



REPORT OF THE ADJUDICATOR

WASPA Member (SP)	Integrat
Information Provider (IP) (if any)	TotalTim
Service Type	Web advertisement
Source of Complaints	Competitor
Complaint Number	1725
Date received	27 July 2007
Code of Conduct version	5.3

Complaint

This is a competitor Complaint which does not allege a breach of the Code of Conduct but alleges the following:

“Code_Breached: No section: false promises made e.g get free chat app etc.”

A detailed description was provided but, for reasons which will become clear below, is not reproduced here.

SP Response

The SP provided a Response which, for reasons which will become clear below, is not reproduced here.

Sections of the Code considered

None.

Decision

The Adjudicator is not prepared to make a decision in this matter for the following reasons:

1. Complaints referred to the formal procedure are adjudicated with reference to the provisions of the WASPA Code of Conduct and not with reference to the personal feelings of the complainant, no matter how strongly these may be expressed.
2. Where a complainant is a competitor there is a strong line of precedent in WASPA Adjudications that Adjudicators in such complaints should adopt a strict interpretation of the Complaint and are not required to give the same degree of latitude as may be provided to a consumer complainant who is unaware of the workings of the industry and who is not expected to having knowledge of the existence and provisions of the WASPA Code of Conduct and Advertising Rules.
3. The Complaint does not specify a breach of the any section of the Code of Conduct. It cannot be equitable to require an SP to respond properly in these circumstances and this was duly raised in the SP's Response.

Both the Complainant and the SP are referred to the Adjudicator's Report in respect of Complaint 1640.

The Complaint is dismissed.