



**Ad Standards** Community Panel  
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**AdStandards.com.au**

Ad Standards Limited  
ACN 084 452 666

## Case Report

<b>1. Case Number :</b>	<b>0364-19</b>
<b>2. Advertiser :</b>	<b>AMEX Australia</b>
<b>3. Product :</b>	<b>Finance/Investment</b>
<b>4. Type of Advertisement/Media :</b>	<b>Internet - Social - Other</b>
<b>5. Date of Determination</b>	<b>13-Nov-2019</b>
<b>6. DETERMINATION :</b>	<b>Dismissed</b>

### ISSUES RAISED

AANA Code of Ethics\2.6 Health and Safety

### DESCRIPTION OF ADVERTISEMENT

This internet advertisement shows three people walking through the bush. They stop at a waterfall and jump into the water below, a jump of approximately 3 metres. The three then swim under the waterfall. The advertisement runs for approximately 15 seconds.

### THE COMPLAINT

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

*The add glamorises foolhardy and dangerous behaviour and I believe it should be withdrawn*

### THE ADVERTISER'S RESPONSE

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

*We refer to your correspondence dated 25 October 2019 regarding the above.*



*Respectfully, we do not agree that the “Find Your Joy” advertisement “glamorises fool hardy and dangerous behaviour.” Instead, the advertisement shows three adults on a bush walk and swimming under a waterfall. The intent of the advertisement is to promote finding joy and rewards through using American Express rewards.*

*We do not believe there is any suggestion of danger in the advertisement, nor are the adults shown to be placing themselves at any risk of harm.*

*We note that a 30 second version of the advertisement was reviewed by FreeTV Australia Pty Limited and received a G rating.*

*We have also reviewed the advertisement in its entirety against Section 2.6 of the AANA Code of Ethics. Our specific responses is as follows:*

*2.6 Health and Safety. We assert that the advertisement does not depict material that is contrary to Prevailing Community Standards on health and safety. The activities shown in the advertisement are carried out with safety and care, and no harm is caused to any of the people who appear in the advertisement.*

*Please do not hesitate to contact me if you require any further information.*

## **THE DETERMINATION**

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

The Panel noted the complainant’s concern that the advertisement glamourizes foolhardy and dangerous behaviour.

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

The Panel considered whether the advertisement complied with 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 Panel acknowledged that there is significant community concern about entering a body of water without checking the dangers and assessing the risks.

The Panel noted the advertiser’s response that there in no suggestion of danger in the advertisement and the adults are not shown putting themselves in any harm.

The Panel noted that it had previously considered the issue of people jumping off a cliff without checking the water depth in cases, 0064-18, 0400-17, and 0090-15. In each of these cases the Panel determined that there was nothing in the advertisement to suggest that the area had not been assessed for risk before entering the water.



In the current advertisement the Panel considered there was nothing to suggest that the friends did not know the location or hadn't been to the bottom of the cliff to assess the risks and depth of the water. The Panel considered that the body of water appears to be safe for swimming and the overall feel of this advertisement is that the friends are travelling to a known swimming location.

The Panel considered that the advertisement did not depict material contrary to Prevailing Community Standards on water safety and did not breach Section 2.6 of the Code.

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