



Case Report

1	Case Number	0336/11
2	Advertiser	Central Coast Motor Group
3	Product	Vehicles
4	Type of Advertisement / media	TV
5	Date of Determination	14/09/2011
6	DETERMINATION	Dismissed

ISSUES RAISED

2.6 - Health and Safety within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

The Advertisement is for local business Central Coast Motor Group dealership and shows different people sat in different makes and models of stationery vehicles. In one scene we see two children and their teddy bear being strapped in to the back seat of a car which is on the dealerships inside forecourt.

THE COMPLAINT

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

One scene shows young children obviously under the age of seven being strapped into seat belts in the rear of a car without booster seats. I believe this is contrary to the laws concerning children under the age of seven and gives a poor message to young parents to whom the ad is directed.

THE ADVERTISER'S RESPONSE

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

Central Coast Motor Group understands the importance of child safety, the commercial in question simply depicts the sales experience process with our clients and the high level of customer service that we provide.

Central Coast Motor Group is advertising its benefits as a motor group that is family friendly and selling a lifestyle. The commercial in question simply showcases the sales experience process with customers, where the vehicle is quite clearly inside the showroom environment. In a static sales presentation in a showroom there is no need for children or adults to be restrained in a seatbelt.

THE DETERMINATION

The Advertising Standards Board (the “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 used scenes of young children in a car that are not in booster seats and is contrary to community standards on vehicle safety.

The Board viewed the advertisement and noted the advertiser’s response.

The Board considered whether the advertisement was in breach of Section 2.6 of the Code. Section 2.6 of the Code states: “Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety”.

The Board noted that throughout the entirety of the advertisement it is obvious that the vehicles shown within the advertisement are within a car showroom environment and that the behaviour of the people in the showroom is indicative of a real life situation with families and friends moving in and around vehicles prior to consideration of purchasing them.

The Board noted that the laws surrounding booster seats and seat belts are stipulated by the relevant authorities within each state and territory. These rules apply to moving vehicles however, and it is clear in the advertisement that the cars shown are stationary and that there is no intention to drive the vehicles with the children in them or anyone else unrestrained.

Based on the above, the Board determined that the advertisement did not depict material contrary to prevailing community standards on health and safety and did not breach Section 2.6 of the Code.

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

