



**Ad Standards** Community Panel  
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**AdStandards.com.au**

Ad Standards Limited  
ACN 084 452 666

## Case Report

<b>1. Case Number :</b>	<b>0027-20</b>
<b>2. Advertiser :</b>	<b>Weeks Building Group</b>
<b>3. Product :</b>	<b>Professional Service</b>
<b>4. Type of Advertisement/Media :</b>	<b>TV - Free to Air</b>
<b>5. Date of Determination</b>	<b>22-Jan-2020</b>
<b>6. DETERMINATION :</b>	<b>Dismissed</b>

### ISSUES RAISED

AANA Code of Ethics\2.6 Health and Safety

### DESCRIPTION OF ADVERTISEMENT

This television advertisement features a couple in a taxi at night. As the taxi meter gets higher, the man becomes agitated. He requests that the taxi driver stop and let the couple out, and then the woman is shown walking ahead of him on a footpath. The advertisement cuts to scenes of a new home.

### THE COMPLAINT

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

*The fact that neither person is wearing a seat belt.  
Not setting a good example.*

### THE ADVERTISER'S RESPONSE

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

*We feel comfortable that these adverts are not in breach of Section 2.6.*

*While it is noted our main talent is not wearing an 'over the shoulder' seatbelt, he is sitting in the middle rear seat where there is often only a waist seatbelt provided.*



*The camera does not show the waistline of any of the characters on screen. Further to this, it is noted that the natural position in which the seatbelt sits on the Taxi Driver and woman in the backseat is not visible to the camera either.*

## **THE DETERMINATION**

The Ad Standards Community Panel (Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concern that the advertisement depicts unsafe behaviour as the people in the vehicle are not wearing seatbelts.

The Panel viewed the advertisement and noted the advertiser's response.

The Panel considered whether the advertisement complied with 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 Panel noted the advertiser's response that although one of the men is not wearing a traditional over-the-shoulder seatbelt, he is sitting in a middle seat which often has a lap belt. The Panel considered that most taxis are later model vehicles and therefore have over-the-shoulder seatbelts in middle rear seats, but acknowledged that this may not always be the case.

The Panel noted that the Code requires an advertisement not to depict material contrary to Prevailing Community Standards, and considered that this advertisement is set at night, and it is unclear whether the passengers are wearing seatbelts, or what type of seatbelt. The Panel considered that this is therefore not in breach of the Code as most members of the community would be unable to definitely determine whether the advertisement depicted people wearing seatbelts or not and in the particular scenes of this advertisement, the screen shots and the way that the people were sitting meant it was not possible to clearly see whether or not they were wearing seatbelts.

The Panel determined that the advertisement did not breach Section 2.6 of the Code.

Finding that the advertisement did not breach any other section of the Code the Panel dismissed the complaint.