



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.

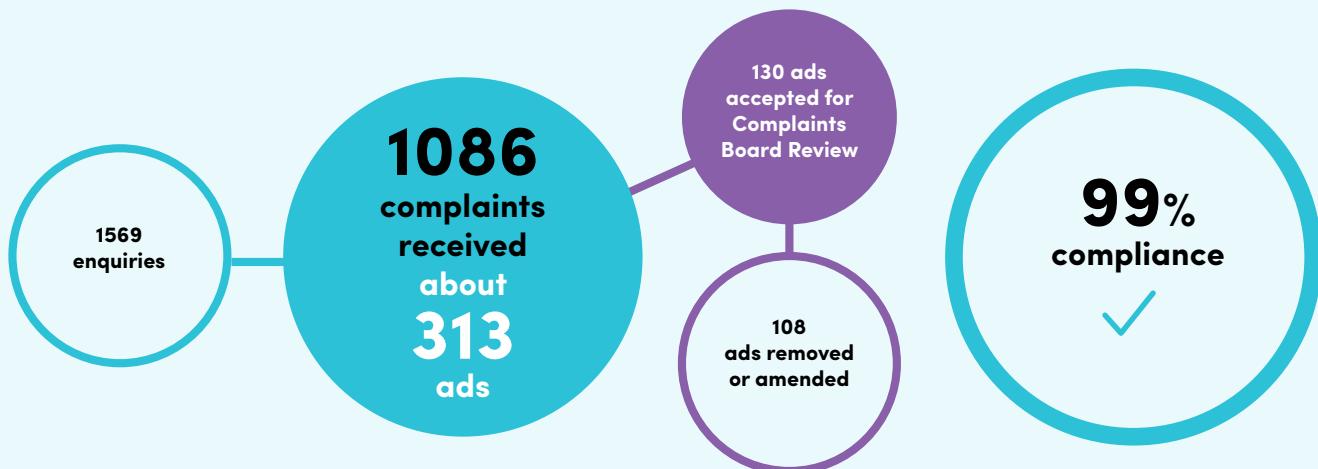
Community standards over the last 50 years have shifted considerably – from acceptable language to society's tolerance of stereotypes, as consumers expect to see more people that look like them in ads targeting them.

