



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0066/12</b>
<b>2</b>	<b>Advertiser</b>	<b>Three Monkeys Bar</b>
<b>3</b>	<b>Product</b>	<b>Other</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Print</b>
<b>5</b>	<b>Date of Determination</b>	<b>14/03/2012</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

2.4 - Sex/sexuality/nudity    S/S/N - general

### DESCRIPTION OF THE ADVERTISEMENT

Advertisement includes various images including a group photo of six women in bikinis, a woman holding a bottle of Cuervo tequila and cartoon images of three monkeys in the bottom right corner.

### THE COMPLAINT

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

*The ad depicts inappropriate use of sex and sexuality.*

### THE ADVERTISER'S RESPONSE

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

*We believe that there is nothing wrong with this advert and this style of advert has never received any complaints before. If you require further info please let me know.*

## **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 complainant’s concern that the advertisement depicts inappropriate use of sex and sexuality.

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

The Board considered whether the advertisement was in breach of Section 2.4 of the Code. Section 2.4 of the Code states: “Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience”.

The Board noted that the advertisement was placed in a local newspaper and includes images of women wearing bikinis/lingerie as well as text advertising themed nights at the Three Monkeys Bar.

The Board noted that the women in the advertisement are not naked, some of the images are not clear and that their private areas are adequately covered. The Board noted that the images form only a small part of the advertisement as a whole and that the text is not sexualised or inappropriate.

The Board considered that most members of the community would not consider the images inappropriate and determined that the advertisement was not sexualised and did not breach Section 2.4 of the Code.

The Board determined that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience and that it did not breach Section 2.4 of the Code.

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