

## **Complaint to the Advertising Standards Authority re. ASA adverts, seen in July 2025**

*Submitted by New Weather Institute/Badvertising, September 2025*

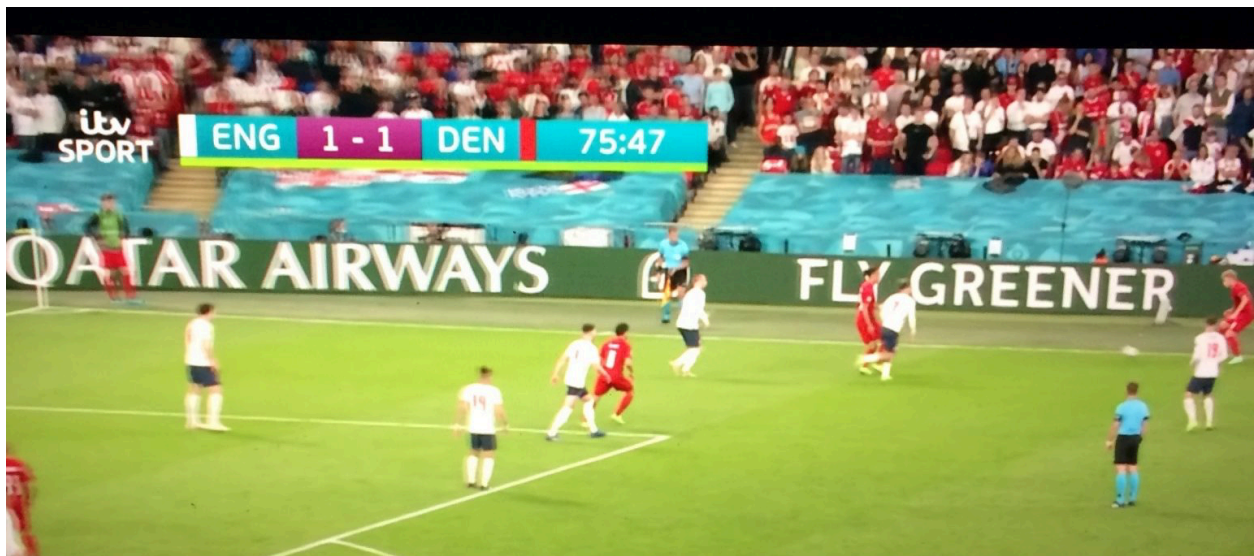
We wish to submit a complaint against adverts for the UK Advertising Standards Authority (ASA) on the basis that they are misleading to the public and policymakers. The adverts give an impression that the ASA regulates ads across all media, “wherever you see or hear them”, without acknowledging the limits of the ASA’s ability to do so. The ads also give the impression that the ASA is a powerful and effective regulator, which we dispute.

Badvertising and campaign group Adfree Cities have submitted numerous complaints to the ASA. Many of these complaints have been dismissed on the grounds that the advert’s placement – despite being in public physical and digital spaces with large audiences – meant it was not in the ASA’s scope.

This includes ads for Qatar Airways during a UEFA semi-final match between England and Denmark that promoted the airline with the slogan: “Fly Greener”. In response to this [complaint](#) the ASA said: “On this occasion, the pitch-side

*hoardings you complained about are not covered by the Advertising Rules. The content falls outside of our remit because the ASA is not entitled to regulate material arising from sponsorship. This usually applies to logos and messages on the kits of professional sportspeople and athletes, on racing vehicles and on posters or pitch or track-side hoardings that have appeared as part of a sponsorship agreement. For these reasons we will not be taking your complaint further.” (July 2021)*

Pitch-side hoardings at sporting events commonly host promotional messages and slogans that the audience would think of as adverts. This match was watched by approximately 27.6 million television viewers in the UK and over 60,000 physical spectators in Wembley stadium. However, due to being “material arising from sponsorship”, these advertising hoardings are not covered by the ASA.



