



ADVERTISING
STANDARDS
BUREAU

Level 2, 97 Northbourne Avenue, Turner ACT 2612
Ph (02) 6173 1500 | Fax (02) 6262 9833
www.adstandards.com.au
ACN 084 452 666

Case Report

1	Case Number	0269/14
2	Advertiser	Ambience Air
3	Product	House Goods Services
4	Type of Advertisement / media	Free TV
5	Date of Determination	13/08/2014
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

A young man and woman are wrapped up in blankets and woollen hats whilst watching TV. They see a commercial for Ambience Air and in the next scene we see an Ambience Air engineer installing a heating system and explaining how to use it. We then see the young woman remove her hat and jumper before straddling the man and flicking her hair. The couple realise they are being watched by a young boy and sit up suddenly causing the woman to fall to the ground from the lounge the couple were embracing on.

THE COMPLAINT

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

Dry sexual action in front of 12 year old. Sex to sell aircon.

THE ADVERTISER'S RESPONSE

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

Regarding the concerns, the concept implies that switching on the heating system it is so wonderful that life becomes a fantasy. The boy eating cereal kicks them out of the fantasy. It is meant to be comedic and not intended to 'shock' for attention.

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 depicts sexual activity in front of a child which is not appropriate and has no relevance to the advertised product.

The Board viewed 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 the advertisement features a young man and his girlfriend embracing on the lounge once the heating has been fixed until they realise that a young boy is eating at the table and can see what they are doing.

The Board noted that although the young woman in the advertisement is shown removing some clothing she remains fully dressed throughout the advertisement as it is just her hat, the blanket wrapped around her and her jumper that she removes. The Board noted that when the woman sits on her boyfriend’s lap she swings her hair in an exaggerated motion. The Board noted that this action of swinging her hair could be viewed as sexualised but considered that the woman’s clothing and the lack of visible sexualised activity between the couple (there is a suggestion that they kiss but the viewer does not see this) amounts to a very low impact sexual depiction.

The Board noted that the advertisement had been rated ‘PG’ by CAD. The Board considered that the level of sexual activity in the advertisement is relatively mild and is not inconsistent with the relevant PG audience.

The Board noted that the young boy in the advertisement who witnesses the couple on the lounge does not appear to be concerned by what he sees and considered that the behaviour of the couple is not inappropriate for a child to view either as a participant in the advertisement or as a viewer of the advertisement.

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 complaint.

