



Case Report

1	Case Number	0029/17
2	Advertiser	Super Cheap Auto Pty Ltd
3	Product	Automotive
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	08/02/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.6 - Health and Safety Motor vehicle related
- 2.6 - Health and Safety Unsafe behaviour

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features four Stadium Super Truck racing vehicles (branded Shell, Castrol, Nulon and Penrite) being dropped by helicopters onto a beach. The trucks then perform a choreographed precision driving sequence. They are noticed by a security guard who tries to indicate they should stop, and presses a button to raise a ramp. The guard dives out of the way as one of the cars goes up the ramp and hits the small security building which explodes.

THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

The vehicles used in the advertisement were destroying the beach. Although driving on beaches is legal in some areas of Australia, to blatantly encourage the wholesale destruction of such a fragile environment is just plain morally reprehensible. Companies have a degree of moral responsibility when advertising their products and to encourage such destruction just to sell a few cheap trinkets (and that's about all Supercheap Auto sells) is totally unacceptable. Hundreds of species live on the beach and they are under more and more pressure from fishing, vehicles, tidal height changes, pollution, feral predators and many other pressures, they don't need idiots to be encouraged to create total annihilation of their

habitat. We only have one planet. It's bad enough that Supercheap Auto sells products that are just a total waste of the earth's resources and totally unnecessary to anyone's life, but to actively encourage this destruction on top of it all is insupportable. They are perfectly able to flog their products to the gullible without resorting to such displays.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

THE ADVERTISEMENT – 'THE BEST PERFORMING OILS'

This is a 30 second advertisement which promotes the Oil Category at Supercheap Auto using the message 'The Best Performing Oils Under The One Roof' (The Advertisement).

The Advertisement features four Stadium Super Truck racing vehicles (branded Shell, Castrol, Nulon and Penrite) being dropped by helicopters onto a beach. The trucks then perform a choreographed precision driving sequence to showcase the performance of each of the four oil brands.

Importantly, Supercheap Auto accepted the recommendation of the ASB (0532/16) and re-edited this commercial to reflect the ASB determination. These complaints refer to the re-edited version of The Advertisement.

THE COMPLAINTS

REASON FOR CONCERN: The vehicles used in the advertisement were destroying the beach. Although driving on beaches is legal in some areas of Australia, to blatantly encourage the wholesale destruction of such a fragile environment is just plain morally reprehensible. Companies have a degree of moral responsibility when advertising their products and to encourage such destruction just to sell a few cheap trinkets (and that's about all Supercheap Auto sells) is totally unacceptable. Hundreds of species live on the beach and they are under more and more pressure from fishing, vehicles, tidal height changes, pollution, feral predators and many other pressures, they don't need idiots to be encouraged to create total annihilation of their habitat. We only have one planet. It's bad enough that Supercheap Auto sells products that are just a total waste of the earth's resources and totally unnecessary to anyone's life, but to actively encourage this destruction on top of it all is insupportable. They are perfectly able to flog their products to the gullible without resorting to such displays.

REASON FOR CONCERN: The advertisement promotes or is oblivious to its own messages of Irresponsible driving Environmental damage Disregard to road safety Ignoring a security area All the wrong messages in today's drive for road safety , environmental care and terrorism (breaching security establishments)

THE RESPONSE

The theme of these complaints relates to the environmental damage created by the action depicted in The Advertisement. The Advertisement opens with the vehicles being dropped from helicopters, which is clearly not going to be replicated by members of the public. The beach scene was also filmed on the iconic Main Beach at Surfers Paradise – a location inaccessible to vehicles.

Before The Advertisement was filmed, there was consultation (and subsequent approvals gained), by both the Gold Coast City Council and the 'Save Our Spit' organization. Both of these groups have a significant interest in the ecosystems on the beach featured, and both provided support for the filming of The Advertisement. It is also acknowledged by the complainant that there are many locations across Australia, where driving on the beach is legal and acceptable. This suggests that this activity does conform to prevailing community standards.

In respect to the road safety concern, Supercheap Auto is a brand synonymous with motor sport. We have been the naming rights sponsor of the Supercheap Auto Bathurst 1,000 for 12 years and have sponsored our own racing team in the V8 Supercars for over 20 years. We currently sponsor two Stadium Super Trucks (the same vehicles featured in The Advertisement). The four oil companies represented in The Advertisement also have longstanding affiliations with motorsport, having sponsored racing cars for many years as a means of showcasing the performance of their product.

