



Case Report

1	Case Number	0302/10
2	Advertiser	96.5 Wave FM
3	Product	Leisure & Sport
4	Type of Advertisement / media	Radio
5	Date of Determination	14/07/2010
6	DETERMINATION	Dismissed

ISSUES RAISED

2.3 - Sex/sexuality/nudity Treat with sensitivity to relevant audience

DESCRIPTION OF THE ADVERTISEMENT

A man and a woman are heard talking about the woman being "ready to do this" with the man noting that it is her "first time".

A male voice over then says, "Lose your virginity at Thredbo. Home of Australia's best beginner's area. Thredbo. Are you in?"

THE COMPLAINT

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

It begins with a guy and a girl talking with obvious overtones of the experience being the first for the girl. The guy doing his best work to convince her. I heard this ad with my 13 year old daughter which caused great embarrassment for both of us.

THE ADVERTISER'S RESPONSE

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

Thredbos comments;

- *The ads always reveal that nothing is 'actually' going on*
- *The 'suggestive' (and always only suggestive) nature of the spots are in good fun and refer to Thredbo highlights*
- *They are playful and speak to Thredbo's key target market*
- *In review, perhaps a suggested time slot would have been appropriate*
- *Mature TOV was applied to ensure it was appealing (comprehended) by the target market (18+)*

Wave FM Comments;

The ad was removed from air play as soon as the complaint was made (with Thredbos agreement)

Although Wave FM is an adult targeted station we do understand that some parents may be uncomfortable being with their children when the ad is played and we will look at placements outside of times when children are in cars with parents (to and from school)

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 is sexually suggestive and inappropriate to a time zone when children can listen.

The Board first considered whether the advertisement met the requirements of section 2.3 of the Code which is that advertisements 'must treat sex, sexuality and nudity with sensitivity to the relevant audience and, where appropriate, the relevant programme time zone.'

The Board noted that this advertisement is about a couple discussing the woman's first time at Thredbo. The Board agreed that the advertisement is undoubtedly meant to have a sexual overtone, however noted that the radio advertisement only contained sounds of the couple talking and there is not specific mention of sex. The Board noted that the only term used that is related to sex is the term 'virginity'. The Board noted that the word 'virginity' is commonly used to refer to anything that a person is doing for the first time – not just sex.

The Board noted that this is a radio audience with a potentially broad audience but noted also that listeners choose the station that they listen to and that particular stations will have different types of material. In all situations the listener is free to change stations or turn off the radio if they believe that the material on the station is inappropriate for them and their passengers. The Board considered that the advertisement is mildly sexually suggestive but is clearly intended to be a suggestive but mildly humorous way of encouraging people to come to Thredbo and is not inappropriate for the radio audience. The Board determined that the advertisement treated sex with sensitivity to the relevant audience and that the advertisement did not breach section 2.3 of the Code.

Finding that the advertisement did not breach the Code on any grounds, the Board dismissed the complaint.