



CASE REPORT

1. Complaint reference number	132/03
2. Advertiser	Toyota Motor Corp Aust Ltd (Hilux)
3. Product	Vehicles
4. Type of advertisement	TV
5. Nature of complaint	FCAI - Other
6. Date of determination	Tuesday, 13 May 2003
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement opens on a worksite scene where a young apprentice is being sent for supplies by his builder boss, whose dog jumps onto the back tray of a new HiLux before it moves off. The scene changes to the vehicle arriving at a hardware store and the apprentice trying to remember the order, saying: "Bricks, topsoil, planks...HANDBRAKE!" The HiLux is then seen rolling down a gradually steepening slope, the dog still on the back. The apprentice chases after the vehicle, managing to clamber onto the back tray as it ploughs through a brick wall still being built. The brick layer says: "Bugger." With the apprentice and dog hanging on, the vehicle continues on through a formal garden, smashing a row of poplars. A lady gardener says: "Bugger." The vehicle next crashes through a bus stop, where an ice cream-eating baby is indicated to say: "Ugga." The vehicle finally smashes into a tree close to an outside toilet, which disintegrates revealing the boss pulling up his trousers as the apprentice and dog are projected skyward by the impact. The Boss says: "Bugger me" before the apprentice lands in his arms, saying: "Bugger." The dog is shown to fall into the outside toilet pit, and there is a muffled expression of: "Bugger." A graphic-supported closing voiceover states: 'You'll always look good in a HiLux.'

THE COMPLAINT

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

"The advertisement showed the highly dangerous and illegal practise (sic) of traveling standing up in the rear tray of a utility."

THE DETERMINATION

The Advertising Standards Board ['the Board'] considered whether this advertisement breaches the Federal Chamber of Automotive Industries Voluntary Code of Practice ['the FCAI Code'].

The Board noted advice from the advertiser that consultation with Police authorities had determined that the depiction of boarding and traveling on the back tray of a runaway vehicle would not be regarded as illegal.

The Board determined that the obviously-humorous depiction in this advertisement did not constitute a breach of the FCAI Code and consequently dismissed the complaint.

The Board had previously considered complaints about similar advertisements, based on the issue of language, under Section 2 of the Advertiser Code of Ethics ('the Code'). The Board, while appreciating the complainants' personal points of view, felt that the language used in the advertisements did not offend prevailing community views and did not breach the Code on this ground. Board members noted that language is a fluid concept which changes with the times and that the word 'bugger' was an example of a term which currently was used innocuously and widely in the Australian community.