The significance of this campaign is that it launched at the same time as the V8 Supercars event at Surfers Paradise on the Gold Coast. V8 Supercars own creative executions included imagery of cars racing in front of the same beach where The Advertisement was filmed. The Stadium Super Trucks featured in the commercial were also promoted as a major draw card category for this event.

This Advertisement is an extension of our combined motorsport programs. It was aired largely within the V8 Supercar telecast. And it aims to dramatise the performance of our oil range in a way that is relevant to automotive enthusiasts.

From a production perspective, care was taken to communicate that The Advertisement was shot under controlled conditions and not on a normal road.

Trucks: The vehicles featured are very clearly racing vehicles. The racing livery and lack of number plates on the trucks indicate that these are performance racing vehicles, not passenger cars.

Drivers: The cars are driven by a team of Australia's most experienced professional stunt drivers. We have produced a suite of supporting 'behind the scenes' content intended for online, which contains interviews with the professional stunt drivers. The professional drivers are dressed in appropriate safety gear (helmets and racing suits) and they explain the years of practice undertaken to be able to perform the precision moves. The behind the scenes footage also makes reference to the preparation and practice that goes into choreographing the precision driving routine.

With our motor sport affiliation comes a responsibility to communicate the message that racing belongs on the track, not on our roads. This is a message we take very seriously at Supercheap Auto. We in no way wish to condone dangerous driving and have invested

significantly in promoting road safety through our CARMA initiative.

For the reasons outlined in this response we do not believe that The Advertisement depicts material which contravenes 2.6 of The Code but rather depicts a professional motor sport simulation and does conform to prevailing community standards. Supercheap Auto is committed to complying with the Code, all applicable laws related to advertising as well as community standards around Road Safety.

THE DETERMINATION

The Advertising Standards Board (“Board”) considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the “Code”).

The Board noted the complainants’ concerns that the advertisement promotes irresponsible and environmentally damaging driving.

The Board viewed the advertisement and noted the advertiser’s response.

The Board noted that this advertisement is for Supercheap Auto not for a motor vehicle and that therefore the provisions of the FCAI Code for Motor Vehicle Advertising did not apply. The Board noted that only the Code of Ethics applied to its consideration of this advertisement.

The Board considered Section 2.6 of the Code. Section 2.6 of the Code states: “Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety”.

The Board noted that the television advertisement features helicopters delivering four wheel drive vehicles to a beach where they begin to race each other.

The Board noted that the advertisement is the modified version of a previously upheld advertisement the Board considered in case 0532/16 where:

“The Board considered that the depiction of the trucks racing through city streets, did so in a manner that highlighted speed and performance of the vehicles or tyres and that the overall impression was condoning street racing or at very least unsafe driving.

The majority of the Board considered that the advertisement did depict material contrary to Prevailing Community Standards on health and safety and that the advertisement breached Section 2.6 of the Code.”

The Board noted in the current advertisement the street scenes have been removed. The Board noted the scenes where the cars are dropped from helicopters and racing across a beach. The Board considered these scenes are highly stylised and that the racing scenes of the beach are clearly of trucks being driven by skilled drivers in stunt conditions. The Board noted the scenes showing the trucks entering a security controlled area and considered that the depiction of one of the trucks using a ramp to fly through the security barrier is clearly fantastical and stylised and not a suggestion of how a truck should normally be driven. The Board considered that the overall scenario of trucks being delivered to a beach via helicopter

then performing stunts was clearly unrealistic and exaggerated and unlikely to be copied by members of the community.

The Board noted the complainants' concerns over damage to the environment. The Board noted the advertiser's response that the advertisement was filmed with the approval of the Gold Coast City Council and a community group committed to preserving the Gold Coast Spit and Broadwater and considered that the beach the trucks are driving on is clearly industrial and in the Board's view there is no suggestion that any harm has been done to the environment.

Overall the Board considered that the advertisement did not depict material contrary to Prevailing Community Standards on health and safety and determined that the advertisement did not breach Section 2.6 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaints.