

**Advertising Standards Authority**

**Broadcast Advertising  
Adjudications**

10 August 2005



**ADVERTISERS IN THIS WEEKS REPORT**

British Gas Ltd t/a Scottish Gas ..... 3

lomart Internet Services t/a ufindus.com ..... 5

**ADVERTISER:** British Gas Ltd t/a Scottish Gas

**AGENCY:** EHS Brann Ltd

**Date:** 10 August 2005

**Media:** Television/Leaflet

**No. of complaints:** 1

**COMPLAINT:**

1. A television commercial for Scottish Gas Central Heating Care said "For central heating care all year round, call us on ... Simple." On-screen text said "Conditions apply. Mainland UK only".
2. A four-page printed leaflet said "Why pay £277 to replace just one part when we'll take care of your whole central heating system for just £16 a month." It went on to explain how the HomeCare scheme worked.

The complainant was told the service was not available in Wick, Caithness, where he lived. He believed the advertising was misleading as neither the broadcast nor print advertising explained that some areas of Great Britain were not covered by the scheme.

**ADJUDICATION:**

1. Complaint upheld

The advertiser explained that there were a few areas of Great Britain where British/Scottish Gas HomeCare agreements could not be provided. It explained that when a customer applied a check was made against their post code to see if the service could be provided in their location. The advertiser said that out of approximately 25.5 million households in Great Britain, including the Isle of Wight and Isle of Man, roughly 281,000 households fell within postal sectors in which it was unable to provide Central Heating Care. This represented 1.1% of all households in that area. It did not provide the service to Northern Ireland.

The advertiser explained that when an advertisement was shown on satellite television it was not possible to prevent broadcast to Northern Ireland. It therefore decided to make it clear to viewers in Northern Ireland that they were unable to take advantage of the offer by adding on-screen text which said "Mainland UK Only". It said, that in retrospect, it recognised this was not correct because there were some areas of mainland UK that were also excluded. The advertiser said that it would use a more generic statement about service limitations in future broadcast advertising.

The Broadcast Advertising Clearance Centre (BACC) said it was unaware that there was a service limitation that required definition beyond that of "mainland UK only".

We understood the advertiser's intention was to make clear that the service was not available in Northern Ireland. However, in seeking to do so, the on-screen text had implied that there were no availability restrictions in other areas of the UK, which was not the case.

## 2. Complaint not upheld

The advertiser believed that the direct-mail leaflet made it clear that HomeCare was provided "subject to terms and conditions, available on request." It said this statement was referred to in a number of places throughout the leaflet by way of a footnote link. The terms and conditions, (which were not in the leaflet), said "There are a few areas of Great Britain where British Gas HomeCare agreements are not provided. If this affects you we will tell you when you apply." It had a list of postcodes which were checked when potential customers contacted them. The advertiser explained that as it was unable to provide the service in Northern Ireland it did not target direct mail or print advertisements outside of Great Britain.

We appreciate that advertising cannot include all terms and conditions, although we do expect any important qualifications to be included. In this case, as the advertiser was able to supply the service to a vast majority of households (98.9%) it was not necessary to mention the minor geographical limitations in the leaflet. We did not consider that the advertising had breached the CAP Code.

The television advertising was in breach of CAP (Broadcast) TV Advertising Standards Code, Rules 5.1 (Misleading advertising) and 5.2.3 (Qualifications). It must not be shown in that form again.

The print leaflet was not found in breach of CAP Code Edition 11. We investigated under clause 7.1 (Truthfulness).

**ADVERTISER:** Iomart Internet Services t/a ufindus.com  
**AGENCY:** PSA Films  
**Date:** 10 August 2005  
**Media:** Television  
**No. of Complaints:** 2

**COMPLAINT:**

A commercial for ufindus.com showed a man using a flip chart to instruct his family what items and information they had to find in order to organise a family camping trip. One daughter was shown using the ufindus.com service on the family computer to find the information her father had requested.

Another commercial showed the same family, with the father instructing them to find suppliers of plumbing equipment because they had a plumbing emergency. Again, the same daughter was shown using the ufindus.com service finding the information requested immediately. Both commercials claimed "ufindus.com is a new internet only service listing every business in the UK".

Two viewers, who owned businesses that were not listed by the service, complained that the claim "listing every business in the UK" was misleading.

**ADJUDICATION:** Complaints upheld

The advertising agency said the ufindus service used the Operator Services Information System (OSIS) database as its platform, which was updated daily and contained all business landline numbers. They pointed out that there was a facility on the ufindus website to add a business listing free of charge, if a business was not already listed.

The Broadcast Advertising Clearance Centre (BACC) said it had not been informed that there could be circumstances in which a business would not be listed on OSIS and therefore not on ufindus.com. It pointed out that the commercials were intended to communicate how people could use the service to find a business, not to get businesses to register on the service.

We understood that the OSIS database contained information on businesses with phone numbers only and would not include internet only or businesses without a registered business landline. Because of this, we concluded that the claim was misleading.

The advertisements were in breach of CAP (Broadcast) TV Advertising Standards Code, Rules 5.1 (Misleading advertising) and 5.2.1 (Evidence) and should not be shown again in their current form.