by the ASA, 98% of those in the last 33 years

New Zealand Advertising Turnover is \$3.359 billion

ASA moves towards proactive regulation with increased focus on training and resources for industry



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