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



624
industry representatives
trained



24
industry guidance
publications



262
code compliance
support requests

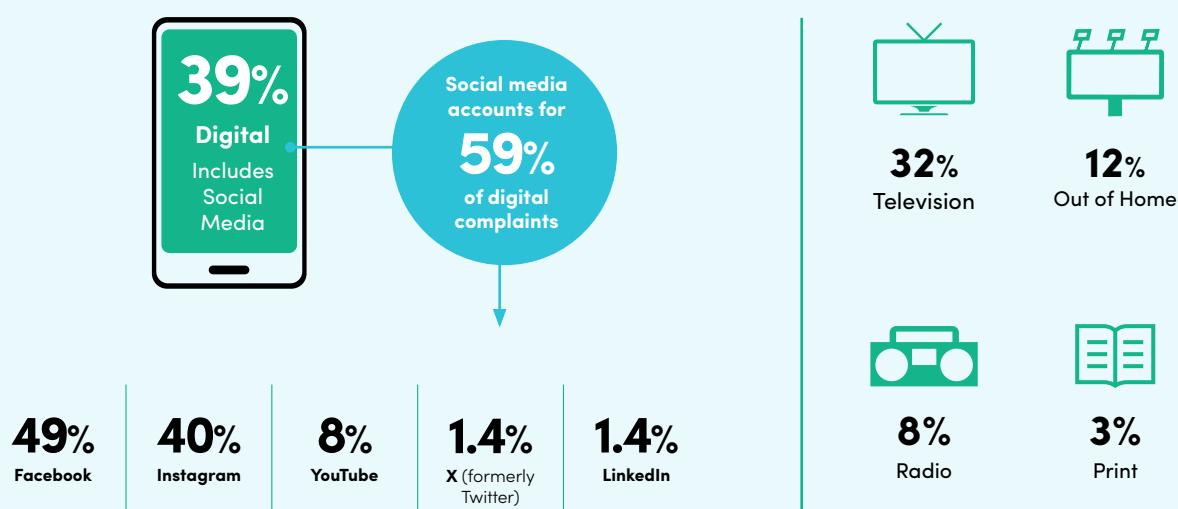
Our Impact

Complaints

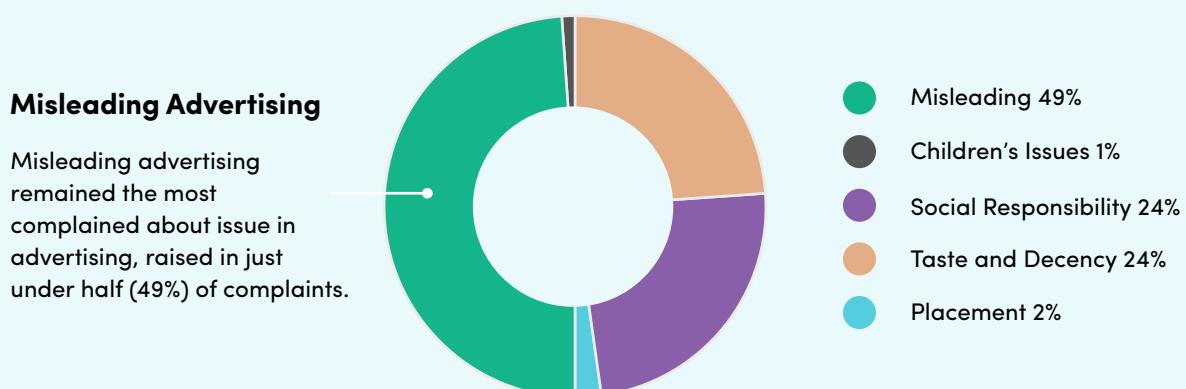
Top 5 by category



Top 5 by medium

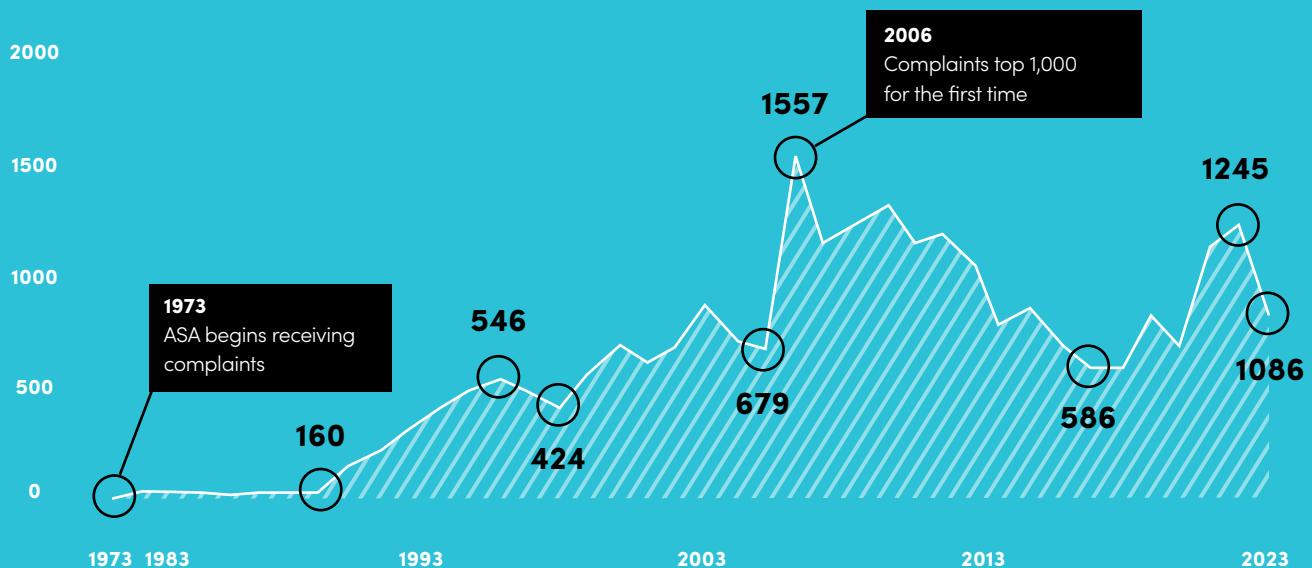


Top 5 by issue



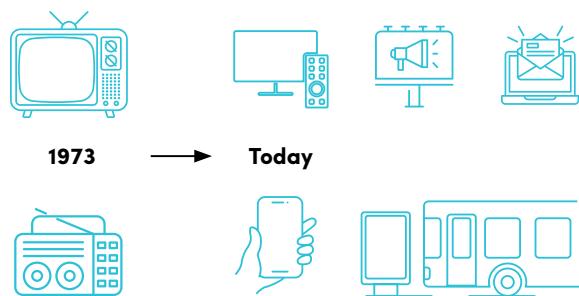
ASA through the decades 1973 – 2023

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 takeout.

#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

1973	Committee of Advertising Practice (CAP) established	
1974	First Advertising Codes introduced – slimming, driving, and alcohol	
1979	Seven Codes in place	
1985	11 Codes in place, including the first Code for People in Advertising	
1988	Advertising Standards Council (ASC) established as an independent, public majority adjudication panel dealing with 20-30 complaints annually First public announcements of Code breaches	
1990	Name changed to Advertising Standards Authority and registered as an incorporated society Glen Wiggs appointed as Executive Director	
1991	Advertising Standards Complaints Board (ASCB) takes over from the Advertising Standards Council 160 complaints are received about 120 ads, an exponential increase from previous decades	
1992	First complaints received about advocacy advertising, and advocacy principles developed	
1993	Jurisdiction for complaints about TV ads moves to the ASA ASA begins adjudicating non-broadcast election advertising New Zealand Advertising Turnover is \$1.094 billion	
1994	Advertising Standards Complaints Appeal Board (ASCAB) established Competitor complaints process established An opt-in Advertiser Levy is introduced at 0.035% of media placement costs	
