



ADVERTISING  
STANDARDS  
BUREAU

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## Case Report

1	Case Number	0183/14
2	Advertiser	Sexpo Pty Ltd
3	Product	Sex Industry
4	Type of Advertisement / media	TV
5	Date of Determination	28/05/2014
6	DETERMINATION	Dismissed

### ISSUES RAISED

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

### DESCRIPTION OF THE ADVERTISEMENT

Promotion of the Adelaide Sexpo. The fifteen second version features an older woman saying that Sexpo might not be everyone's cup of tea and then we see scenes for a Sexpo event. The 30 second version features a female voiceover highlighting what can be seen at the event. There are scenes of women and of men dancing on stage wearing minimal clothing as well as crowd shots and a close up of a woman drinking champagne.

### THE COMPLAINT

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

*I believe it's highly inappropriate to show advertisement of such nature (adult sex industry or interest) on a weekend at such an hour.*

*This is a wholly inappropriate ad to put on at mid-day on a Saturday, at a time when children are likely to be watching.*

*It even came during "Happy Days" (a G rated show).*

*It beggars belief that it was put on at such a time, and not late evening.*

*I ask that the station be directed (quickly) to correct this, and that a warning be placed to all stations about the timing of such advertisements into the future.*

*Inappropriate content for the time slot. Children watch AFL coverage. Especially in that time slot.*

## **THE ADVERTISER'S RESPONSE**

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

*The complaints refer to our television advertisement which aired at 8:25pm on May 17 on Channel 7 'mate', 5:05pm May 17 on Channel 11, May 17 6:45pm on Channel 7 'mate' and May 17 12:00pm on Channel 11 (Adelaide)*

*I have attached both our 15 second & 30 second advertisements in question.*

*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 sexualised 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 noted that some complainants were concerned that this product is able to be advertised on television. The Board noted that this product is legally allowed to be advertised and that this issue falls outside of the Code therefore the Board cannot consider this aspect of the complaints when making its determination.

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 there are two advertisements promoting the Adelaide 'Sex Expo': the 15 second version features an older woman stating that Sexpo might not be everyone's cup of tea before showing scenes from the Sexpo event, whilst the 30 second version does not feature the older woman but does feature more scenes and people attending the event.

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 appears in the appropriate timeslots for the rating given.

The Board noted that it had previously dismissed complaints about advertisements for Sexpo (case 0331/12, 0500/12, 0109/13 and 0420/13) and considered that the current advertisement was of a similar level of content.

The Board noted that the scenes showing stage performances at a Sexpo event did not feature any explicit nudity and considered that whilst some scenes were sexualised they were not inappropriate in the context of a brief scene in a PG rated advertisement.

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 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.