



# Case Report

<b>1</b>	<b>Case Number</b>	<b>0376/15</b>
<b>2</b>	<b>Advertiser</b>	<b>Super Cheap Auto Pty Ltd</b>
<b>3</b>	<b>Product</b>	<b>Automotive</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV - Free to air</b>
<b>5</b>	<b>Date of Determination</b>	<b>14/10/2015</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

2.6 - Health and Safety Unsafe behaviour

## DESCRIPTION OF THE ADVERTISEMENT

This television advertisement opens on a man lying under a car which is raised on axle stands. A young boy slides under the car next to him. We then see various Supercheap Auto products on screen which are described by the male voiceover as ideal gifts for Father's Day. The final screenshot shows the Supercheap Auto logo and the text, "Catalogue sale on now! On Sale 26th August – 6th September".

## THE COMPLAINT

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

*This advert shows a dangerous practice of an adult and or a child under a vehicle on axle stands when many people have been killed working on any vehicle whilst on axle stands.*

## THE ADVERTISER'S RESPONSE

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

*We recognize that working under a vehicle, if not using appropriate techniques and precautions can be dangerous. This advertisement portrays the safe technique for working under a raised vehicle, being supported correctly by 'axel stands'. In fact, Super Cheap Auto*

*has taken the information cited in “working under a vehicle” article produced by Commonwealth Regulator ACCC (see below), and also the attached guide, and used this as the minimum basis for safety in this commercial.*

*<https://www.productsafety.gov.au/content/index.phtml/itemId/1008980/fromItemId/974741#toc2>*

*Some of the key safety points (extracted from the guide) adhered to in this advertisement are as follow:*

#### *Safety tips*

- Never get under a car that is being supported only by a jack.*
- Never place any part of your body under a vehicle unless it is sitting securely on support stands or ramps.*
- Never allow a person or pet to remain in the vehicle whilst it is being jacked.*

*The advertisement demonstrates the correct technique for working under a vehicle. When filming this commercial, the raised vehicle was lit in such a way to maximize exposure of the axel stands supporting the vehicle. We feel this is well represented in the finished advertisement.*

*Super Cheap Auto acknowledges the concerns raised by the complainant pertaining to this advertisement, however suggests that the advertisement correctly depicts safe work practices and is inline within the AANA code of ethics.*

## **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 concern that the advertisement depicts an adult and a child lying under a car raised on an axle stand which is dangerous and against Prevailing Community Standards on health and safety.

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

The Board considered 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 this television advertisement features gift ideas for Father's Day and that we see a man lying under a raised car being joined by his son.

The Board noted the advertiser's response that the advertisement depicts the safe technique for working under a vehicle and that the practice of using an axle stand to raise a vehicle is consistent with the guidelines outlined in a Safety Alert issued by the Australian Competition and Consumer Commission (ACCC).

The Board noted the ACCC's Safety Alert which provides:

"Never place any part of your body under a raised vehicle until it is sitting on support stands or vehicle ramps."

The Board noted that axle stands are support stands and considered that the advertisement clearly depicts the use of these support stands to raise the vehicle.

The Board acknowledged that working under a vehicle raised with a jack is dangerous but considered that in this instance the advertisement clearly depicts the use of axle stands and that this use is consistent with the ACCC's safe working practices.

The Board considered that the advertisement did not depict material contrary to Prevailing Community Standards on health and safety when working on a motor vehicle.

The Board determined that the advertisement did not breach Section 2.6 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.