

Decision of the ADVERTISING REGULATORY BOARD

Complainant	Ismail Vawda
Advertiser	Vodacom (Pty) Ltd
Consumer/Competitor	Consumer
File reference	05 - Vodacom - Ismail Vawda - 06-11-18
Outcome	Voluntary undertaking
Date	5 December 2018

The Directorate of the Advertising Regulatory Board has been called upon to consider a complaint lodged by Ismail Vawda against Vodacom’s mobile app advertising.

Description of the advertising

The My Vodacom app offers standard data bundles as well as “Promotions Data” bundles. Under the “Promotions Data” bundles it offered the following: “1GB 1 Day for R19”.

Complaint

The Complainant submitted that he opted for the “1GB 1 Day for R19” bundle at around 14h00. He assumed that the reference to “1 Day” meant 24 hours, but at midnight he received an SMS that his 1GB bundle had expired. However, nowhere on the promotion did it mention data expiring at midnight. The Complainant argued that this is misleading as “1 Day” should mean 24 hours.

Response

Ogilvy & Mather Johannesburg submitted, on behalf of Vodacom, that the data bundle promotion referred to by the Complainant was published some three months ago, and as such, is no longer representative of the data bundle promotion currently published. The concerns raised by the Complainant have been taken care of in the current data bundle promotion. To ensure that “day” is given its “calendar day” meaning, and not a “twenty-four-hour period” meaning, Vodacom has added a “validity period” to the data bundle promotion final confirmation page which clearly states “Until midnight”. This fix, which changed the words “1 Day” to “Until Midnight” on the confirmation page, was implemented on 26 September.

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majority of instances where advertising is found to contravene the Code, the ARB will require the advertising to be withdrawn or amended.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 appears to have already amended the data bundle promotion offering on the My Vodacom app to state that the promotional data bundles are valid “until midnight”. This undertaking is unequivocal and addresses the concerns raised by Mr Vawda. There is therefore no need to consider or investigate the matter any further.

Sanction

The ARB Directorate is satisfied that the amendment implemented by the advertiser is sufficient to resolve this dispute. The advertiser is reminded that the advertising in its previous format should not be used again in future.

Subject to the above, the complaint has been addressed.