



Case Report

1	Case Number	0109/13
2	Advertiser	Sexpo Pty Ltd
3	Product	Sex Industry
4	Type of Advertisement / media	TV
5	Date of Determination	10/04/2013
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

Sexpo advert advertising the Sexpo event being held at Darling Harbour in March 2013. The advertisement includes clips of attractions and events at the Sexpo.

THE COMPLAINT

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

I think that the timing of this sexpo ad was completely inappropriate for a family centric show such as Better Homes and gardens and at such an early stage of the night. I would like to think that family focus is still a value for TV at this hour.

The sexpo ad was played then 2 ads later it was followed by the prime possum saying it's time to go to bed for the younger viewers. I think the sexpo ads should be played well after prime possum saying 'goodnight boys and girls'. At least after 8:30pm.

THE ADVERTISER'S RESPONSE

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

This email relates to two complaints about a television advertisement that aired in Canberra after 7:30pm on Prime 7.

The advertisement in question was factored by CAD and given a PG rating and was eligible for that time slot.

We do not believe that this advertisement breaches section 2 of the AANA Code of Ethics in any way.

Please do not hesitate to contact me should you require any further information.

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 contains sexual material which is inappropriate for airing at times when children are watching.

The Board viewed 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 the advertiser’s response that the advertisement complied with Commercial Television Industry Code of Practice and the advertisement was classified with a “PG” rating and only appears in the appropriate timeslots for the rating given.

The Board noted that the advertisement was to promote the Sydney Sexpo which was held between the 21st and 24th of March 2013.

The Board noted that this advertisement is for a sex related product - a Sex expo - and that mildly sexually suggestive images of both women and men are relevant to that product or service. The Board noted that it had previously dismissed complaints about advertisements for Sexpo (case 0331/12 and 0500/12) and considered that the current advertisement was of a similar level of content.

The Board noted that the advertisement had been placed during the broadcast of Better Homes and Gardens and moments before the popular local TV station character ‘Prime Possum’ said good night to any children watching television. The Board considered that whilst this placement could have been better scheduled, in the Board’s view the relatively mild content of the advertisement is not inappropriate for the PG rating it was given.

The Board noted that whilst some members of the community would prefer for this product to not be advertised, in the Board’s view the advertisement is mild and does treat sex, sexuality and nudity with sensitivity to the relevant audience.

The Board determined that the advertisement did not breach Section 2.4 of the Code.

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