



CASE REPORT

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| 1. Complaint reference number | 102/01 |
| 2. Advertiser | Nova 969 Pty Ltd (Nova 96.9 FM) |
| 3. Product | Media |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Tuesday, 8 May 2001 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

The television advertisement comprises monochrome images of a fully-clothed woman spanking with a paddle a naked man who is leaning over a chair. Metallic noises accompany each spank. The advertisement concludes with graphics, 'Nova 96.9 FM' and 'Sounds different', to accompanying music.

THE COMPLAINT

Comments which the complainant made regarding this advertisement included the following:

*'I was enjoying an evening with my family watching T.V. and then this ad. just intruded into my home and privacy – totally unexpected and confronting – I was truly offended by the display.
..... if the roles were reversed and a man was (sic) spanking a naked woman, I'm sure there would be hell to pay*

THE DETERMINATION

The Advertising Standards Board ('the Board') considered whether this advertisement breaches Section 2 of the AANA Advertiser Code of Ethics ('the Code').

The Board determined that the material within the advertisement did not contravene prevailing community standards in relation to its portrayal of sex/sexuality/nudity and that the advertisement did not breach the Code on this or any other ground. Accordingly, The Board dismissed the complaint.

In reaching its determination, the Board noted that the advertisement, having received an M classification, had been shown in error by the broadcaster on one occasion only prior to 8.30 p.m. The advertiser's expression of regret and assurance that 'the error will not be repeated' were accepted by the Board