



Ad Standards Community Panel  
PO Box 5110, Braddon ACT 2612  
P (02) 6173 1500 | F (02) 6262 9833

AdStandards.com.au

Ad Standards Limited  
ACN 084 452 666

## Case Report

1. Case Number :	0086-21
2. Advertiser :	Bupa
3. Product :	Insurance
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Determination	28-Apr-2021
6. DETERMINATION :	Dismissed

### ISSUES RAISED

AANA Code of Ethics\2.6 Health and Safety

### DESCRIPTION OF ADVERTISEMENT

The Advertisement features a series of vignettes showing people of various ages and backgrounds engaging in various activities. They include two young boys playing on a trampoline, two middle-aged women surfing in low swell, a group of female friends meeting for a meal and, finally, a group of young adult friends reuniting after time apart. The voiceover accompanying these images refers to various instances of "life happening" suggesting that it is useful to have health insurance so that one can have peace of mind while engaging in those activities.

### THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

*The act of double-bouncing is one of the major contributors to serious injuries on trampolines, including to the head and spine. Footage of such dangerous acts should not be shown, at least not without clear warnings that it is a dangerous act. The voice-over doesn't help, as it light-heartedly states: "Double bouncing will always be a thing, because it's not just waves that break". Maybe if it was reversed, as in: "Its not just waves that break, because double bouncing is always a thing", that would be more accurate and more responsible, but many people will not hear, or ignore the words. This footage should not be shown, let alone on frequent repetition.*



## THE ADVERTISER'S RESPONSE

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

*I refer to your letter dated 31 March 2021 in relation to Complaint Reference Number 0086/21 (your Letter).*

*Bupa HI Pty Ltd (formerly Bupa Australia Pty Ltd) (Bupa) takes any consumer complaints in relation to its advertisements very seriously. Thank you for the opportunity to respond to the issues raised by the complainant attached to your Letter which appear to relate to a Bupa advertisement broadcast on free-to-air television and various social media channels and streaming services (the Advertisement).*

### *Summary*

*For the reasons outlined in this letter, Bupa respectfully submits that the Advertisement does not contravene the Australian Association of National Advertisers Code of Ethics (the Code).*

### *The Advertisement*

*The Advertisement features a series of vignettes showing people of various ages and backgrounds engaging in light-hearted, every day activities. This includes two young boys playing on a trampoline, two middle-aged women surfing in low swell, a group of female friends meeting for a meal and, finally, a group of young adult friends reuniting after time apart. The voiceover accompanying these images playfully refers to various instances of "life happening" suggesting that it is useful to have health insurance so that one can have peace of mind while engaging in those fun, everyday activities.*

*The Advertisement comprises a series of vignettes featuring a range of people engaging in "everyday" activities. The advertisement concludes that "life can happen" while engaging in such activities.*

*Bupa submits that the Advertisement does not contravene Section 2 of the Code*

### *Prevailing Community Standards on health and safety*

*We understand that the Advertising Standards Bureau (ASB) Board is to consider whether the Advertisements contravene section 2.6 of the Code. The section states: "Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety".*

*In our view, nothing in the Advertisement depicts, encourages, or promotes any form of conduct that is or could be construed as being contrary to Prevailing Community Standards on health and safety.*

*Remainder of section 2 of the Code*



*For completeness, sub-sections 2.1, 2.2, 2.3, 2.4, 2.5 and 2.7 of the Code do not appear to be applicable to either of the Advertisements. Accordingly, we have not considered the application of these sub-sections in this response.*

*Comprehensive response to the Complaint*

*The complaint expresses concern that:*

- the Advertisement comprises footage of “dangerous acts [which] should not be shown, at least not without clear warnings that it is a dangerous act” (Issue 1); and*
- the voiceover “light heartedly states ‘double bouncing will always be a thing, because it’s not just waves that break’”, which purportedly compounds Issue 1 (Issue 2);*

*In our view, neither Issue 1 nor Issue 2 is borne out by the footage (both viewed alone and viewed together with the voiceover).*

*That is, the children shown bouncing on the trampoline are playing – they are not “double bouncing” or otherwise engaging in dangerous behaviour. Neither of the children are shown to suffer any injuries, nor be likely to suffer any injury in the footage. In fact, the trampoline is fitted with safety devices, including barrier nets. Accordingly, no “dangerous acts” are shown and no associated warnings are required.*

*Further, the statement giving rise to Issue 2 is not a single “run on” threatening statement. That is, the voiceover associated with the footage of the children playing on the trampoline is “double bouncing will always be a thing.” The voiceover then pauses and footage of the women surfers is shown whilst the voiceover continues “because its not just waves that break”.*

*It is clear, having regard to:*

- the pause between the two statements; and*
  - the reference to “waves” in relation to surfing footage,*
- that the two concepts are not connected and is not intended nor reasonably considered to be threatening.*

*In sum, the Advertisement is lighthearted and is intended to give consumers peace of mind as they engage in enjoyable activities.*

*Please let me know if you require any further information. We would welcome the opportunity to work with you to resolve this issue.*

## **THE DETERMINATION**

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

The Panel noted the complainant’s concern that the advertisement promoted double bouncing on a trampoline which is unsafe.



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

**Section 2.6: Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety.**

Double bounce

The Panel noted that the advertisement does not show a scene depicting a double bounce, only normal bouncing. The advertisement makes reference to double bouncing always being "a thing", however phrases it as something you may need health insurance for and therefore suggests it is undesirable.

The Panel considered that acknowledging undesirable behaviour in an advertisement is not condoning or encouraging such behaviour and most people would not consider the acknowledgement of a double bounce being something that happens to be against prevailing community standards on health and safety.

Two persons of trampoline

The Panel noted that while guidelines typically provide that only one person should be on a trampoline at a time, most members of the community would not find the depiction of two children on a trampoline to be against prevailing community standards on health and safety.

**Section 2.6 conclusion**

The Panel considered that the advertisement did not contain material contrary to Prevailing Community Standards on health and safety and determined that it did not breach Section 2.6 of the Code.

**Conclusion**

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