



Case Report

1	Case Number	0116/11
2	Advertiser	Accord Business Brokers
3	Product	Leisure & Sport
4	Type of Advertisement / media	Internet - social
5	Date of Determination	13/04/2011
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.3 - Sex/sexuality/nudity Treat with sensitivity to relevant audience
- 2.1 - Discrimination or Vilification Sex

DESCRIPTION OF THE ADVERTISEMENT

Image of woman sat on a piece of exercise equipment wearing workout gear consisting of a top and g string. The image is on a website advertising businesses for sale: www.realcommercial.com.au.

THE COMPLAINT

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

Unnecessary objectification of women.

THE ADVERTISER'S RESPONSE

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

We would respectfully request the board to consider the following when considering the advertisement.

- 1. The advertisement was listed on 8th October 2010.*

2. *It has been read by 507 people as at today's date and probably viewed by thousands more.*
3. *Only ONE complaint has been received.*
4. *It is not widely visible such as outdoor advertising.*
5. *Why should one person alone have the right to cause us to change our advertisement.*
6. *She does not have to see it again if she does not choose to look at it.*
7. *The site is generally only frequented by business people searching for a business to purchase.*

THE DETERMINATION

The Advertising Standard Board ('the Board') considered whether the advertisement complied with the AANA Code of Ethics ('the Code').

The Board noted the complainants' concerns that the advertisement objectifies women.

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

The Board considered whether the advertisement complied with section 2.1 of the Code which requires that 'advertisements shall not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, sex, age, sexual preference, religion, disability or political belief.'

The Board noted that the advertisement features a woman seated at an exercise machine. She is wearing a brief leotard, which exposes her buttocks, and crop top.

The Board considered that the image of a woman using an exercise machine, in the context of an advertisement for a fitness business for sale, was not objectification of women. The Board also noted that the gym wear worn by the woman was common in the 1980s and was not sexualised. The Board considered that the image of the woman does not depict the woman as an object and did not discriminate against or vilify women.

Based on the above the Board determined that, in this instance, the advertisement did not depict any material that discriminated against or vilified any person or section of society. The Board determined that the advertisement did not breach section 2.1 of the Code.

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

