



Case Report

1	Case Number	0116/13
2	Advertiser	Sexpo Pty Ltd
3	Product	Sex Industry
4	Type of Advertisement / media	Radio
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

Radio advertisement for Sexpo March 2013 to be held in Sydney. The female voice over says she would like to be able to tell you what you want to know about Sexpo but she can't and then goes on to say the event is being held at Darling Harbour and tickets can be purchased online.

THE COMPLAINT

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

I feel mix 106.5 advertises itself to be a station that plays mainstream music, for mums etc. In fact I often hear it playing in salons, shops etc. The songs are a mix of old and new, and I haven't found them to be too sexually explicit or contain offensive language.

For this reason I often have it on in the car.

I am the mother of 4 children under the age of 10, and was going to pick up my daughter from an after school activity at the time I heard the advertisement. I feel that many children would have heard this advertisement.

Questions like, "Mum, what is sexpo?" that children ask from a radio station that is quite family orientated (with presenters who are mums themselves and often talk about the funny side of parenting etc) are not appreciated by myself or any parent.

I should state that I am also the NSW President of the Australian Family Association. It is both as a mother and as the NSW president that I make this complaint. I ask that Sexpo not be

allowed to advertise via radio as too many children are able to hear it.

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 radio advertisement that aired in Sydney on Mix 106.5 after 5pm.

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 complainant's concerns that the advertisement contains sexual material which is inappropriate for airing at times when children are listening.

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 this radio advertisement was to promote the Sydney Sexpo which was held between the 21st and 24th March 2013.

The Board noted that this advertisement is for a sex related product - a Sex expo - and that the female voiceover says she is not allowed to talk about what you can see at the Sexpo.

The Board noted that many members of the community would prefer that advertisements for this product were not aired on the radio but considered that in this instance the content of the advertisement is very mild and that the references to "new and naughty things" and "juicy stuff" are sufficiently vague to be not inappropriate for children to hear.

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.

