



Ad Standards Community Panel
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AdStandards.com.au

Ad Standards Limited
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Case Report

1. Case Number :	0304-21
2. Advertiser :	Commonwealth Bank of Australia
3. Product :	Finance/Investment
4. Type of Advertisement/Media :	Outdoor
5. Date of Determination	10-Nov-2021
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.6 Health and Safety

DESCRIPTION OF ADVERTISEMENT

This advertisement features a photo of a girl on a skateboard holding onto the rear of a bicycle being ridden by another person. Text on the image states "Make money moves with CommBank. Pay. Save. Grow". There is also an image of a mobile phone over the photo.

THE COMPLAINT

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

My concern is that while it is permissible to ride on footpaths in Queensland, where I saw the ad, it is most definitely not permitted for a cyclist to tow a rider on a wheeled recreational device such as a skateboard nor for the rider of a wheeled recreational device to be towed by any other vehicle including a bicycle on any public road or footpath and that includes private car parks to which the general public have access to and the Road Rules apply. The Road Rules in Queensland have also recently been amended to prohibit the holding of a mobile phone in any vehicle that is not parked and while the skateboard may not be classed as a vehicle, it is a very dubious and unsafe practice to encourage. The imagery is particularly poignant with the recent death of a young teenage boy being towed by a vehicle in Queensland. The phone should be placed away in pocket when riding in a public place so it is not a distraction. It is also a very easy way to fracture a scaphoid in the risk in the event of a fall. This is not a responsible ad and the imagery is totally unnecessary to promote the 'moving money' app or concept they are trying to sell to young adults.



THE ADVERTISER'S RESPONSE

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

The advertisement this complaint refers to is part of a campaign speaking to the young adults of Australia, the main media utilised for the campaign was Out Of Home (OOH) advertising on which we feature a pair of young female friends in the throes of their everyday life.

The concept is based on the freedom and joy of young adults today; who in their ingenious and savvy behaviours find safe, yet joyful ways to spend their time. The representation of the young girls on their bike and skateboard is complimented by the advertising headline 'Make Money Moves with CommBank'. The inference of movement is both a juxtaposition of the physical act of moving forward slowly and safely (on a bike or skateboard) and the ability for young adults to move forward financially.

*The advertisement speaks to a broad range of products enabling young adults the ability to make their very own money moves, examples of which are:
CommBank StepPay: a Buy Now Pay Later product.
CommBank Rewards: a rewards program that rewards you with cashback offers on big brands.
CommSec Pocket: a micro-investing app, enabling you to start with as little as \$50.*

The scene in question was shot at the Maroubra SLSC; the area was selected as it is a closed off area that is not a road – it was closed off for the shoot with no public access. The priority was to ensure the upmost safety for the photography shoot and to depict a closed off area (surrounded by walls); making sure not to create the illusion of the movement being carried out at speed, more so stationery as if at standstill or starting off.

As an additional safety measure the talent on the skateboard was cast as a professional skater, to ensure ample experience when standing on the skateboard so not to create any risk of injury. Both talent had helmets on for the entirety of the scene, per legally compliant road safety rules, whilst in a closed off area.

The complaint in question sits under section 2.6 of the Code of Ethics, which states that advertising or marketing communications shall not depict material contrary to Prevailing Community Standards on health and safety. The intent of this photography is not to portray unsafe behaviours on public roads, rather to depict a stand-still moment in a closed-off/private area. The entire campaign was created by our advertising agency partner; M&C Saatchi, and our media buyer is AKQA.



I hope this answers your query. Please do not hesitate to contact me if you have further questions or would like more information.

THE DETERMINATION

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concerns that the advertisement includes unsafe behaviour which would breach the road rules.

The Panel viewed the advertisement and noted the advertiser's response.

Section 2.6: Advertising shall not depict material contrary to Prevailing Community Standards on health and safety.

The Panel noted the Practice Note to Section 2.6 which states:

"Images of unsafe driving, bike riding without helmets or not wearing a seatbelt while driving a motor vehicle are likely to be contrary to prevailing community standards relating to health and safety irrespective of whether such depictions are for the product/service being advertised or are incidental to the product."

The Panel noted the complainant's concern that the advertisement features someone using a mobile phone while on a skateboard.

The Panel noted that while the advertisement features an image of a phone and a promotion for an app, the people in the advertisement are not seen to be holding or using phones. The Panel considered that the interpretation that this advertisement promoted the use of mobile phones while skateboarding or cycling was unlikely.

The Panel noted the advertisement appeared to be set in a private courtyard or park, and there was no indication that they were on a footpath or road. The Panel considered that there were no other people around and that the people in the advertisement were clearly wearing helmets. The Panel considered that the people did not appear to be moving fast or erratically.

The Panel acknowledged that the action of towing a skateboard behind a car or motorised device is dangerous and is known to have caused injuries and deaths. However, the Panel considered that the advertisement clearly depicted the person on a skateboard holding onto a bicycle and not a car or motorised vehicle.

The Panel considered that the combination of the private location, safety gear being worn and low speeds meant that the overall impression of the advertisement was not that the behaviour being undertaken is unsafe.



The Panel considered that most members of the community would not find the advertisement to be promoting unsafe behaviour.

Section 2.6 conclusion

The Panel considered that the advertisement did not contain material contrary to Prevailing Community Standards on health and safety and determined that it did not breach Section 2.6 of the Code.

Conclusion

Finding that the advertisement did not breach any other section of the Code, the Panel dismissed the complaint.