Another instance where adverts are not covered by the ASA is where the ad is in a shop window display or on a company’s own property. This includes large digital billboard displays promoting airlines in the airline’s designated space within an airport. This is another location seen by hundreds of thousands of travelers each month. Adfree Cities submitted a [complaint](#) over an easyjet advert that greenwashed the company with “Net Zero” messaging that breached the ASA’s codes for misleading green claims (“Working towards

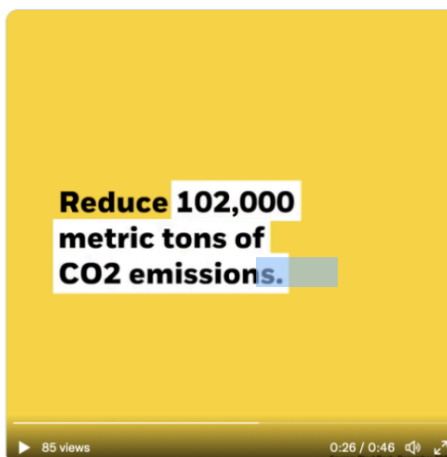
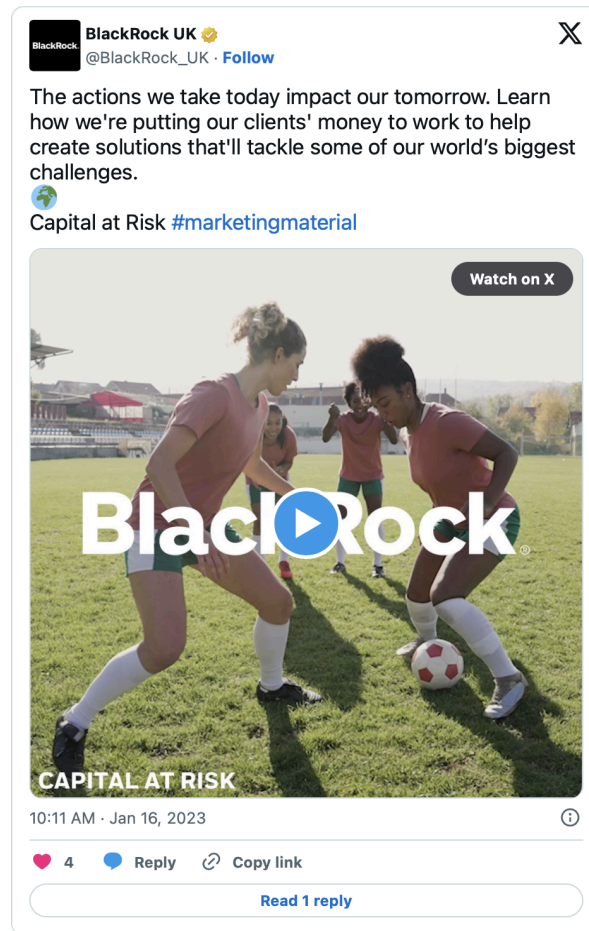
net-zero every day”). However, the regulator could not investigate or act on the ad, saying: “After receiving information from easyJet about the arrangement between themselves and Gatwick airport, we have established that the poster is not paid-for material and so is not within our remit to consider. Point of sale, in-store, shop window displays, or material on the company’s own property aren’t considered to be advertising for the purpose of the rules on advertising administered by us.” (February 2024)



Also outside of the ASA’s scope are companies’ own social media posts (where these are not paid-for) and, in many cases, website content, including promotional videos – material that in practical terms functions as advertising as it “aims to build a brand’s reputation over time” ([IPA](#)). Adfree Cities submitted a [complaint](#) to the ASA after investment management company BlackRock, the world’s largest investor in fossil fuel expansion, released a [video](#) on their UK Twitter account in which they claimed to be “advancing sustainability”. The post included the hashtag “#marketingmaterial”. The video was also hosted on BlackRock’s UK website.

