

## Decision of the ADVERTISING REGULATORY BOARD

Complainant	Stephen Smith
Advertiser	Marriott International Inc
Consumer/Competitor	Consumer
File reference	Protea Hotels – Stephen Smith
Outcome	Undertaking
Date	2 May 2019

The Directorate of the Advertising Regulatory Board has been called upon to consider a complaint lodged by Stephen Smith against online advertising for the Protea Hotels loyalty card.

### Description of the advertising

The claim in question read:

COMPLIMENTARY & DISCOUNTED

ACCOMODATION VOUCHERS

...

- ✓ 1 X free night at any Protea Hotel
- ✓ 3 x stay 1 night, get 1 free night at any Protea Hotel (excluding African Pride)
- ✓ 2 x stay 1 night, get 1 free night at any participating African Pride & Protea Hotel

## Complaint

In essence, the Complainant submitted that the first voucher cannot be used at an African Pride hotel, and the advertising is therefore misleading.

## Response

The Advertiser submitted that while it does not believe that the original advertising was misleading, it has amended its advertising to make it abundantly clear that the offer in question does not apply to African Pride hotels.

It has also cancelled the Complainant's membership and has given him a full refund.

## Application of the Code of Advertising Practice

The following clauses were considered in this matter:

Misleading claims – Clause 4.2.1 of Section II

## Decision

Having considered all the material before it, the Directorate of the ARB issues the following finding.

The main objective of the Advertising Regulatory Board is to protect consumers from advertising that contravenes the Code of Advertising Practice. In the vast majority of instances where advertising is found to contravene the Code, the ARB will require the advertising to be withdrawn or amended.

In this matter, the advertiser amended its advertising in a manner that appears to address the complaint at hand.

The ARB Directorate is satisfied that the amendment by the advertiser is unequivocal and addresses the complaint before it, and therefore accepts this undertaking in resolution of the matter.