



Case Report

1	Case Number	0322/12
2	Advertiser	Roadshow Film Distributors Pty Ltd
3	Product	Entertainment
4	Type of Advertisement / media	TV
5	Date of Determination	08/08/2012
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

The advertisement was for a movie called Magic Mike. The movie stars Channing Tatum and Matthew McConaughey and was released in Australian cinemas nationally on July 26. It features scenes of a man dancing on stage in front of a female audience as well of scenes depicting topless men.

THE COMPLAINT

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

I object to this advertisement being shown during family viewing times and during television shows aimed at families. The advertisement should be restricted to timeslots after 8:30pm.

THE ADVERTISER'S RESPONSE

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

The particular TVC that appeared within Modern Family and relates to this case recieved a J CAD rating. The TV commercial was created by the US ditributor of the movie

(FILMNATION) and was supplied to us to localise i.e. we added the local classification and release date.

The TV campaign for Magic Mike has been booked to appear on FTA and STV across WC 8/7, 15/7, 22/7 and 29/7 - and although the campaign is still on air, this particular TVC has been removed from the rotation as of Thursday 26/7 and will no longer run.

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 features material which is offensive and is inappropriate for viewing by children.

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 that the advertisement was for a movie called Magic Mike. The movie stars Channing Tatum and Matthew McConaughey and was released in Australian cinemas nationally on July 26. It features scenes of men dancing on stage in front of a female audience as well of scenes depicting topless men.

The Board noted that some members of the community would prefer not to have any sexual references or nudity presented in advertisements however the Board considered that in this instance the images of men dancing without shirts on and pole dancing were directly related to the film and were not explicit, and not inappropriate to show this material in the context of promoting the movie.

The Board noted the advertiser’s response that the advertisement complied with Commercial Television Industry Code of Practice and the advertisement was classified with a “J” rating and only appears in the appropriate timeslots for the rating given.

Based on the above the Board considered that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant PG audience.

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.