1996	ASA joins the European Advertising Standards Alliance (EASA) as an associate member to strengthen international relationships ASA has twelve industry members covering media, publishers, agencies and advertiser associations	<p><i>"The first reason our system works is that it is voluntary. No Government regulation stands behind it, there is no Government funding for it, nobody is forced to take part. They do so because they believe that ethically they should"</i></p> <p>Phil O'Reilly, ASA Chairman, at the ASA's 25th Anniversary</p>
1998	ASA celebrates 25 years ASA website is launched A fast-track election process implemented	
1999	Toyota "Bugger" ad most complained about TV ad	
2000	ASA complaints database launched	
2001	ASA guest lectures in New Zealand and first Australian training session for advertisers	<p><i>"An effective advertising complaints system is dependent on public awareness and consumer empowerment"</i></p> <p>Jeremy Irwin, ASA Chairman 2001-2003</p>
2003	High Court rules jurisdiction for TV ads sits with the ASA ASA celebrates 30 years	

2004	Website advertisements make up 6.7% of all complaints	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	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
2005	Complaints Board membership increases to five public members Inaugural Executive Director Glen Wiggs resigns and Hilary Souter is appointed	2015	ASA Governance Board established, and first independent Chair, Hon. Heather Roy appointed	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
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	2016	ASA is a founding member of ICAS (International Council of Advertising Self-Regulation)	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
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	2018	Major Code review consolidates 14 Codes into six AdHelp Information Service launched to support industry compliance Multi-platform ASA awareness campaign commences		
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				

"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



www.asa.co.nz