The ASA replied: “You recently contacted us with concerns about a Twitter post by BlackRock Investment Management (UK) Ltd promoting their

*"Advanced Sustainability" campaign. We've carefully considered your concerns, particularly in light of our current work on environmental claims, however on this occasion we have determined that an investigation into this particular ad is not merited. Given that the ad is in non-paid for space and has only been seen by a limited audience it doesn't meet our prioritisation threshold for formal action." (February 2023).*



The ASA also cannot act on any adverts for an advertiser that is not based in the UK, if they are hosted on a platform that is not based in the UK, even if that platform is easily and widely viewed within the UK. A [complaint](#) by Adblock Bristol raised concerns about a video by American oil giant Chevron, posted on the social media platform Twitter, that announced: *"At Chevron we're lowering the carbon emissions intensity of our operations, investing in low carbon technologies and exploring renewable fuels of the future"*. At the time of the ad, just 3% of Chevron's annual spending was designated for low-carbon activities; the oil company is the second biggest polluter in the world. However, despite UK audiences being able to see and engage with this ad, which was paid-for and amplified across social media platforms, the ASA was unable to investigate this advert as it was not in their remit: *"Our remit only allows us to investigate ads if the advertiser is based in the UK or are using a UK third-party platform for the placing of the ad in question."* (April 2021).

The ASA cannot act on any adverts that are flyposted, despite this being common practice in most UK towns and especially cities, often on an industrial scale meaning an enormous number of ads are unregulated on a daily basis.



The ASA has also refused to act on adverts that are extremely likely to have breached advertising codes, including for [BP](#), [Barclays and Standard Chartered Banks](#) and [easyjet](#), on the basis that the regulator was already investigating other companies in the same industry, or because of ongoing reviews into specific sectors. In these instances, the ASA could have acted on the adverts in question, but chose not to.

We have drawn these together not as an exhaustive list but as illustrative examples of where ads that are seen or heard by large numbers of people, including at sports events, across social media, in urban areas, on websites, in shop windows and in airports, are not regulated by the ASA. The examples we've provided are not one-offs but demonstrate a widespread daily occurrence. They show categorically that the ASA does not and cannot regulate ads "wherever you see or hear them".

**1. To summarise our first point:** we ask the ASA to consider these ads against Codes relating to misleading advertising. This is because of the contrast between the information given in the ads and the limits in the ASA's ability to regulate ads in practice. In ad a., the claim "we regulate ads across all media, including online" ignores pitch-side, airport, a substantial proportion of social media, shop windows, websites, flyposted adverts, company's own vehicles and other media. In ad b., it is clear, illustrated by the content of this complaint and the ASA's own "Remit" webpages, that the ASA cannot regulate ads "wherever you see or hear them".

**2. Secondly:** we note that the ads have a playful tone but one of authority, and that their overall content gives the impression to an average person without expert knowledge of advertising regulation that the ASA functions as a powerful and effective regulator. This is strongly misleading. The experience of Badvertising, Adfree Cities and other civil society groups that have formally engaged with the ASA's complaints process is that any advert investigated by the ASA can take up to a year, or more, to reach a result. A complaint by River Action in 2023 still has not received a ruling. Many adverts are simply not investigated as they are deemed to be outside the ASA's remit. The ASA is

self-funded and not independent from the industry it regulates, which raises concerns over its ability to function as a regulator and has led to political [conflicts](#) of [interest](#). Finally, the ASA cannot penalise advertisers legally or financially, and therefore advertisers are often undeterred from breaching ASA rulings in future marketing. [Research](#) by Unerthed found that brands including Virgin Atlantic, Renault and Aqua Pura were repeating misleading green claims despite previous ad bans. After a Repsol ad was banned for greenwashing, Repsol published a nearly identical ad with similar misleading green claims and imagery [just weeks later](#). On this last point, not only the overall impression conveyed by the ads but the specific wording of ad c., *"The ASA makes sure UK ads stick to the rules"*, is misleading.

**3. Thirdly:** we wish to query whether there was a commercial transaction between the ASA and the brands featured in the ads, including comparethemarket.com, Tesco and Lloyds Bank. We hope the ASA can provide clarity on this as a matter of public interest, given the regulator's self-described position as independent from the industry it regulates.

Finally, we acknowledge that regulating advertising comprehensively and meaningfully is hard work. It is our view that the regulatory structure in place at this time is not sufficient, being a reactive mechanism that is neither adequately resourced nor has sufficient remedial powers. We acknowledge the efforts of the staff at the ASA to apply the system, such as it is, but urgent improvements are necessary to protect consumers.

We hope to hear from the ASA in due course as to the action they will take to ensure their advertising does not mislead members of the public, and policymakers, in future.

Yours sincerely,

Andrew Simms, Co-director, New Weather Institute, coordinator, Badvertising

