



Case Report

1	Case Number	0256/10
2	Advertiser	NRMA Ltd
3	Product	Insurance
4	Type of Advertisement / media	TV
5	Date of Determination	22/06/2010
6	DETERMINATION	Upheld - Modified or Discontinued

ISSUES RAISED

- 2.6 - Health and Safety within prevailing Community Standards
- Other Social values

DESCRIPTION OF THE ADVERTISEMENT

Brisbane Broncos are shown working in an NRMA Call Centre, performing different office tasks. The advertisement begins with the Broncos at a staff meeting, then shows one of the Broncos answering a phonecall, another pushing a tea trolley and another pushing a vending machine until chocolate falls out. The ad ends with the Broncos in the lift and a voiceover states "Lowest Price Car Insurance or we'll beat it by 10% "

THE COMPLAINT

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

The advertisement showed Sam Thiaday shaking a vending machine to get product out of the machine for free. This theft why would they show stealing using so called children' role models such a Thiaday. I own vending machines theft of product is always a concern. Yes it's only chocolates but is still stealing and it should not be broadcast on TV or any other media

THE ADVERTISER'S RESPONSE

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

The Advertisement is part of NRMA Insurance's 'Lowest Price Car Insurance/Beat it by 10%' campaign. The campaign informs prospective car insurance customers that NRMA Insurance has lowered its car insurance prices and if they find a cheaper price from a different insurer then NRMA Insurance will beat that competitor's price by 10%.

The Advertisement features players from the NRL team Brisbane Broncos of which NRMA Insurance is a Platinum Sponsor. The use of the Broncos players is designed to promote the campaign in a humorous and light hearted way by demonstrating that the Campaign is proving so successful that NRMA Insurance needed to recruit the Broncos players to assist in its call centre.

The humour of the Advertisement is to show in a light hearted manner that the Broncos players are a bit out of place in a typical office environment due to their size, strength and inexperience. For example Darren Lockyer is shown answering phone calls while lounging in a chair with his feet placed on a desk and Ben Te'o is shown wearing an apron while pushing a tea trolley around the call centre.

In one scene, Sam Thaiday is shown jiggling a vending machine to dislodge a chocolate bar that he had purchased which had become stuck. Consistent with the humour of the Advertisement, this action causes numerous chocolate bars to fall out of the machine because of Sam's size and strength.

We note that the Complaint and the Board suggests that NRMA Insurance could be in breach of clause 2.6 of the AANA Code of Ethics (Code) by depicting 'material contrary to Prevailing Community Standards on health and safety'.

NRMA Insurance places a very high value on its relationships with customers and the community. Whilst we regret the distress caused to the complainant, we do not agree that the Advertisement contravenes ordinary community standards of health and safety in contravention of the Code.

The Complaint suggests that Sam Thaiday is shaking the vending machine in order to get product out of the machine for free and that this depicts theft or stealing. We do not agree.

As outlined above, there is no depiction of stealing or any inappropriate conduct in this scene. The scene merely provides another example of Bronco players being out of place in an office environment consistent with the humorous and light hearted manner of the Advertisement.

In any event, we fail to see how that scene could contravene clause 2.6 of the Code as it does not depict any dangerous or risky behaviour that could be contrary to community standards of health and safety.

We trust that the Advertising Standards Bureau members will agree with our assessment that our advertisement does not breach the AANA Code of Ethics. We request that the Advertising Standards Bureau dismiss the complaint and welcome your feedback.

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 depicts unsafe and illegal behaviour.

The Board considered whether the advertisement complied with section 2.6 of the Code which requires that ‘advertising or marketing communications shall not depict material contrary to prevailing community standards on health and safety.’

The Board noted that in the advertisement one of the football players is depicted shaking the vending machine to dislodge chocolate bars. The Board considered that there is no suggestion that the player has not paid for one of the products and that there is not necessarily a suggestion of theft. However the Board noted it would not be the case that the man would have paid for the number of product that fell from the machine and that therefore there is a depiction or suggestion of theft.

The Board considered however that the image of the man shaking the machine from the top is a depiction of an activity that can cause injury. The Board noted that vending machines are very heavy items and information about a number of popular machines indicates that they range in weight up from 296kg empty. The Board considered that the depiction of the person shaking the machine is a depiction of an activity that can cause harm. The Board considered that this depiction would be considered to be a depiction of an activity that most people would consider unsafe behaviour. The Board also considered that the use of a popular personality to depict this behaviour condoned the behaviour – even in the context of football players being seen to be doing ‘the wrong thing’ in the office.

The Board determined that the advertisement did depict material contrary to prevailing community standards on safety and therefore breached section 2.6 of the Code.

ADVERTISER RESPONSE TO DETERMINATION

We are modifying the advertisement that is the subject of this complaint to remove the offending matter.