



Case Report

1	Case Number	0331/12
2	Advertiser	Sexpo Pty Ltd
3	Product	Sex Industry
4	Type of Advertisement / media	TV
5	Date of Determination	22/08/2012
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

A couple are in bed and they throw the covers off and say they are coming to the Sexpo in Brisbane.

We then see clips of the various performers at the Sexpo as well as crowd shots and some presenters on stage. The voiceover describes who will be there and some of the activities available. In the final scene the voiceover says there are limited edition vibrating medals available and we see a picture of a medal.

THE COMPLAINT

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

I was surprised to see an ad for Sexpo, the upcoming adult expo in Brisbane, at 3:20pm on free to air TV. The ad outlines the adult only offerings of the event including: porn stars, exotic dancers, sex education and something about a free vibrator. I do not feel that this is appropriate to be shown during the after school time slot on free to air TV when children might be viewing. As the parent of young children just learning to read I would like to reserve the right to have age appropriate conversations with my children about sex and not have it forced upon them by TV commercials during after school hours.

It is totally inappropriate to have an advert of that nature on daytime TV at the weekend when children could be watching. In fact they are highly likely to be watching. Those sorts of adverts should be timed to match in with their target audience (adults) after children's

suitable programming is finished for example in the evening. I was shocked and too slow to change the channel before my 9 year old watched the whole thing.

THE ADVERTISER'S RESPONSE

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

This email relates to a complaint about a television advertisement that aired on television in Brisbane (Channel not given).

The advertisement in question was factored by CAD and given a PG rating and was eligible for that time slot. The advertisement does not claim to give away vibrators.

We do not believe that this advertisement breaches Section 2 of the AANA Code Of Ethics in any way. Please don't hesitate to contact me should you require any further information.

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 contains sexual material, including an offer for free vibrators, which is inappropriate for airing at times when children are watching.

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 advertiser's response that the advertisement complied with Commercial Television Industry Code of Practice and the advertisement was classified with a "PG" rating and only appears in the appropriate timeslots for the rating given.

The Board noted that the advertisement was to promote the Brisbane Sexpo which was held between the 2nd and 5th of August 2012.

The Board noted that this advertisement is for a sex related product - a Sex expo - and that mildly sexually suggestive images of both women and men are relevant to that product or service.

The Board noted that whilst some members of the community would prefer for this product to not be advertised, in the Board's view the advertisement is very mild and does treat sex, sexuality and nudity with sensitivity to the relevant audience. The Board noted that it had previously dismissed complaints about advertisements for Sexpo (cases 483/10 and 0227/12) and considered that the current advertisement was of a similar level of content.

The Board noted the complainant's concern that the advertisement promotes free vibrators. The Board noted that at the end of the advertisement the voiceover says there are limited edition VIP vibrating medals and we see an image of a medal on screen. The Board considered that the promotion of vibrating medals is not inappropriate and does not breach the provisions of the Code.

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.