



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

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Advertising Standards Bureau Limited  
ACN 084 452 666

# Case Report

1	Case Number	0189/18
2	Advertiser	Squarespace Inc
3	Product	Information Technolo
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	24/04/2018
6	DETERMINATION	Upheld - Modified or Discontinued

## ISSUES RAISED

2.6 - Health and Safety Motor vehicle related

## DESCRIPTION OF THE ADVERTISEMENT

This television advertisement depicts Keanu Reeves standing on top of his motorbike while it is driving down a road.

## THE COMPLAINT

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

*This type of advertising is appalling and has a big influence on children. We are facing an increasing epidemic of children riding motor and dirt bikes on public/residential roads. People have been killed by reckless, young monkey bike riders, not long ago a woman was killed outside a shopping complex. It is bad enough we have movies that influence young people wrongly we certainly do not need irresponsible ads being played daily by big movie stars encouraging more of this type of behaviour! Not long ago a policeman with many years experience was killed riding a motorbike legally on our local roads and when children with less experience try to copy their hero Keanu Reeves reckless example of riding a motorbike then it is a very real possibility that this*



*can cause deaths! The advert even tells our youth “to make it happen”. I am horrified that this advert was even allowed on TV in the first place. Very irresponsible!*

## **THE ADVERTISER’S RESPONSE**

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

### *Description of advertisement*

*“Make it Happen”*

*This TVC is a dramatized version of Keanu Reeves performing a stunt on his motorcycle, similar to those performed in his movies such as 'Point Break' and 'The Matrix'. The song 'Adventures in Success' by Will Powers plays in the background and Keanu Reeves sings along.*

### *Advertisers response to complaint*

*“Make it Happen”*

*We believe that the TVC does not contravene the Advertising Association of National Advertisers Code of Ethics (Code of Ethics), or the Advertising & Marketing Communications to Children Code (AMCC Code), the Federal Chamber of Automotive Industries (FCAI) Code of Practice relating to Advertising for Motor Vehicles (FCAI Code), or the Food & Beverages Advertising & Marketing Communications Code (FBAMC Code).*

*The last broadcast of this TVC was 7 April 2018, and it will not be broadcast again in Australia.*

### *About Squarespace*

*Squarespace is a software service based content management system company. It offers individuals and businesses the opportunity to create and maintain blogs, websites and online stores.*

### *Advertising Association of National Advertisers Code of Ethics*

*The complaint focuses on the dangerous nature of the stunt and that children will be influenced by the TVC.*

*Section 2.6 of the Code of Ethics provides:*



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

*Squarespace believes the TVC does not contravene section 2.6 or any other provision of the Code of Ethics. It is clearly a dramatized and exaggerated film-like depiction of Keanu Reeves doing a stunt on his motorbike.*

*This is further demonstrated by the inclusion of a disclaimer in the TVC.*

#### *Code of Practice relating to Advertising for Motor Vehicles*

*It is recognised in the explanatory notes to the FCAI Code of Practice relating to Advertising for Motor Vehicles that the FCAI acknowledges that 'advertisers may make legitimate use of fantasy, humour and self-evident exaggeration in creative ways for advertising motor vehicles.' Squarespace believes the TVC makes use of the legitimate use of fantasy and self-evident exaggeration.*

#### *Advertising & Marketing Communications to Children Code*

*The AMCC Code applies to 'Advertising or Marketing Communications to Children', which is defined as:*

*"Advertising or Marketing Communications which, having regard to the theme, visuals and language used, are directed primarily to Children and are for Product."*

*We note that 'Children' is defined to mean 'persons 14 years or younger' and 'Product' is defined to mean:*

*"goods, services and/or facilities which are targeted toward and have principal appeal to Children."*

*Squarespace believes that the AMCC Code does not apply to the TVC. Specifically:*

*(a) Squarespace services are not targeted towards, or have principal appeal to, children; and*

*(b) the TVC is not directed to children. The theme, visuals and language of the TVC are designed to appeal to adults who recognise Keanu Reeves and his action and sci-fi films such as the Matrix and Point Break, particularly those where he is involved in stunts.*

*Further, the programs in which the TVC was broadcast are programs directed towards adults and would only reasonably be viewed by children with appropriate adult supervision.*

#### *Food & Beverages Advertising & Marketing Communications Code*

*The FBAMC Code does not apply to the TVC. The TVC is not advertising for Food or*



*Beverage Products (as those terms are defined in the FBAMC Code).*

## **THE DETERMINATION**

The Ad Standards Community Panel (“Panel”) considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the “Code”).

The Panel noted the complainant’s concerns that the advertisement depicted unsafe behaviour.

The Panel reviewed the advertisement and noted the advertiser’s response.

The Panel considered Section 2.6 of the Code. Section 2.6 of the Code states: “Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety”.

The Panel noted the television advertisement depicts Keanu Reeves standing on a motorbike as it is being driven.

The Panel noted the complainant’s concern that standing on a moving motorcycle is dangerous, and children might copy such behaviour because a celebrity is doing it.

The Panel acknowledged that road safety is an issue of significant community concern and that it is important that advertisements don’t portray material which is contrary to road safety messages.

The Panel considered the actor in the advertisement is well known and therefore is likely to be a role model for some members of the community.

The Panel noted the advertiser’s response that the advertisement was clearly an exaggerated and dramatized film-like depiction. The Panel considered that the advertisement appeared to be filmed on an open road rather than a closed track, and that there is oncoming traffic shown. The Panel noted the likelihood that this was edited in after filming, but did not consider that this is sufficiently clear for the broad community including young people to override the depiction.

The Panel considered the scene at the end of the advertisement when the motorbike flies into the sky. Despite the flight into the sky, the lengthy images of the motorbike being ridden are predominant impression. The Panel noted that the act of riding a motorbike like this is common in entertainment, but this also means it is imitable and the strong depiction of the bike being ridden is the focus of the advertisement.

The Panel noted the advertiser’s response that a disclaimer included in the



advertisement. Regardless of this, the Panel noted that they had consistently determined that a disclaimer was not necessarily enough to discourage copying reckless behaviour.

The Panel considered that the actor is clearly shown standing up on a motorcycle on an open road with oncoming traffic and this is a depiction which is contrary to Australian Road Rules and is therefore a breach of prevailing community standards on health and safety relating to a moving motor vehicle.

The Panel determined this advertisement did breach section 2.6 of the Code and the Panel upheld the complaint.

#### **THE ADVERTISER'S RESPONSE TO DETERMINATION**

The Advertiser discontinued the advertisement on 7 April 2018.