



Case Report

1	Case Number	0303/10
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

Two females discuss how long they 'went down' for in breathless voices. Then a male voice over says, "Go down for longer at Thredbo. Home of Australia's longest runs. Thredbo. Are you in?"

THE COMPLAINT

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

Two girls saying how great it was etc etc. Obviously this somehow relayed to going down the slopes of Thredbo. These ads are totally inappropriate for the timeslot as lots of people are in their cars with children at this time and the ads are highly offensive.

THE ADVERTISER'S RESPONSE

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

Comments from Thredbo;

- *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+)*

From Wave FM;

Ads were removed from air play as soon as the complaint was received (with Thredbo's agreement).

Wave FM is an adult targeted station however we understand that this style of ad may make some parents uncomfortable and will look at placements outside of times when they may have children in the car with them.

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 two women discussing the woman's experience 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 women 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 'going down'. The Board noted that the term 'going down' is specifically relevant to skiing and is a logical interpretation of the advertisement.

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 humorous reference to encourage 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.