



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

Advertising Standards Bureau Limited  
ACN 084 452 666

# Case Report

1	<b>Case Number</b>	<b>0506/18</b>
2	<b>Advertiser</b>	<b>Sexyland</b>
3	<b>Product</b>	<b>Sex Industry</b>
4	<b>Type of Advertisement / media</b>	<b>Billboard</b>
5	<b>Date of Determination</b>	<b>28/11/2018</b>
6	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

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

## DESCRIPTION OF THE ADVERTISEMENT

This billboard advertisement features a tattooed woman in a Santa style dress and the text "Sexy fun for everyone".

## THE COMPLAINT

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

*I hope they could change the advertisement, it's strongly inappropriate to kids. The board is very big and draw my children's attention everyday, and they ask questions about the dress, and words and the meaning of the sexyland. I don't know how to explain to them and hard to educate them this the wrong way to dress.*

## THE ADVERTISER'S RESPONSE

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

*No areas of the advertising code have been breached.*



*There is no:*

*2.1 - Discrimination or vilification ·*

*2.2 - Exploitative or degrading ·*

*2.3 – Violence·*

*2.4 - Sex, sexuality and nudity ·*

*2.5 – Language ·*

*2.6 - Health and Safety .*

## **THE DETERMINATION**

The Ad Standards Community Panel (the 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 is inappropriate for children.

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

The Panel 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 Panel noted that this is a billboard advertisement features a woman dressed in a Santa Claus costume and the text “sexy fun for everyone”. The Panel considered that the audience for a billboard advertisement is likely to be broad and include children.

The Panel considered that the woman in the advertisement is appropriately covered and that her breasts and genitals are not visible and her attire is in line with the festive season and the promotion of the advertiser’s business. The Panel considered that the woman in the advertisement is not posed in a sexualised way, and the accompanying text is not a sexual message.

The Panel acknowledged that some members of the community would prefer for this type of store not to be advertised, but considered that in the context of a store which is legally able to advertise their products, this billboard advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience and did not breach Section 2.4 of the Code.

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

