



ADVERTISING  
STANDARDS  
BUREAU

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## Case Report

1	Case Number	0238/14
2	Advertiser	AAMI
3	Product	Insurance
4	Type of Advertisement / media	Free TV
5	Date of Determination	09/07/2014
6	DETERMINATION	Dismissed

### ISSUES RAISED

2.6 - Health and Safety Motor vehicle related

### DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features a father with his child in a car, when the younger version of himself pulls up next to them at a stop sign. The younger version of the father then tries to race ahead when the lights change but he stalls. The product being advertised is the AAMI Skilled Drivers Course.

### THE COMPLAINT

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

*Firstly the loud voice of talking to another driver at a set of lights and taking away concentration at an intersection. Then we have the young driver overtaking from the inside path where there are no lanes. Thirdly the young driver leaving skid marks encouraging young drivers to overtake and race at a set of lights. This coming from a car insurance company is the wrong message as it is not clearly stating that this should not be done.*

### THE ADVERTISER'S RESPONSE

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

*This is the second time this ad has been aired over the last 12 months. We contend that this ad in no way contravenes any of the guidelines outlined by the ASB.*

## **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 concern that the advertisement features a driver being distracted by another driver and driving practices which encourage and condone unsafe driving.

The Board noted that as this advertisement is for an insurance company and not a car company the provisions of the Federal Chamber of Automotive Industries (FCAI) Code do not apply in this instance.

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

The Board 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 Board noted the advertisement features a father with his son in a car at an intersection when another car pulls up alongside. The man notices it is being driven by the younger version of himself and that this younger version calls out “nice car mate” to him before trying to pull away from the intersection quickly but stalling the car.

The Board noted the unreal situation depicted - a man being confronted with his younger self driving a vehicle – and considered that the most members of the community would interpret the advertisement as showing a person reflecting on their own driving abilities when younger. The Board noted the advertiser’s response that the advertisement is promoting a Skilled Drivers Course.

The Board noted it had recently upheld an advertisement for engine oil in case 0150/14 where:

The Board noted that the advertisement depicts characters driving various vehicles repeatedly doing ‘burnouts’ including in front of a group...

...The Board considered that the message that was being delivered was not clearly about choosing the right oil for your car and was more strongly suggestive of the types of ways a car could be driven.

The Board considered that the advertisement depicts scenes that young adults would relate to and that the approach did undermine the importance of driving carefully and within the law.”

In the current advertisement the Board noted that the man’s reaction to the driving ability of his younger self clearly indicates he is not impressed. The Board considered that, unlike in case 0150/14, the depiction of a man trying (and failing) to wheel-spin is presented in a manner which makes it seem ridiculous. The Board noted that the advertised product is a Skilled Drivers Course and considered that in the context of this product the depictions of driving in the advertisement are clearly relevant.

The Board noted the complainant's concerns that the younger man calls out to his older self and that this would be distracting. The Board noted that both cars were at a complete stop when the man calls out and that both drivers had their hands on their steering wheels. The Board noted that both drivers were presented as being in control of their vehicles and considered that this brief scene does not encourage or condone distracting drivers.

The Board noted the complainant's concern that the advertisement depicts a car overtaking from the inside. The Board noted that both cars are at a crossroads and that the younger driver pulls away first and is therefore in front of the older driver. The Board noted that as there isn't a lane divider it is suggestive that the younger driver should have been turning left rather than driving straight ahead. The Board noted that the older driver remains at the junction when the younger driver pulls away and that there are no other vehicles or pedestrians shown using the roads or footpaths. The Board considered that the older driver is depicted as being aware of the poor driving practices his younger self is displaying and that at no time is there a suggestion that the drivers are in danger of colliding either with each other or anyone or anything else. The Board considered that the advertised product and the humorous tone of the advertisement amount to an overall depiction that does not undermine the importance of driving carefully and within the law and does not encourage or condone unsafe driving practices.

The Board considered that the advertisement did not depict material contrary to prevailing community standards.

The Board determined that the advertisement did not breach Section 2.6 of the Code. Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.